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ABOUT NEW YORK

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PG Man Hangs Up That Hat

TALKING to Richard D. Heffner makes you realize just how many buffalos are gone. Once there were great herds of these unabashed liberals of the old school, expressing passionate belief in polite, civilized discourse and rational persuasion. As Mr. Heffner did the other day, they would cite John Stuart Mill and de Tocqueville, whose works he edited, or Lionel Trilling, his teacher at Columbia, and Walter Lippmann. You listen to his soft-spoken talk and you become aware how uncommon common sense has become, how sharply scholarly authority has been eclipsed by the style and spleen of stand-up comedians, how Socratic dialogue has given way to sound bite.

But if the me generation and generation X and whatever else is coming down the road — generation X? — cannot easily relate to or identify Mr. Heffner's sources, or quite place the Rutgers history professor in the contemporary world, they would surely be aware of his work as chairman of the Classification Board assigning PG, R and X ratings to thousands of films.

Now after 20 years and after viewing thousands of movies, Mr. Heffner is leaving the key job in the movie industry's effort to monitor itself and thwart scattered initiatives for outside censorship. In two weeks Mr. Heffner, the son of a New York bookie, will leave his Riverside Drive apartment for the last of what have been his almost weekly flights to Hollywood to look at films from the point of view of a reasonable parent. He is not sorry the job is ending.

"I guess my day is over," said Mr. Heffner, who, in addition to teaching, helped establish Channel 13, where for the last 38 years he has been the host of a television interview program. He added, "There are a lot of people in Hollywood who must be happy that I'm going."

HE has been called names. People who made money by showing shameless killings and gratuitous pain scorned him as a blue-stocking enemy of free artistic expression for signaling parents that this or that film demands parental guidance or custodial supervision. There have been film critics who have similarly portrayed him as a reactionary force. Because the names of the other members of the board have been kept secret to shield them from such harassment, it is he who has been left to take the heat.

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"There is a view now increasingly common, that if everybody did whatever they wanted, the invisible hand of God would make everything all right," he said. "I believe there is a public interest and I don't think you can leave everything to the selfishness of the powerful and their spin doctors."

Yes, he went on, he believes in the values of free exchange reflected in the title of his television program, "The Open Mind." He quoted a favorite line from Milton's *Areopagitica*: "Who ever knew truth put to the worse, in a free and open encounter?" Yes, he believes that, but the problem, he insisted, is that Milton's contest of truth and falsehood is rarely decided in fair fights.

"When you have people with money and power, selfishly backing films with scenes of imitable violence, how are parents around the country to fight for truth?"

Along the way, he noticed that traditions of civility and tolerance were eroding, and not just in Hollywood. "When I started my television interviews, I would have several people on at once and sometimes people would actually change their minds on camera." After a while, presumably as people understood the medium, this stopped and guests became unbending advocates of fixed positions. As a result he began interviewing his subjects one at a time.

WHEN he started classifying films, he anticipated that there would be accusations of censorship. Indeed when Jack Valenti, the head of the Motion Picture Association of America, first offered him the job in 1974, he turned it down, saying, "My mother did not raise me to count nipples."

But after reflecting, he saw that to avoid the threat of state censorship, self-control was needed. "It was as de Tocqueville had written: voluntary restraint could prevent censorship, which would be the tyranny of the majority."

He took the job but never moved out to the Coast. "I never developed a social life out there," he said. "I flew out, watched the movies, voted and came back home. I never socialized with people in Hollywood. I was a surrogate for parents. I had children. I had grandchildren. I knew parents were concerned — more, I think, with violence in films than sex, but sex too was often shown as violence. When I saw something that would have been bad for my grandchildren, I knew it was bad for us as a society. I did not need the industry to tell me it was good."

The phone rang. It was his 4-year-old grandson, Alexander, calling to talk about the Flintstones.

"I liked it, too," said Mr. Heffner in what appeared to be a warm, open and tolerant discussion.



A friend says that Michael Kaufman's generous New York Times piece about this particular "buffalo" makes both a most opportune change-of-address notice and a terrific job/consultancy-want ad. At the very least, let me take advantage of the former.

Starting July 1st, THE OPEN MIND and Richard Heffner Associates will be located at the address above (phone: 212-593-6359, 6361; fax: 212-715-1661).

Academically speaking, during 1994-95 I'll be writing "the book" as a Senior Fellow of the Freedom Forum Media Studies Center at Columbia (phone: 212-678-6628; fax: 212-678-6648). And, of course, I continue — hopefully for many years to come — my now near half-century old (young!) teaching relationship with Rutgers as University Professor of Communications and Public Policy.

Home remains 90 Riverside Drive, NY, NY 10024 (phone: 212-799-7979; fax: 212-799-7980).

Dick Heffner

Here Come The Video Censors

By Richard D. Heffner

A whole new "entertainment" industry was born in the early 80's, one that in its extremism may now threaten our liberties.

The new industry was home video of explicitly sexual and violent content — content that until then had been kept as far from our homes as possible. On cable's "blue" programs a woman masturbated on the screen; another joined her. An artist jovially painted a mother and her pubescent daughter — not their portraits, their naked bodies. A dog was brutally murdered, the scene repeated again and again. X-rated films became accessible to anyone, young or old, who could turn a switch to "On."

That was only the beginning. The stunningly successful emergence of a revolutionary "interactive entertainment" industry, with its video games and promise of "virtual reality," today brings violence and sexuality into our homes with a lifelike intensity that had never been imagined. Check out "Mortal Combat" and "Night Trip." And reaction is already setting in — not just among fanatics and know-nothings but equally in the ranks of America's most thoughtful citizens and public officials.

Unfortunately, too many of them now naively turn to the movie rating system I head as a model of how to stem what may too likely become a plea for Government censorship.

Indeed, the video game and cable industries are now instituting ratings to assuage public and political concerns. But merely to imitate what the motion picture industry lobbyist Jack Valenti led his colleagues to do a quarter-century ago simply won't work today. We've made mistakes over the years, but our out-of-the-home, box-office-anchored rating system was designed to meet parents' concerns about their children's moviegoing, thereby silencing cries for movie censorship. It simply isn't relevant to the in-the-home (and in-your-face) nature of new entertainment industries, which can provide

And no rating system is going to stop them.

no effective intermediary between their harshest content and their youngest audiences.

Every indication is that these newer technologies will bring ever more outrageous material into our homes — the kind of material Americans have tolerated until now only because it has been kept at a distance. Indeed, in America this seeming hypocrisy may have been freedom's saving grace: extreme obscenity is tolerated only because it is kept largely out of sight, far from our homes and families.

Make it more visible, thrust it upon our children, and we run the risk that angry Americans will devise formulas of protest and self-protection dangerous to free expression and free choice for all.

Short of censorship, what then is the solution for the excesses of cable and the new interactive entertainment? It may be as simple as it is painful for those whose only concern is to maximize profits.

It is to just say no. Don't produce degrading materials; don't trade in them; don't seek merely to rate them, passing them off on parents and children; don't profit at all from them, at such an enormous cost to our national life.

To all those who dismiss such an approach as futile, reminiscent of Nancy Reagan's appropriately maligned response to the drug problem, consider: Would these "entertainers" really choose instead to risk the biggest battle over free expression this nation has ever known?

Realism requires that we anticipate no technological "fix" for the invasive pornography of violence and sexuality. Electronic chips embedded in television sets will no doubt be bypassed before long, no more effective than unenforceable ratings. So will contemporary parents' willingness or ability to control the games their latch-key children play. So will a call by media ethicists, whose professional codes of conduct are only toothless urgings, drowned out by demands for larger and larger audiences. So will the call to boycott offending products and producers, which will only fall victim to Gresham's law.

Unhappily, as a result, what probably won't be bypassed any longer is Government censorship. Unless someone out there has a better idea.

Richard D. Heffner retires next month after 20 years as chairman of the film industry's rating system.



Robert Froy

The First Power Couple

By John Newhouse

WASHINGTON Each year has its milestones; 1994's big one is the 50th anniversary of the allied landings on the beaches of Normandy. But another, as yet unremarked, is the anniversary of the birth of Pericles in 494 B.C. — an event, I concede, that has been ignored for who knows how long — two millennia, maybe.

Why bother now, then? The answer in Pericles's case must be "better late than never." Although he is a more distant figure than, say, Columbus, we owe him a lot more, although we can't measure how much, since most of the literature in which he figured hasn't survived. We know that probably no one has ever ruled as wisely or as long with the consent of the governed. We know that he was the inspiration for and patron of the richest effusion of classical art. Briefly, we know that Pericles defined and dominated an eponymous era that was the closest thing to a golden age that our history reveals.

What isn't widely known is that Pericles had a vivid, and for a time tumultuous, private life. Scholars disagree on details, but not on the main point: at considerable risk to his exalted position, Pericles shared not just his bed but his political life with a brilliant and beautiful woman. Her name was Aspasia, and now, when female prime ministers are not an oddity and diversity in high places is the fashion, her singular role in the classical legacy should be pointed up.

Aspasia was a political force, even though wives of the Athenian gentry were normally illiterate, sheltered and taken up with family and slaves. She wasn't even Pericles's wife. A divorced and aloof man in his early 50's, who never entertained or accepted

**Athens, 440 B.C.
A wise leader. His
brainy consort.
Hostile scribes.
And a scandal.**

dinner invitations, he fell in love with the much younger woman and she with him. The affair was an utter anomaly, with heavily scandalous overtones, most of which invited smears and hyperbole on a scale that probably exceeded what the tabloids are capable of today.

First of all, Aspasia was a Hetaira, meaning that she belonged to a caste of high-class, cultivated courtesans. To take a Hetaira into one's house, have a child with her and, worse still, make no effort to conceal her impressive intellectual skills and corresponding influence on her mighty consort's thinking — all of this was for many Athenians not just eccentric but offensive. As E. F. Bensen wrote in the 1920's about Periclean Athens, "a flute-girl supplied occasional amusement, a wife supplied sons, and Athens in all the friendships and romantic companionships of life was a city of men." Neither before nor after Aspasia did an Athenian woman keep a salon in her house, much less one to which the city's deepest thinkers and their pupils flocked.

Among the notables with whom Aspasia discussed politics and philosophy were Socrates and members of his cult. Socrates was known to have been deeply impressed by Aspasia. And Plato, in his dialogue between Socrates and Menexenus, identifies her as the real author of Pericles's only famous utterance, the funeral oration

for the dead in the early days of the Peloponnesian War.

Most experts reckon that Plato was just having some fun — using the dialogue to show that much of what passed for informed opinion in Athens had come to see Aspasia as the clever one and the manipulator of the first citizen. And therein lay the problem. Although Pericles was very grand, he didn't lack enemies and critics. The long peace with Sparta that he made and managed was hard on war hawks. Conservatives opposed what they saw as too much democracy and free thinking and too little respect for the gods or for values based on position and privilege.

Before Aspasia came on the scene, Pericles's enemies hadn't managed to breach his defenses. Then, using her as a weapon, they attacked him full bore.

Plutarch describes how Aspasia was accused of procuring women for Pericles and turning his house into a brothel. The charge, however absurd, probably had some resonance, since Pericles, unlike so many of his peers, was distinctly heterosexual. A comic poet named Hermippus attacked him for "erotic instability" in a play called "King of the Satyrs."

The comic poets were the pack journalists of the period, and the theater was their channel for smearing and ridiculing the prominent. Since Pericles was being effectively harassed through Aspasia, it seemed a good idea to attack other members of his tiny circle of intimates. One such was Phidias, Greece's greatest sculptor. Pericles had commissioned him to build the Parthenon, and in 438 B.C., about when Pericles's troubles began, Phidias was completing the huge gold and ivory statue of Athena for the inner room of the temple.

Abruptly, he was accused of stealing some of the gold — a charge that would spatter Pericles, since he was in charge of such projects. More serious, the poets had been hurling charges of impiety and blasphemy against Aspasia, and they now accused Phidias of the same crime.

Phidias was vulnerable: like Aspasia, he had broken new ground, in this case by carving likenesses of human beings on Athena's shield. One of the likenesses, alas, resembled Pericles, the other Phidias himself. "To carve recognizable people on the statue of the goddess," writes the classical scholar Donald Kagan, "was far too bold for the ordinary citizen, who was likely to consider it an act of hubris that could endanger the entire city."

Meanwhile, Aspasia's situation was growing more desperate. Any citizen of Athens could bring a legal action against another citizen, and it was Hermippus, one of Pericles's chief tormentors, who formally indicted her for impiety. He may not have been acting on his own. By then, a commerce-based nouveau riche was forming, and one of its early leaders was a seller of hides named Cleon — a kind of Ross Perot of the day and a sworn enemy of Pericles. With his verses, Hermippus became Cleon's flack.

According to Plutarch, "the people accepted with delight these slanders" against Aspasia and the others. But Pericles, he adds, got Aspasia spared "by shedding copious tears at the trial ... and by entreating the jurors."

Exactly what befell Phidias isn't clear, but he came to a bad end. By one account he vanished from the city. By another, he was put in prison and died there. With religious fundamentalists in full cry, Pericles probably calculated that he would be able to save only one of the accused, and inevitably he used his power to save the woman he loved. Pericles himself came through the attacks on him and Aspasia without lasting injury to his prestige or his power.

The blasphemy trials occurred when Athens was at the peak of its

glory. For its leader, it was the best of times, politically and personally. A few years later, his long peace was shattered by the outbreak of the Peloponnesian War, swiftly followed by a plague. Aspasia wasn't blamed for the plague, but a few comic poets did accuse Pericles of arranging the war to divert attention from his Aspasia-related miseries. Some years later, Aristophanes picked up that libel and used it in a play, "The Acharnians."

None of what occurred, including the decline of the city (and democracy) that set in after the war began, came between Pericles and Aspasia. Their liaison lasted as long as Pericles did. He died in 429 B.C. Aspasia made another strong, though less conspicuous, attachment. And Pericles was succeeded by Cleon.

John Newhouse, a staff writer for The New Yorker, is guest scholar at the Brookings Institution.

Journal
FRANK RICH

An Inspector Calls

Everyone loves a thriller, and Broadway got a sensational one last week, with the arrival of Stephen Daldry's stunning production of "An Inspector Calls." Yet the most suspenseful drama unfolding around Times Square right now may be off-stage, where real-life inspectors are infiltrating the shadowy Damon Runyonesque underworld of ticket scalping. At stake is not only consumer confidence in the Broadway theater but also an all-cash criminal economy generating millions of untaxed dollars in the heart of Rudolph Giuliani's budget-crunched New York.

The star of this production is the politically ambitious G. Oliver Koppell, who is filling out Robert Abrams's term as New York State Attorney General and is up for election this fall. Last month Mr. Koppell began filing suits against flagrant out-of-state brokers who scalp Madison Square Garden events like the Big East basketball tournament and Barbra Streisand concerts. Next thing he knew, Mr. Koppell says, "everyone from parking attendants to partners in Wall Street law firms" was cheering him on to widen his inquiry. Then "a number of people came forward as informants."

Now a task force involving two different divisions of the Attorney General's office is extending the investigation into Broadway's ticket distribution system. Mr. Koppell sees his constituency as the ordinary consumers who are infuriated by their inability to buy good seats legitimately, presumably because many of them are diverted to scalpers.

To see how large the problem is, two Times colleagues put themselves in the position of out-of-town tourists who wanted to plan a weekend trip to New York around a Broadway show. They tried to buy prime orchestra seats, fifth to tenth row center, by phone for a Friday or Saturday night — any Friday or Saturday — for five different plays. And failed each time.

At "The Phantom of the Opera," the Telecharge salesperson flatly said that on Saturdays "nothing is available in the center orchestra for the entire run of the show" — despite the fact that the run is unlimited. But not even "Blood Brothers," an unprofitable production on its last legs, could fill the order. No wonder tourists turn to scalpers, or give up on Broadway altogether.

Mr. Koppell's job is to find out where all those tickets go, and how they get there. Few in the theater

doubt that ice plays a major role. Ice is the industry's term — derived from an old machine politicians' acronym for Incidental Campaign Expenses — for bribes paid by scalpers for prime tickets at the box office. Since Broadway box offices — and their phone extensions, like Telecharge — are run by the theaters' owners, not the individual shows that are tenants, many producers are rooting for the Attorney General to help them at last gain control of their own ticket inventory. "Shows are hosts surrounded by parasites," says a producer; he believes one theater employee collected up to \$15,000 tax-free a week in ice at one of his hits.

Meanwhile, fear reigns. Shortly after Mr. Koppell's investigation first leaked out in The New York Observer, the Shubert Organization, Broadway's largest theater owner, fired the manager and box-office staff of its Philadelphia touring outpost, the Forrest, but refuses to explain why to

Broadway scandal in the wings.

reporters. No producer I contacted would speak about ice for attribution; one refused to talk on the phone and instructed me to meet him instead in an anonymous midtown office.

This is a crucial moment for Broadway. The pre-Tony Awards boom is on. After an abominable winter, the street's marquee are alight again with big names — Stephen Sondheim, Arthur Miller, Tommy Tune, Disney. But how many plays will survive Labor Day? For the first extended period in memory, not a single Broadway show, the big musicals included, is a consistent sellout.

Smart theater people know that high ticket prices compounded by scalping are driving away business when Broadway needs every customer it can get. Smart politicians know that ticket scandals are political windfalls: Louis Lefkowitz, the Attorney General who uncovered \$10 million in Broadway ice in 1963, was on the front page for months. Smart New Yorkers know that Broadway's health is essential to the city's economy. With passions like these at play, who doubts that Mr. Koppell has the makings of a smash hit? □

"We're not going to the unemployment line without the fight of our lives"

— Pearl Novak, a Leslie Fay Worker for 46 years, Wilkes-Barre, Pennsylvania

Wilkes-Barre, Pittston, Throop, Tuscarora—small communities that could be anywhere in America but happen to be in the Wyoming Valley of northeast Pennsylvania. That's where one of the world's largest manufacturers of apparel, Leslie Fay, became an American success story.

For four decades, the people of these and other communities nurtured a growing Leslie Fay. Thousands of loyal skilled workers spanning two generations gave their working lives to Leslie Fay. Not that they were ever highly paid; their current hourly wage averages \$7.80. But the work was steady, and they felt part of an increasingly prosperous family.

Then disaster struck. The company's own top executives were caught in a huge financial scandal. The \$800-million-a-year apparel giant was thrown into bankruptcy and its management into chaos. By early 1994, Leslie Fay's management was at war with its creditors, under investigation by the U.S. Department of Justice and the Securities and Exchange Commission, and battling lawsuits by its stockholders.

Hard-pressed to save themselves, their big salaries, bonuses and perks, Leslie Fay's top executives decided to sacrifice the workers.

On March 30th, the company announced that it would shut down all of its domestic production, throw 2,000 American workers out in the street, and send its production to places like Guatemala—a country where Leslie Fay workers are paid as little as 32 cents an hour.

Leslie Fay's management has another option—one that helps both the company and its workers.

Mindful of the importance of doing their part to help, the workers have made significant economic concessions in exchange for a formal agreement to upgrade technology and maintain Pennsylvania production jobs.

Leslie Fay's workers were—and are—ready to cooperate with management to make domestic operations more efficient. In fact, this is the trend in the industry, as competitive pressures force manufacturers to rely more, not less, on U.S. production to respond quickly to the demands of retailers.

But Leslie Fay's management has chosen to go for the fast buck. Dumping the workers is an easy way to raise quick cash. And it provides a smokescreen for management to divert attention from its own misdeeds. Never mind that these "disposable workers" are 90% women, most over 40 and many the sole breadwinners for their families, few of whom can possibly find other jobs in today's economy.

The Leslie Fay workers are not, however, about to roll over for this group of moral outlaws whose reckless management is destroying an American success story. Pearl Novak and 2,000 others are prepared to wage the fight of their lives. With the support of their union, this will be a

fight in which the American people will be asked—where they live, where they work and where they shop—to choose sides between the unrestrained greed of a few and the need of every one of us to be a part of our own American success story.



**International
Ladies' Garment Workers' Union**

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