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JURIES AND LYNCH MOBS

BY ALEXANDER COCKBURN

The not-guilty verdict for Michael Jackson shows once again what can happen when the prosecution and defense are on at least an equal footing. Jackson had a top-flight lawyer with an unlimited budget. The prosecutors did what most prosecutors do in America: pile up the charges, on the calculation that the defendant will plead out.

In criminal cases the over-charging is accompanied by the allegations of jail-house snitches and by lies on the witness stand from cops.

The defendants have either no budget at all or only modest resources. They can't afford expert witnesses, or private investigators to pick the prosecution's case apart.

When a defendant can afford a good lawyer, top-flight investigators, expert witnesses and kindred firepower, very often the prosecution's case simply falls apart, starting with sloppy handling of evidence, compromised forensic work and contradictory testimony from the police.

In Jackson's case the piling up of the charges led the prosecutors into the "conspiracy" disaster. They had to put the mother of the boy with cancer on the stand, and her testimony blew up in their face.

The twelve did exactly what jurors should do and offered a magnificent example of the abiding importance of the jury as the fundamental bulwark of freedom in this Republic.

Their bottom line was simple: the prosecution had simply failed to make its case beyond a reasonable doubt. Such outrageous prosecutorial strategies, okayed by the judge, as allowing the jury to hear previous allegations (many of them not even first hand ac-
(**Juries** continued on page 2)

How U.S. Anthropologists Planned "Race-Specific" Weapons Against the Japanese

BY DAVID PRICE

During the Second World War, over two dozen anthropologists worked for the Office of Strategic Services (OSS), the institutional predecessor to the CIA, performing a variety of tasks ranging from covert-ops to desk-bound propaganda analysis. I will now describe one 1943 OSS document, the "Preliminary Report on Japanese Anthropology", which reveals that U.S. anthropologists were recommending culture- and race-specific means of killing Japanese soldiers and civilians. This report sought to determine if there were "physical characteristics in which the Japanese differ from others in such a way as to make these differences significant from the point of view of carrying on the war". The person who wrote this report remains classified, but a list of scholars consulted by OSS includes anthropologists such as Clyde Kluckhohn, Fred Hulse, Duncan Strong, Ernest Hooton, C. M. Davenport, Wesley Dupertuis, and Morris Steggerda.

The report considered a series of Japanese physical and cultural characteristics to determine if weapons could be designed to exploit any identifiable unique "racial" features. It examined Japanese anatomical and structural features, Japanese physiological traits, Japanese susceptibility to diseases, and possible weaknesses in Japanese physiology, or "nutritional weaknesses". The OSS instructed the anthropologists and other advisors to try to conceive ways that any detectable differences could be used in the development of weapons, but they were cautioned to consider

this issue "in a-moral and non-ethical terms," with an understanding that, "if any of the suggestions contained herein are considered for action, all moral and ethical implications will be carefully studied." Prefiguring the findings of Stanley Milgram's later "shocking" obedience experiments, most of the anthropologists consulted abandoned their moral authority and complied with the OSS' request.

Two anthropologists, Ralph Linton and Harry Shapiro, objected to even considering the OSS' request – but they were the exceptions. One Harvard anthropologist, Ernest A. Hooton, recommended that the OSS undertake a "constitutional study of Japanese prisoners or of native-born males of military age in the relocation centers, [to] yield useful information regarding the weak spots of Japanese physique." Another Harvard anthropologist, Carl Seltzer, recommended that physiologists, hygienists, anthropologists, psychologists or sociologists examine Japanese "specimens" to find desired weaknesses.

Hooton and Seltzer's views aligned with Harvard's racial anthropology in this period. Months before this report, anthropologist Melville Jacobs wrote to Margaret Mead complaining, apropos his difficulties in joining the war effort (likely because of his Communist past) that "the thought that members of the Hooton-Harvard bunch, with their racist slantings, should get in on any army or governmental services that may be already or might in the future be set up to do a job with a
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counts) against Jackson – on which he'd not been convicted – had cut no ice with these jurors.

It was a great day for the jury and a gratifying blow against the lynch mob, including outfits such as CNN which averted their gaze from photographs of abuse at Abu Ghraib, while stigmatizing Jackson as the supreme abuser.

Contrast this process in Santa Barbara County to the disgraceful trial and conviction of Father Paul Shanley who was convicted in Massachusetts earlier this year.

The 74-year Shanley drew a 12 to 15 year prison sentence on the uncorroborated testimony of one man's "recovered memories" of abuse at the hands of Shanley many years before. These days "recovered memory" has been thoroughly discredited. The judge should have thrown the case out. But, shamefully, the judge flinched before the hysteria. The prosecutors must have known how lucky they were. Aware of the weakness of their case, last year they'd offered Shanley two years' house arrest. He refused the deal, insisting he was innocent.

A slightly longer review by the editors of the Jackson can be found on our website at: counterpunch.org/cockburn06152005.html

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A HISTORY OF HALLIBURTON, PART 2 BY JEFFREY ST CLAIR

Part One, in our last issue, traced the triune rise of Brown & Root and Halliburton (later to become one company) and Lyndon Johnson. They gave him money. He got them contracts. For Johnson, money was the route to political power. From his early days running the Texas branch of FDR's National Youth Administration, LBJ had set his eyes on landing a seat in the US senate. LBJ got the NYA position, at the age of 29, through the intervention of Alvin Wirtz, the lead attorney for Brown & Root and a noted fixer. As for LBJ, he later said that Wirtz was "like a daddy to me". Brown & Root harbored similar ambitions for their man. They owned a few congressmen, but an obedient senator was the key to a higher order of riches.

LBJ's first shot at the senate came in 1941, after Texas Senator Morris Sheppard keeled over from a brain hemorrhage. Running as a New Dealer and fueled by cash from Herman Brown, Johnson embarked on a fabulously corrupt campaign against the populist governor of Texas, W. Lee "Pass the Biscuits, Pappy" O'Daniel, a flour magnate and the state's most popular radio personality. He ran on an anti-union and anti-FDR platform that appealed to rural Texas voters.

Ballot boxes were bought by both campaigns. Johnson bought them in San Antonio and southern Texas, while O'Daniel, called the greatest campaigner in Texas history, purchased them throughout east Texas. With 97 per cent of the votes counted, Johnson led the race and seemed assured of victory. Then more ballots mysteriously materialized, and O'Daniel claimed victory by 1,311 votes. The final fix may have been made by a cabal of Texas oil men and ranchers who wanted O'Daniel out of Austin. They figured he could do them less damage in DC.

Johnson vowed to learn the lessons of his defeat. He shed much of his New Dealer image and reemerged as a Southern populist, touting his votes against an anti-lynching bill, against Truman's bill to outlaw the poll tax, and for the union-busting Taft-Hartley Act. He also courted cash from every corporation and mogul he could find, promising to return their investment tenfold.

When he ran again in 1948, Johnson almost certainly lost the vote, but stole the election, abetted by Brown & Root, the company's lawyer Alvin Wirtz, and newspaper tycoon Charles Marsh.

Once again, Johnson faced a popular and reactionary governor for the Texas senate seat, vacated when Pappy O'Daniel (grew bored of living in DC. This time his opponent was Coke Stevenson, rancher, bigot and anti-communist. In the Democratic primary, Stevenson steamrolled Johnson by more than 70,000 votes; yet in a crowded field, the governor didn't top 50 per cent, forcing a run-off election in the fall. It would become the most expensive political campaign waged in Texas until George W. Bush, underwritten by the descendents of LBJ's backers, defeated Anne Richards in the fierce 1994 gubernatorial campaign.

Stevenson was a wildly popular figure in Texas, but LBJ had an equalizer: a nearly bottomless reservoir of campaign money provided by Brown & Root and Wirtz's client list of oil barons, including H.L. Hunt and Sid Richardson. LBJ also enjoyed free access to a DC3, courtesy of Brown & Root, which would rush him across the vast Texan plains for as many as 10 appearances in a single day.

Fifty-two years later, Halliburton offered its corporate jets for use by George Bush and his campaign team during the 2000 campaign and subsequent tumultuous Florida recount. For those flights, the Bush campaign reimbursed Halliburton only the cost of one first class ticket.

In 1948 it was also this same DC-3 that made emergency flights to Austin and Dallas in search of cash from the accounts of Brown & Root. The money was delivered in \$100 bills stuffed into grocery bags. The bagman was none other than John Connolly, the future governor of Texas and Halliburton board member. Each haul would net between \$40,000 and \$50,000 for the Johnson campaign.

Johnson also prevailed upon the Bell Helicopter Company, which would soon relocate to Texas, to loan him a chopper for his campaign. One of the first politicians to use the newfangled machine, Johnson would descend upon his campaign venues with the "Yellow Rose of Texas" blaring from loudspeakers attached to the landing gear – a prelude for the Wagner-screaming choppers in *Apocalypse Now*.

All of this got LBJ close, but quite not (Halliburton continued on page 6)