

ENGLISH TRIBUNALS ANDREW BOYD

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**The Lunar Pitch
NASA'S PIE IN THE SKY
Mark Bloom**

**Champagne with Connally
THE FAT-CAT BARBECUE
William K. Wyant, Jr.**

**Faith and Libel
SCIENTOLOGY FIGHTS BACK
Clay Steinman**

**The Timid FAA
HOW SAFE ARE THE AIRWAYS?
Thomas De Baggio**

George H. Douglas / Babbitt at Fifty

primarily the result of Rep. Shirley Chisholm's unfortunate intervention and the characteristic behavior of the well-heeled section of the white middle class, which voted for Wallace to make trouble for the Democrats. In many precincts and communities the vote for Wallace was not "Populist" but reflected the tactics of so-called "Presidential Republicans," who register Democratic merely to have a say in local and state elections. By ignoring the "Bond strategy"—of encouraging blacks to run for local office but to refrain from diversionary efforts in Presidential primaries—Mrs. Chisholm made it impossible for Sanford to get his normal share of the black vote. But Mr. Sanford, who will have some delegates at Miami, remains a fine resource for the Democratic Party.

In Texas, the Johnson-Connally dynasty was shaken if not toppled. Lieut. Gov. Ben Barnes, its handpicked, carefully groomed and elaborately financed candidate for the Democratic gubernatorial nomination, lost out to Dolph Briscoe and Frances ("Sissy") Farenthold, who face a runoff election on June 3. Barnes was politically if not personally involved in recent Texas scandals but, more important, the four contenders—Barnes, Farenthold, Briscoe and Smith—split the vote and John Connally's recent defection to the Nixon Administration had annoyed many loyal Texas Democrats.

At this writing, it seems that former Sen. Ralph Yarborough faces a runoff with "Barefoot" Sanders, the dynasty's man, for the Democratic Senatorial nomination. The outcome of this runoff will have an uncertain effect on Mrs. Farenthold's chances. On the one hand, it will bring out a large "hate Yarborough" vote, much of which will be against Sissy. But a large general turnout could mean that she would get the votes of many women who will vote against Yarborough. If nominated, Yarborough stands a good chance to defeat Sen. John Tower. Briscoe, who now opposes Mrs. Farenthold, agrees with the dynasty on most issues but is not their man; his image is that of an independent conservative.

In times past the dynasty's ploy has been to send a nominally uncommitted but tightly controlled delegation to the Democratic convention. This year for the first time in recent years—and largely thanks to the new rules—the delegation will be split among Humphrey, McGovern and Wallace (the actual count will not be determined until the next round in the delegate selection process).

* * *

President Nixon is almost universally regarded as the slickest of politicians, but three recent actions make one question his political astuteness. Most commentators were reluctant to characterize the Administration's recent talk about antitrust action against the networks as a further attempt at intimidation; it seemed too obvious. So, giving the Administration the benefit of the doubt, the talk was interpreted as an attempt to offset the adverse effects of the settlement of the ITT antitrust litigation. But then—as though to remove any doubt about the motivation—Patrick Buchanan, the President's speech writer, not merely attacked the networks as biased in their treatment of the Administration but went on to say that something might have to be done "in the area of antitrust-type action." In other words, Buchanan confirmed the original suggestion that the talk of an antitrust proceeding was, indeed, in-

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SCIENTOLOGY FIGHTS BACK

CLAY STEINMAN

Mr. Steinman is a free-lance writer living in New York.

Like all true believers, the members of the young Church of Scientology (or Dianetics as it is sometimes known) believe they have found the answers. A visit to their New York headquarters in the Hotel Martinique shows that Scientology has at least put smiles on a few faces and seems to have solved many of the existential problems of the members who work and study there.

According to the recent U. S. Army Chaplain School's booklet, "The Newer Religions," a seemingly nonpartisan source, Scientology was officially founded in 1955 by L. Ron Hubbard, a former science fiction and screen writer. The booklet says there are currently 600,000 members in the church. The Rev. James Meisler, Scientology's public relations man in New York, said recently that there were about 3 million followers in this country and about 15 million Scientologists in the world. By any count, Scientology is alive and flourishing.

The practice and theology of Scientology is not easy to pin down—partly because they keep changing in accord with a constant flow of edicts issued by Hubbard from his headquarters on a yacht in the Mediterranean. A lot has been written about the church, but unfortunately most of it comes either from the church itself or from writers intent on hatchet jobs. Probably everyone who has written about or been involved in Scientology, however, would agree that the following from Hubbard himself, written in 1969, just about sums it up:

Our mission in Scientology is a simple one—it is to help the individual become aware of himself as an immortal Being and to help him achieve and attain the basic truths with regard to himself, his relationship with others across the Dynamics, his relationship to the physical universe and the Supreme Being. Further we want to erase his sin so that he can be good enough to recognize God.

That sounds innocent enough: a religion which uses the traditional confessional as a therapy to achieve liberation; a religion whose catechism glitters with science fiction terms—"thetan," "engram," "misunderstoods," "E-meters" and "orgs"—a faith that speaks of knowledge of life in the womb and in earlier reincarnated forms.

In practice, however, Scientology may not be as innocent as it sounds. Scientologists are more than eccentrics: they are fanatics. Strange stories about the church abound. And some of those who have told them have suffered for it—have been harassed and, possibly more important, have met with attempts to silence them. Hubbard himself once wrote in Scientology's *Ability* magazine that "we should be very alert to sue for slander at the slightest chance, so as to discourage the public press from mentioning Scientology." Meisler says that this policy is no longer in effect. Whether it is or not, not wishing to invite a possible suit, my critical comments about the church will

be limited to discussing an actual complaint that has been filed in court against it.

One of Scientology's key rituals involves what are called "auditing" sessions. In these encounters, run by a church-trained auditor, the subject or "pre-clear" is asked to reveal his or her innermost self and feelings. Using the E-meter, a device resembling a galvanometer, Scientologists believe they can discover every repressed aspect of a person's present and past lives. That may be all right for emotionally stable people who can benefit from talking about what they have long held back, but it also leads Scientologists to accuse anyone who attacks the church of having something to hide, of being afraid to be audited. Why else would they malign Scientology?

Since *The New York Times v. Sullivan* case, it has been hard to win a libel suit in the United States. Plaintiffs must prove "malice and a reckless disregard for the facts" in order to win in cases that involve matters considered of interest to the public. Nevertheless, in the last five years, the Scientologists have initiated at least seven libel actions in this country. In Britain, where libel laws are rougher, they have sued more often.

Paulette Cooper is a 27-year-old free-lance writer who has lately been tangling with the Scientologists. In 1969, she wrote an article entitled "The Tragi-Farce of Scientology" for Britain's *Queen* magazine. Shortly after publication, the Scientologists sued the magazine for libel. The publishers decided to settle out of court for a token amount. In the settlement papers, *Queen* agreed that the "allegations complained of are untrue," and that the magazine "withdraws them unreservedly." A suit against Cooper, filed last year in Britain, is pending.

Since the *Queen* article, Cooper has become an established writer. During her short career, she has published three books: a children's book, a book called *Growing Up Puerto Rican* (she is Jewish) and *The Scandal of Scientology*. She has also sold fifty-seven articles on various topics, including a Dutch satanic cult which she infiltrated and wrote about for *The New York Times*. According to Cooper, *The Scandal of Scientology* has sold almost 200,000 copies in a Tower Publishing Co. paperback.

The author lives in a disheveled, one-room apartment on New York's East Side. When you visit her on an afternoon she offers you a drink, has one or two herself and she chain-smokes. She likes to talk. A little more than 5 feet tall, with carefully treated golden-brown hair, she appears much more frail in person than her glamorous publicity pictures would have you believe. She happily tells you that she and her lawyers have filed a \$15.3 million suit against Scientology.

When she talks about why she filed the suit, though, and reads through her 15-page complaint, you can tell she has been affected by what has happened to her. She laughs, but her laughter is nervous. "I like the David and Goliath story," she says, "and so I'm fighting back." According to her complaint, the Scientologists secured a copy

of her manuscript before it was published by Tower in June of 1971. (Meisler said it was mailed to the church by an anonymous donor. "We have supporters everywhere," he cheerfully explained.) What follows is detailed in Cooper's complaint.

On March 23, 1971, Scientology lawyer Joel Kreiner wrote Jean Glass, a Tower editor handling the book, and warned her that ". . . Miss Cooper's manuscript was refused publication in the U.K. due to its libelous content." Cooper has never been successfully sued for libel. However, she has been sued, and that earlier affected her attempts to sell the book to British publishers. Both the New English Library (a division of the Times-Mirror Co.) and Hodder and Stoughton turned down the manuscript. In a letter to Cooper, Laurence James of the NEL told her that although he "liked it very much indeed . . . the British libel laws are such that we would be certain to be taken to court by the Scientologists." Cooper's agent in London, Victor Briggs, wrote her that the situation was essentially the same at Hodder and Stoughton.

As Cooper explains it, this fear of suit extended to America. She claims that one prominent publisher—whom she will not identify until the case comes to court—would have printed the book if he had not been afraid of libel. Even if he had won such a suit, the costs of going to court in this country are high.

Once Tower had bought the book and the Scientologists had the manuscript, church representatives sent the publisher three telegrams, all threatening suit if the book came out: It did, and in November suits were filed against both Tower and Cooper by Scientology lawyers in California. The defendants are now trying to get the suit switched to New York, where Tower is located.

Cooper also claims that, among other things, Scientologists tapped her phone, followed her "closely and obtrusively" on the street, made obscene phone calls to her late at night, and tried to serve a process on her at 2:30 in the morning, after waking a 72-year-old neighbor to ask him questions about her. She says they tried to date her as a means of acquiring information. And she says they harassed her when she went to Scotland, serving a patently invalid process on her—which was never followed up with a valid one—as she got off the plane. She says Scientologists posing as FBI men and with letters supposedly signed J. Edgar Hoover, questioned acquaintances about her.

Most important, perhaps, Cooper says that her case is typical of efforts by Scientologists to silence anyone who writes critically of the church. Her complaint alleges that Scientology has filed 100 libel suits in the last two years in the United States and Britain. Among those who have been sued in America, in addition to Tower and herself, are the American Medical Association and the National Education Association, Fairchild Publications (for an article in *Women's Wear Daily*), *The Washington Post* and George Malko, along with Delacorte Press, for his book, *Scientology—The Now Religion*. The Scientologists have also sued *Realist* publisher Paul Krassner. And they've tried to block the publication of an Olympia Press book about the church by Robert Kaufman. They have also threatened to sue *Life*, the Rev. Lester Kin-

olving of the *San Francisco Chronicle*, the *Los Angeles Times* and *Parents' Magazine*, to name a few, according to Cooper.

Scientology has won none of these suits. The actions against Tower, Cooper, the AMA and NEA, Delacorte, Malko and Krassner are all in process, with no quick settlement in sight. The suits against *Women's Wear Daily* and *The Washington Post* were dropped. And a hearing is to be held some time in May on the Kaufman book.

Most of those who have been sued say this action against them was part of an effort to stifle criticism of the church. Steve Baird, head of Delacorte's legal department, said "they were trying to harass us." Both Malko and Dennis Sheahan of *Women's Wear Daily* told me, however, that except for the suits themselves, Scientology has not bothered them. Cooper claims she has been harassed to the point of bringing suit against the church.

All of this makes the Scientologists sound a bit like villains, what with libel suits, and, as alleged in her complaint, phone tapping, shadowing and obscene phone calls. Not surprisingly, Meisler said he sees the whole thing quite differently. Hubbard's directive to sue when possible, he explained, came at a time when the church had no resources for public relations. Since then, Meisler claimed, suits have been initiated only as attempts to correct false-



S. Savage

hoods. As Meisler put it, when the Scientologists try to stop the publication of a book, they do so only to stop the spreading of lies. Meisler doesn't deny that Cooper may have been harassed, but he does deny that Scientologists had any part in it. "We're not the CIA," he explained, "we're a church."

He may be right when he says that Cooper has developed lots of enemies in the course of her writing career, any of whom could have harassed her. He says she is suing for the money and the publicity. And he claims Cooper couldn't sell her book to a publisher more established than Tower because it's just not very good.

The book *isn't* very good. Although everything in it is carefully documented, the sources are often questionable. The presentation is sensational and the writing is mediocre. The overwhelming majority of the material was dug from newspaper clippings and reports of governmental commissions outside the United States. There is almost no first-hand research.

Meisler, in his mid-20s, seemed a sincere man. He moved and spoke awkwardly, and was dressed in clothes that, though neat, looked unstylishly old and worn. His appearance did not at all suggest the slick public relations man. He wore a cross in his lapel and, while speaking, frequently brought his hands together as though in prayer. Like all of the Scientologists in the New York headquarters, he was friendly. After listening to him, I could see that what he said made sense on his terms. He certainly didn't seem the kind of man who would order a secret police into action. Mostly, he laughed off Cooper's suit. "I consider it pretty much of a joke," he said, referring to many of the allegations. I left the interview unsure as to who the villains were in the affair, or, indeed, if there were any villains. Perhaps the whole thing was just a case of people not understanding one another, of being unable or unwilling to confront different world views.

Three days later, though, Meisler did something that somewhat changed my view of the matter. He called me to say that he had something to add to our conversation, that he had written it down, and that he wanted to read it to me. Here is the statement: "We welcome the opportunity to bring Miss Cooper to the courts where she can be investigated fully, as we have begun one ourselves and find shocking evidence." I asked a few questions: "What kind of investigation?" "What kind of evidence? I thought you didn't investigate anyone." "We don't investigate anyone, people gave us this information unsolicited," he said. I asked him again what specifically he was talking about in the way of evidence, and he told me to wait a second, he had something written down about that too. He said he didn't want to be too specific—that might jeopardize their chances in court—but he would tell me in general what he was talking about. The Reverend Meisler giggled and then he said it: "Paulette's been very, very naughty."

My first reaction to that was that Meisler wasn't much of a public relations man, that his statements were the product of his own mind, with its own view of the world and human beings, separate from that of the church. A few days later, though, I came upon a communication from L. Ron Hubbard, dated February 15, 1966; Meisler has verified its authenticity. Entitled "Attacks on Scien-

tology," the edict from Hubbard stipulates in part:

Anyone proposing an investigation or an "enquiry" into Scientology *must* receive this reply and no other proposal: "We welcome an investigation into (Mental Healing or whoever is attacking us) as we have begun one ourselves and find shocking evidence."

This sort of thing might be amusingly weird, but it's not so funny if you're a writer and find that threats of libel action are keeping you from being published or preventing you from making money on work you have done. Most authors' contracts state that, in case of libel suit, legal fees and any indemnities will come out of the writer's royalties. Cooper says that, what with her suit in England, the California suit against both her and Tower, and the improperly served process in Scotland which she had to pay to have investigated, she'll be lucky to break even on her association with Scientology. If she wins her suit against the church, a large chunk of the award will go to her lawyer, Paul Rheingold—the man who successfully sued General Motors on Ralph Nader's behalf—and a large chunk will go to a fund she says she'll set up to help writers who get into hassles like hers. At any rate, although Cooper and her lawyer say they are optimistic, the suit itself is no guaranteed winner. Rheingold has a lot to prove. And even though he told me that he can drop parts of the complaint if he finds he can't prove them when and if the case comes to trial, beating the Scientologists won't be easy. Meisler implied that the church was wealthy when he told me the loss of the entire \$15.3 million would not significantly affect the organization's financial status. The Scientologists evidently have a lot of money to spend in their fight against Cooper.

The church has until the end of this month to answer the suit. But whatever happens, whoever wins—whatever that means in a situation like this—the tactic of suing to stifle comment will still be available to those who can afford it. If you have money and don't like what's being said about you, sue. Win or lose, you'll scare off some people. People who can't afford or don't want to spend money on the high legal costs of defending against a libel action will be silenced. You may not stop everyone, but you'll quiet a lot of people.

The Scientology affair is not an isolated case. On April 30, *The New York Times* reported that International Telephone and Telegraph Company officials had somehow received a copy of a manuscript by Harlan M. Blake, Columbia law professor, exposing their alleged cozy relations with the Justice Department. The ITT officials also learned that the manuscript would be published in the June issue of *Harper's*. The corporation representatives told the editors at *Harper's* that if they went ahead, ITT would sue for libel. *Harper's* editor Robert Shnayerson apparently has the will and the resources to ignore the ITT threat. He's printing the piece. But suppose a publication so threatened were not as big and powerful as *Harper's*? Suppose the same thing happened to a local newspaper? Or a small television station?

The potential for stifling criticism through wanton libel suits seriously affects the freedoms outlined in the First Amendment. Perhaps it's true that you need lots of money to print the truth without fear or favor, true that freedom of the press—like the press itself—belongs to the rich. □