

been an ally, not an enemy, country and the motive was ideological, not mercenary. (Their activities took place during World War II, when America and Russia were allies . . .) Yet like the Pollards, the Rosenbergs received a sentence much harsher than that of non-Jews convicted of similar offenses . . .

It is too late today to reverse the harsh and unjust sentence received by the Rosenbergs and restore them to life. But perhaps something can still be done for the Pollards.

It is hard to imagine a more wrong-headed editorial. First, the idea that the Rosenbergs "allegedly" worked for the Soviet Union. In addition to the excellent book by Ronald Radosh and Joyce Milton (*The Rosenberg File*) of a few years ago, William Corson and Robert Crowley tell us in *The New KGB* that

The incontrovertible evidence of the Rosenbergs' complicity was never used. It consisted of NKVD cipher traffic, intercepted and decrypted by the United States, which identified the members of the net by name. The former chief of the FBI unit that handled the case has unsuccessfully sought the public release of the intercepts . . .

Second, the notion that the Rosenbergs were only helping an "ally." They may have considered the postwar Soviet

Union an ally (the Rosenbergs carried out espionage well after the war was over), but the United States government certainly didn't. Third, the notion that the Rosenbergs' sentence was "unjust." Was passing American nuclear secrets to the Kremlin not treason? And did treason not carry a death sentence?

That brings us to the Pollards. The claim that the Pollards should have been given lenient treatment because they were "helping an ally" of the United States simply doesn't stand up. First of all, if an official of the United States government wants to help an ally, he has many official ways in which to do it; espionage is not made any the less heinous if ostensibly carried out for a friendly country. Which brings us to point number two: if one is recruited by foreign intelligence officers, one does not necessarily know for whom those officers are really working. If you were an intelligence officer of the KGB, would you not try to recruit some Americans to help you by claiming that you were an official of some friendly government? This is known as "false flag recruitments," which go on all the time. Treason is not in the eye of the beholder; it is a specific, illegal, and despicable act. The Pollards did it, and

they deserve to sit in jail for a very long time. The *Jewish Week* is out of line. Again.

The Ethics of Anonymous Sources

There is a bit of quiet hand-wringing going on within the journalistic community in Washington following the revelations of Pentagon influence-peddling. Almost all the original information given to the press came from government officials under conditions of anonymity. For a while, the *New York Times* declined to print some of the information because, in the words of an internal memorandum written by *Times* editor Max Frankel, "we do not want to let unidentified official sources use us to circulate charges against identifiable people when they provide no named complainants or other verifiable evidence."

It's a good point (although the *Times*, along with every other publication and network, caved in shortly thereafter, once the information appeared elsewhere). But it's not the most important point. The real issue is whether allegations in the form of leaks, without supporting evidence, should be published at all. This month I have only enough space to raise the issue; next month I'll devote most of the column

to this matter. But the easiest way to summarize the dilemma is to state the unfortunate fact of life in contemporary American politics: the underlying principle of our entire legal system—a man is innocent until proven guilty—has been turned topsy-turvy. Nowadays, when a person is accused in the press, he is considered guilty until he manages to prove his innocence. Ninety-nine times out of a hundred, when you are accused of something in the press, officialdom treats you as a moral and ethical leper. And so great is the impact of the media coverage that even if you are ultimately cleared, you have been severely damaged. Remember the plaintive call of Ray Donovan: "Where do I go to get my reputation back?"

Dear Max Frankel: full marks for your ethical concerns. Would that more of your colleagues in the media took it slow, refrained from publishing right away, and thought harder about the consequences of publication. That in itself is worthy of note. But don't stop there. Take on the ethical dilemma in its entirety. The principle of "innocent until proven guilty" is a fine one, and is every bit as important as the First Amendment.

More next time. □

EMINENTOES



KING OF THE JUICE

by Edward McFadden

"If you can't eat their food, drink their booze, screw their women, and then vote against their bills, you have no business being up here."

—Former California Speaker of the Assembly Jesse Unruh

Growing up in the segregated town of Mineola, Texas, forty years ago, Willie Brown shined shoes in the local barbershop. His customers would flip Brown's quarter gratuity into the spittoon in the corner of the shop, laughing as the boy groped through the muck to retrieve his pay.

Today, Brown cuts quite a different

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figure on the streets of Sacramento, California, wearing \$1,500 Brioni suits, cruising in his \$100,000 Ferrari, or escorting beautiful women to one of the tony dining spots he favors. Today he is Willie L. Brown, Speaker of the California Assembly.

He flaunts it—with fire and brimstone speeches on the floor of the house, legendary parties, rock video cameo appearances, regular mentions in California gossip columns, and patented arm-twisting as the self-styled "Ayatollah of the Assembly." "If you can't wear it, drive it, or make love to it, I don't want it," he says. "My body would reject a Plymouth."

In a state where star power, if harnessed, could light the city of Burbank, Willie Brown has been the lone luminary in an otherwise dim political scene. But after twenty-four years as a

supernova, his state career seems to be guttering out, a victim of an internal rebellion in his statehouse, national political machinations, and what in California is called the "juice."

In 1951 Brown left Mineola on a Greyhound bus bound for San Francisco. After working his way through college and law school, he fashioned a career as a brash, radical attorney, drawing his clients from the sediment of San Francisco: whores, pimps, petty thieves. Within the paradoxes of San Francisco liberalism, such a law practice is a good way to build stature, and in 1964 Brown won the only elective office he has ever held, representing California's 17th District, a political quiltwork that today ranges from the wealthy matrons of Pacific Heights to

the homosexuals of the Castro district. In those early years, his politics approached the violent radicalism of the Black Panther movement. Under the tutelage of such prominent state Democrats as the late Speaker of the Assembly Jesse "Big Daddy" Unruh, the late Congressman Phil Burton, Assemblyman John Burton, and the late San Francisco mayor George Moscone, Brown moderated his views enough to parlay their connections, expertise, and money into a political machine that eventually reached into the state capitol, San Francisco City Hall, and congressional offices in Washington, D.C.

As Brown's power grew, his law firm's clientele improved. He no longer defends the owners of "nude-encounter" parlors; in time the department store magnate Carter Hawley Hale,

Southern Pacific Development Company, the Federal Reserve Bank, and many others in need of counsel recognized Brown's lawyerly gifts—to the extent that this part-time attorney now makes, by some estimates, nearly a quarter of a million dollars yearly in fees.

In 1980, through a coalition of Democratic and Republican support, Brown gained the Speakership of the Assembly. In a state of volatile politics, Brown has managed to retain his position a record seven-and-a-half years. Unlike leaders in many other statehouses whose power has been eroded by "reform," the California speaker has been a near despot, with sole responsibility for determining committee memberships, appointing committee chairmen, and setting the legislative agenda.

But there is more to Brown's power than constitutional prerogative—there is also the "juice," provided by the "third house" of the California legislature, the lobbying organizations. Juice lobbyists prowl the halls of the state capitol with briefcases full of checks made out to various re-election campaigns. The more prestigious a member's committee assignments, of course, the more money an assemblyman can expect in his campaign coffers. Brown's total control of such assignments thus allows him regulatory privileges over the flow of the juice, a privilege other members of the Assembly would like to possess.

The Speaker considers keeping the Democratic majority in the house an

integral part of his job, and as political campaigns in California have become increasingly expensive to run (an average of \$250,000), Brown has been forced to raise ever larger sums of money to keep his party in power. The juice lobby has become the easiest form of financial support in the state capital. In 1984, running for re-election against a political neophyte, Brown amassed a campaign fund of \$4,079,037, including a single donation of \$124,753 from the California Trial Lawyers Association. In 1987, a non-election year, Brown saved his pennies and had \$1.6 million in his kitty by the end of the year; 85 percent of the donors were firms, corporations, businesses, and coalitions. With more than \$3 million expected this year, Brown will easily break the \$4 million mark.

Much of this money goes to loyal associates in need of funds for their own campaigns. Brown used this financial assistance program to cement the symbiotic relationship within his caucus that has enabled him to control the Assembly since 1980. Of late, though, there have been signs that the program hasn't exempted Brown from the traditional political machinations of the statehouse; over the past year, five moderate Democrats have been waging an open rebellion against Brown and the foundation of his power.

The Gang of Five, as the upstarts have been dubbed by *Sacramento Bee* political columnist Dan Walters, represent the growing number of middle-of-the-road California Democrats that have emerged over the past ten years in central and southern California. Steve Peace, Rusty Areias, Gary Condit, Charles Calderon, and Gerald Eaves are young Democrats who a year ago were considered trusted members of the Democratic caucus, and Brown rewarded them appropriately with superior office space, larger staffs, and choice committee assignments. But no longer.

Gang members say they grew weary of Brown's use of the "juice" for political gain, a distraction that has kept the Speaker from establishing a clear Democratic blueprint and advanced the perception that the party is merely out to cadge a buck. Moreover, the Five claim that the ideological dynamics of their caucus has changed during the past several years, evolving from a 1960s left-wing approach on social and environmental issues, represented by Brown, to the more "moderate" brand of Democratic policy seen during the Reagan years. Brown, they say, has turned to a small group of twelve to fifteen liberal cronies, most prominently Maxine

"Mama Doc" Waters and Tom Hayden, to push a legislative agenda out of step with California Democrats.

The rebellion began with little fanfare in September 1987. Choosing an issue the GOP could support, a Gang of Five/Republican caucus coalition defied Brown and the California Trial Lawyers, steering a tort reform bill out of committee onto the floor of the house, where it passed overwhelmingly. Brown, who last year received \$35,000 from the Trial Lawyers, then attempted to quell the insurrection by stripping the Five of their committee assignments and staff, and moving them into ridiculously small office space.

Rather than back down, the Five publicly declared their defiance of the Speaker; since January, with selected Republican support, they have chipped away at the Speaker's power. When the Five were with him, Brown possessed a 44-36 Democratic majority. Without them the Speaker can only count on 39 votes in a house which needs a majority of 41 to pass any type of motion.

Since last fall the coalition has removed three bills—dealing with the death penalty, AIDS testing, and drug enforcement—from committee graveyards where Brown and left-wing allies had buried them, and seen all pass. When a Brown loyalist tried to gut one of the bills with an amendment, the Speaker warned, "That takes 41 votes. I don't want to demonstrate too often that I don't have 41 votes anymore."

One would suppose that the infighting within the Democratic caucus should have the Republicans seizing their chance to dump a man they regularly vilify in campaign literature. But Brown endures thanks to a split in the GOP caucus over how to approach the conflict—a split Brown has understandably encouraged. Under Brown, Republican leader Patrick Nolan has enjoyed an unprecedented degree of influence in the Assembly, with input in committee assignments, chairmanships, and bill schedulings, and he now returns the favor by refusing to support the Gang of Five in their attempts to replace the Speaker with a more moderate Democrat.

On a practical level, the state GOP leadership likes Willie Brown because of what his antics in the Assembly do for their own fund-raising. Running against the Speaker has netted them millions since 1980; a less-colorful Democrat would mean less money. Since April, therefore, motions to remove Brown from the Speakership have failed to win approval from the Republican caucus. Nolan defends his actions by swearing that a fellow Democrat will not replace Brown in the Speaker's chair. "If we traded Willie Brown for a Tom Hayden, it would be

like rearranging the deck of the *Titanic*," said a Republican assemblyman.

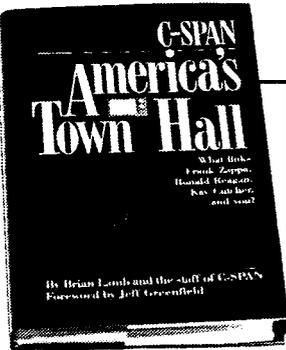
Nolan's perceived protection of Brown has not won him points within his own caucus, whose many members are beginning to feel the wrath of their constituents. To the folks at home, "it looks like the Republicans are propping him [Brown] up," said Assemblyman Trice Harvey. "Our opportunity is here. . . . It's been embarrassing to me to see five [Democrats] stand up against the Speaker."

Nolan yearns for the political spotlight as well. (When the Speaker of the U.S. House of Representatives, Jim Wright, recently spoke in the California State Capitol, Nolan staged a Republican walk-out, embarrassing Brown and garnering Nolan national press coverage.) Sacramento insiders say the Republican leader is gambling on gaining majority control of the Assembly in the upcoming election and taking the seat for himself. Since the reapportionment battle of 1980—when the liberal factions in Sacramento gerrymandered the state to lock in Democratic dominance for a decade—the Republicans and conservative wing of the Democratic party have made deep inroads into southern and central California. Polls give a mixed picture, but it's unlikely that Nolan's gamble will pay off. More likely, the Democrats will snag three additional seats from the Republicans this fall. In that case Brown will no longer need the Gang of Five, nor the Republicans, to stay in business.

But the Speaker faces a more immediate problem. In the June primary, California voters took away Brown's "juice" by passing a constitutional amendment limiting the amount of contributions a person or group can make to any one candidate, and forbidding the transfer of such funds from one campaign to another. The amendment, which mirrors federal election campaign laws, will undoubtedly slow the juice; no longer will Brown raise big money as easily as the two million dollars he raked in over an eight-month period since November, and no longer will he be able to fatten his favorites' purses with transfers.

Brown publicly insists that he will remain Speaker for years to come. He faces increasing difficulties at home—a San Francisco radio call-in poll recently named Brown the "most loathsome" man in public life and even the city's largest gay political club, a Brown mainstay, refused to endorse him in the June primary. In response, Brown has attempted to construct a golden parachute. He chose Jesse Jackson as his new Greyhound bus to

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the national stage, signing up in November 1987 as Jesse's national campaign chairman, and raising over one million dollars for Jackson's California campaign. Brown also helped arrange the political summit earlier this year in Washington between Jackson and Democratic party elders.

Brown's ability to attract attention and deftly play party politics is often offset by his political ambitions and inability to control his own candor. As

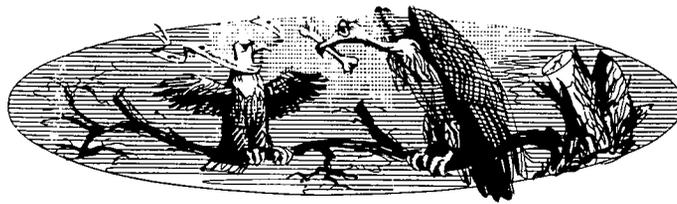
a result, Brown's parachute seems to have turned to lead. He began a "Jackson for Vice President" push immediately after the Pennsylvania primary in late April, while the candidate was still running hard for the top spot, and appeared to be putting his own political career before the Leader's when he spoke to the national press about who would "cut the cards" at the National Convention, and the necessity of "Jackson-like" (i.e., Willie Brown-like)

speakers in Atlanta. Jesse was not pleased. Brown was publicly taken to the woodshed, and no longer serves the campaign in any active capacity.

Still, Brown gained stature, influence, and prestige on the national level with his work for Jackson—particularly his fund-raising work. For that reason, political insiders like the *Bee's* Walters think Brown will preempt any move to oust him from the Speakership by jumping at the opportunity only the

National Democratic Committee can provide, becoming a "West Coast Robert Strauss." (Media wanna-be Democratic presidential candidate Mario Cuomo has already sought Brown's assistance in fund-raising in California.) No one is doubting that Brown can make it in the national political arena. But can "The King of the Juice" successfully make the transition without the power that gave him all he today surveys? □

THE NATION'S PULSE



CIRCUMSCHISM

by Charlotte Low Allen

At the local Lefebvre parish in Northern Virginia, the congregation was reacting to the split with Rome with a textbook demonstration of the first of Elisabeth Kübler-Ross's five stages of grief: denial. "Excommunicated? I've never felt that I was in communion with those people who won't even kneel to receive Our Lord," said an elderly man in a shiny suit at the after-mass coffee-and-donut hour. By "those people," he was referring to what Lefebvrites call "the conciliar church." That's the Roman Catholic Church to everyone else, of course—minus Archbishop Marcel Lefebvre and his estimated 100,000 clerical and lay followers worldwide.

After the Second Vatican Council, many Catholic churches chopped up their communion rails and hauled them off to the city dump in one of those efforts to make the laity feel more relaxed in church. More sixties airheadedness, one might say, but to Lefebvre and his followers, it was another component of a vast and powerful conspiracy of Protestants, Freemasons, Marxists, modernists, and the devil to condemn the Church and its hundreds of millions of members to perdition. Christ promised His Church that the gates of Hell would not prevail against it. Lefebvre and his followers believe that they alone are standing with their shoulders against those gates, like the boy with his finger in the dike.

That is why, when Pope John Paul II excommunicated the 82-year-old Lefebvre and the four bishops con-

secrated by Lefebvre at Ecône, Switzerland, on June 30 in defiance of Vatican orders (John Paul had already vetoed all four), Lefebvre responded with complex legal and linguistic arguments as to why no schism actually exists. (He raised the legal defense of necessity, arguing that he had to do what he did because of the emergency state of the church.) "I would call it the Roman apostasy," said the Rev. Richard Williamson, 48, one of the four excommunicated new bishops.

At Sunday mass at the Lefebvre church, St. Athanasius in Vienna, Virginia, it was hard to know whether to laugh or to cry. It is not actually a church, but a suburban tract house in the middle of a large drought-bleached lawn, around the periphery of which the parishioners park their cars with their "Pray the Rosary" bumper stickers. The church proper occupies what was apparently once a basement recreation room: a low-ceiling space crammed with hand-me-down pews, auditorium chairs, kneelers, a makeshift confessional, innumerable statues of varying sizes, a communion rail (natch), and an altar with nicely pressed cloths and a handsome silk-curtained tabernacle.

The excommunications had not cooled the ardor or number at St. Athanasius Church. All ninety or so seats were filled, a typical Sunday crowd that ranged in age from a large number of oldsters to teenagers, toddlers, and babes in arms. Lefebvre women take seriously St. Paul's injunction that women cover their distracting tresses in church, and all the St. Athanasius females, from tots to gran-

nies, wore lace veils. Assessing the meaning of these demographics—the relatively high proportion of young

people—was tough, because it was such a small crowd and many of them had driven in from as far away as Rich-

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