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## CLASS STRUGGLE AND THE AMERICAN DREAM: A MARXIST ANALYSIS OF COMMUNICATION

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### THE RIGHT-WING VERSION OF THE AMERICAN DREAM

Like the liberation ideologies of the civil rights movement, recent right-wing control ideologies have appealed to the experience of frustration and to the contradictory elements of the American dream. However, in the right-wing version we are dealing with the frustrated status-striving of the petty bourgeoisie (or in more popular language the "lower middle class") not with racism, oppression, and exploitation, the injuries of working-class minorities. Twisted rightward, the American dream has now changed from the theme of freedom through struggle to success through respect-

ability and conformity to "the American way of life"—the values of work, family, church, and nation. These values have contradictory meaning, but in right-wing ideology they serve the class order of subordination to private property, male chauvinism, and racism.

Today, in the 1980s, we are seeing the reassembling of the American dream into its right-wing mold. The same values take on the opposite meaning in this reconstituted ideological framework. The protection of individual rights now becomes the defense of the beleaguered white bigot against the spoilers of the American dream—the minorities, the Left, bent on permissiveness and destruction. The reconstituted ideology legitimates not change, but repression of the spoilers, conservation of values and moral solidarity. The mobilizing symbols expressing and protecting the American dream are the very ideological and repressive apparatuses of capitalism: the police, the military, the prison, the nation right or wrong.

There is no clearer recent example of the class production and class function of right-wing ideology and the twisting of the American dream rightward than the Dan White case. Dan White literally got away with the political assassinations of a San Francisco mayor and a supervisor. It is politically important to understand why. Of course, there is no room for political assassinations in ruling-class ideology. The media and the courts recognize only the isolated acts of disturbed individuals. Nevertheless, the pattern of assassination is there. The problem is to understand how it is justified ideologically; how the practices of the courts and media produce this justification; how the ideology of justification reflects the class struggle at this particular conjuncture; what is the role of the petty bourgeoisie in providing the moralistic vocabulary of justification; and why the bourgeoisie allows this ideology to serve repression.

The answers begin to emerge in an analysis of the Dan White case as it was interpreted for popular consumption by the courts and the media. From the Marxist viewpoint, the issue is not so much Dan White as an individual or even the technical details of his trial, but rather what he represents—the fears and ideology of a beleaguered petty bourgeoisie, inflated by the ideological apparatuses of the bourgeoisie to justify its current program of austerity and repression. The case is also symptomatic of the current alignment of the petty bourgeoisie with the bourgeoisie against the working class, minorities, and progressive political forces.

First, a word about the data and method behind this analysis of the Dan White case. The primary source of data was the very heavy media coverage in San Francisco from the day of the murders on November 22, 1978 to the jury's verdict of voluntary manslaughter on May 22, 1979. Al-

though radio and television stations were monitored and members of citizen groups interviewed, the most systematic data come from hundreds of articles clipped mainly from the *San Francisco Chronicle* and *San Francisco Examiner*.

The newspapers were read for their interpretation of the case, which turned out to be a personalistic, psychological, and moralistic explanation successfully promoted by the defense and not opposed by the prosecution or the media. Equally important for the analysis was what these communications left out—any direct reference to political effects and political motivations. The issue of guilt focused entirely on Dan White's state of mind and his "background." The Marxist method begins with a description of the dominant patterns of communication but does not stop there. The communications were part of larger ideological apparatuses of class domination. They clouded what was in fact a political assassination. The question is how they clouded that event and why, in terms of the class climate currently operative in the United States.

### The Scenario of Political Assassination

Whatever Dan White thought he intended, whatever the courts and press meant by focusing on his state of mind and background, the objective political consequence of his murders was to change overnight the ideological orientation of the San Francisco government. By eliminating the two most liberal forces and preventing them from appointing another liberal supervisor, Dan White put the city into the hands of staunch conservatives, pro-big business and anti-working-class interests.<sup>10</sup>

Let us look more closely at the characters in this tragedy, what they represented politically rather than their states of mind and moral backgrounds:

*Dan White.* On November 8, 1977, at the young age of thirty-one, he was elected to the post of supervisor to represent a racially mixed, working-class and middle-class San Francisco district. His qualifications? No political experience, but a local boy—a high school football player, son of a fireman and one of nine children in a Catholic and working-class family, a paratrooper in Vietnam, ex-policeman, and ex-fireman.<sup>11</sup> A supporter of Proposition 7 to restore the death penalty in California, he ran on a strict law and order campaign.<sup>12</sup> Although he later claimed that he was not making reference to homosexuals, his first campaign brochure stated: "I am going to be forced out of San Francisco by splinter groups of radicals and social deviates." Clearly politically conservative, his cam-

paign was endorsed by policemen,<sup>13</sup> and he received campaign funds from the Bank of America, Southern Pacific, and such big businesses as Standard Oil and Bechtel.<sup>14</sup>

From the day White took office, he was involved in controversy. He fought unsuccessfully in his district against a treatment facility for youth because of their alleged aggressive behavior and illegal acts.<sup>15</sup> He initiated neighborhood involvement in police controls. But he was becoming known as a "downtown boy," that is, he served business and real estate rather than local neighborhood interests. His favoritism toward big real estate interests won him a food concession, the "Hot Potato," on a city pier.<sup>16</sup> He was one of the few supervisors to face the threat of a recall, a move based on charges of illegal contributions, campaign practices, and generally not representing his district.<sup>17</sup>

On November 10, 1978, one year after his election, Dan White resigned his position on the grounds that he could not support his wife and infant son on a supervisor's salary of \$9,600.<sup>18</sup> Obviously under pressure from family and conservative business interests, five days later, White asked for his job back. One group calling itself "Citizens for Real Representation" staged an anti-White rally. The next day a rally, headlined "The Dan White Show," staged its support. Present were real estate interests and officials of the Police Officers Association. White's constituency was divided, and Moscone was trying to use the controversy to replace him with a liberal supervisor. White and his supporters wanted the job back. Faced with Moscone's withdrawal of support, he told one reporter, "the gloves are off."<sup>19</sup> Later, White said in his taped confession: "This was a political opportunity [not to reappoint him] and they were going to degrade me and my family and the job that I had tried to do and, more or less hang me out to dry."<sup>20</sup> On November 28, 1978, the very day that Moscone was to announce the appointment of the new supervisor, White strapped on his revolver, entered City Hall through a basement window to escape gun detection, and went to the Mayor's office. There he shot Moscone four times at close range, then walked out, reloaded his gun and went to Milk's office and shot him five times. In both murders, the last two shots were fired into the heads of the wounded victims. Then White left City Hall, called his wife and arranged to meet her at the Cathedral before turning himself in to a local police station where he voluntarily gave a taped confession to a friend and police officer.<sup>21</sup>

*George Moscone and Harvey Milk.* White's victims were well-known for their liberal sympathies. While a state senator from 1966 to 1975, George Moscone had consistently opposed the Reaganites and the right

wing. He stood for liberalization of marijuana penalties, for antidiscrimination laws for homosexuals, increased welfare, and progressive taxation. As Mayor of San Francisco from 1975, he was a friend neither of the conservative Chamber of Commerce nor the big financial and real estate interests that wanted to turn the city into a haven for the wealthy and tourists.

Supervisor Harvey Milk was a Jew and an open homosexual. He was the leading defender of equal rights for the city's large and politically active homosexual community. Like Moscone, he was a liberal who had opposed Proposition 13-type tax cuts which adversely affected the jobs and services of the poor. He generally opposed boondoggles and redevelopment programs financed by the taxpayers for the benefit of the rich.<sup>22</sup>

### The Rapid Trial and Lenient Sentence

The trial of Dan White was swift and sympathetic to the defense. On April 27, 1979, after only three days of questioning, the lawyers selected a predominantly white jury with backgrounds similar to that of the murderer. The lawyer for the defense, Douglas R. Schmidt, used only five of his twenty-six peremptory challenges; the lawyer for the prosecution, Thomas F. Norman, used only four of his twenty-six challenges. Jurors were selected or, more accurately, selected out, on the basis of their opinion on the following kinds of issues: whether they had a conscious objection to the death penalty; whether they belonged to, supported, or contributed to any group or organization dealing with homosexuality; whether they had been involved in the campaigns of Moscone, Milk, or White; whether they were for or against psychiatry. One prospective juror reported that he had been excluded because he was a homosexual. On the other hand, apparently nobody was dismissed for being politically sympathetic to police and firemen.<sup>23</sup>

The testimony began on May 1, 1979. The prosecution, with some twenty-two witnesses and one psychiatric expert testifying to White's sanity, sought the charge of first degree murder with special circumstances (killing two officials and preventing them from carrying out their duties). The defense relied on what California law calls the plea of "diminished capacity." The defense's argument was that White suffered from mental illness which left him severely depressed and caused "diminished capacity" at the time of the slayings. Because of this diminished capacity, White was incapable of having the particular state of mind required for a conviction of first degree murder; that is, he did not have

the capacity for malice, premeditation, and deliberation. The defense called nineteen witnesses and five mental health experts to testify to White's mental state at the time of the crime.<sup>24</sup>

The trial went to jury on May 16. The jury gave its verdict of voluntary manslaughter (murder committed without deliberation, premeditation, and malice aforethought) on May 22.<sup>25</sup> In July of 1979, the judge sentenced White to the maximum sentence of seven years and eight months.<sup>26</sup> White will probably be free in less than five years with reduced time for good behavior. In addition, his lawyer is trying to reduce the original sentence on the basis of time spent in prison before the trial and with the argument that the sentence incorrectly counted the slayings as two crimes rather than one.<sup>27</sup> Meanwhile, Dan White is confined to the Protective Housing Unit of the medium security Soledad Prison, where he and other inmates like Sirhan Sirhan have private cells segregated from other prisoners for their protection. Interestingly enough, White, the alleged victim of mental illness, is not receiving any treatment in prison and is reported to be a healthy, model prisoner.<sup>28</sup>

Lenient sentences are often considered enlightened sentences. However, the leniency rarely goes to the poor and the minorities. One remembers that George Jackson, at the age of eighteen, was given an indeterminate sentence (one year to life) for stealing \$70.00 from a gas station. A revolutionary hero for the prison liberation movement, he was killed in prison some ten years later while allegedly attempting to escape.<sup>29</sup>

Moreover, the "enlightened" insanity defense does not, of course, work for everyone. It is more likely to work for women than men and for white men than non-white men.<sup>30</sup> Shortly after White's trial, the insanity defense did not work for Roland Luchini, although the cases were similar in important respects. Like White, Luchini shot and killed two coworkers because he thought they "were out to get him." Both defenses relied heavily on psychological testimony. In fact, the evidence of "mental illness" seemed stronger in the Luchini trial, where a psychiatrist who had worked for White's defense agreed with the psychiatrist who had earlier declared White sane, that Luchini was mentally ill—specifically, paranoid. But Luchini was declared sane, convicted of two counts of first degree murder, and given life imprisonment without chance of parole.

Luchini's defense lawyer claimed that his penalty reflected a backlash to White's lenient sentence.<sup>31</sup> But much more likely, the ordinary working-class Luchini was perceived as unattractive and not credible. He definitely was not a Dan White, an all-American boy, defender of honesty. One can only suspect that the background of the defendant can play a

more important role in sentencing than the facts of mental illness. A striking comparison to the White case in this respect is that of Francisco Palacio Cruz, a poor, working-class Chicano. He pleaded "diminished capacity" to the 1975 murder of his wife and two step-grandchildren. However, his jury found him to be sane and guilty of three counts of first degree murder.

In the Cruz trial, the jury and later the Court of Appeals paid close attention to his motives and examined his actions for signs of premeditation, deliberation, and malice. The California Supreme Court summed up the evidence as follows:

Defendant's pent-up resentment toward his victims establishes the prior relationship from which the jury reasonably could infer a motive for the killings. His actions prior to the killings (sneaking out to get the pipe, securing and loading the shotgun) can be characterized as "planning" activity. Finally, the killings by blows to only the head and by a shotgun blast in his wife's face permit the jury to infer that the manner of killing was so particular and exacting that defendant must have killed intentionally according to a preconceived design and for a reason.<sup>32</sup>

On the other hand, Cruz seemed to have a strong case for "diminished capacity." He was intoxicated at the time of the murders and had a long, documented history of alcoholism and mental illness. In fact, he was living on total disability and certified as a schizophrenic. Nevertheless, the jury members were ultimately more moved by his actions than by his state of mind and disabilities. By contrast, in the White case, although his motives were clearly expressed and his action at least as deliberating and exacting in the lethal use of the gun as that of Cruz, the jury and media focused on White's mental state and concluded that he did not know what he was doing.

Of course, many other San Franciscans were convinced that Dan White knew what he was doing and that his sentence was a mockery of justice. On the day of the jury verdict, some 5,000 persons took justice into their own hands, marched on City Hall, broke windows, burned police cars, and fought with the police. The police retaliated, chased demonstrators into the homosexual turf, and raided a gay bar. More than 100 persons, including 80 policemen, were hurt.<sup>33</sup> In response to a poll conducted by the *San Francisco Chronicle*, over 51,000 callers jammed the telephone lines to register a 63% disapproval of the verdict. The percentage was no doubt greater, since the telephone for "no" votes was swamped, while all "yes" voters were accommodated.<sup>34</sup> Thus, the people of San Francisco spoke out clearly against the injustice of a lenient sentence.

## The Dan White Morality Trial

Didn't Dan White, a former policeman, know that a gun was a gun and that two shots in the head of his victims would kill? Why in his case did the jury and the media excuse his crime by concentrating on his state of mind, upstanding background, and frustration, rather than the enormity of the crime, the obvious political motives, and the coolly carried out execution?

The media had prepared Dan White's defense long before the trial. He was portrayed as the idealistic if naive, "all-American" boy. The *San Francisco Examiner's* vocabulary exemplifies this: "If White were a breakfast cereal, he could only be Wheaties." The opinion was reinforced by what became a familiar quote of Dan White speaking out about the American dream:

Basically, I'm still a believer in the American dream that a person can do anything he wants to do when he sets his mind to it. . . . I believe in the old values, especially the value of work. The election, for example, I was determined from the beginning to prove that people can raise themselves up by determination and hard work.<sup>35</sup>

This is certainly not the dream of Martin Luther King, the dream of liberation from oppression and exploitation; it is the petty bourgeois dream of upward mobility as the reward for virtue and hard work. The trial and the media above all else portrayed Dan White as frustrated in his dream and honest attempts to do good. An all-American boy from a good family background, war hero, believer in the American dream, a normal, devoted father and churchgoer could do no wrong, certainly not kill, unless provoked and frustrated.

Thus, Dan White was excused because the trial, as reported and played out in the media, was a morality play. The victim, the upholder of the traditional American virtues of church, family, work and male authority, was threatened and provoked to unpremeditated violence by double-crossing politicians and degenerates. In the trial all sympathy was given to White's frustration, symbolic of the frustration of a class whose mobility through hard work and virtue is increasingly thwarted by liberal and minority spoilers of the American dream. The unstated implication was that Dan White was a hero and that Moscone and Milk got what they deserved in a city that had grown corrupt in its politics and life styles.

A San Francisco columnist, Charles McCabe, stated this viewpoint bluntly:

The two assassinations were intimately tied up with the homosexual invasion of the city during the past decade. I repeated the word "invasion" because, I said, "... that is how thousands of people see it." I said this phenomenon "should no longer be kicked under the rug. It is a severe municipal problem; and we have not heard the end of it yet, by a long chalk. To a disturbing number of people around here, Dan White is a hero."<sup>36</sup>

### Manufacturing an Ideology of Victimization

Dan White got away with murder because of the power of ideology to define him as the injured party. During the trial this was accomplished by continually focusing on his state of mind and his personal morality. The ploys of the defense, amply aided by psychiatric witnesses and interpreted by the media were to psychologize and moralize away the crime. The defense, the psychiatrists, the jury, and the media all followed this reasoning, which was dramatically provided by Dan White's own ideology:

*White's tearful confession.* The court allowed Dan White's tearful but not remorseful confession to be played to a sympathetic jury, some of whom could not contain their own tears at hearing about the frustration of a moral man and his class:

I've always been honest and worked hard, never cheated anybody or you know, I'm not a crook or anything and I wanted to do a good job. I'm trying to do a good job and I saw this city as it's going, kind of downhill, and I was always just a lonely and that's that.<sup>37</sup>

*The moralistic jury.* The jury members later admitted that White's tape and the psychiatric evidence were the most important pieces of evidence in the case, followed by the testimonials of the police inspector and Dianne Feinstein (who upon Mayor Moscone's murder was soon to realize her dream of becoming Mayor of San Francisco). The published statements of some of the jury members show that they fully complied with the moralistic reasoning of the confession and sympathetic character witnesses:

White had no intention of shooting anybody. He was provoked into it.

He (White) was a good moral character.

The main issue was why it happened. We didn't go into the fact that it was the big shots in the city.

No politics entered into (the deliberation) at all. It centered on the condition of White at the time.

The moralism of the jury also came out in what they dismissed—for example, the testimony of supervisor Carol Ruth Silver, a liberal and a friend of Harvey Milk. As a rebuttal witness, she made the fatal error of saying "bull" to the argument that White was mentally ill. The jurors' reaction was that she was too biased to even consider her testimony. "If she was a nice lady," said one juror who asked for anonymity, "she would not have said that at all. Nice people don't talk that way."<sup>38</sup>

*The moralistic defense.* In his opening statement to the jury, Douglas J. Schmidt, lawyer for the defense, encouraged all the distortions of intentional and moral explanations by stating that the defense would center "not so much on what happened, but rather why those tragedies happened." What the defense did focus on was White's state of mind: Dan White had "cracked" under the burden of a long history of "manic-depression." "The pot just boiled over here." When he shot them, he was mentally ill due to a "biochemical change in his brain." In his final argument, Schmidt, emotional and near tears said: "If he (White) could have premeditated and deliberated, he would not have done it. Common sense tells you that. I don't need a doctor to tell me." The strongest defense was doubtless the appeal to White's fine moral character and background. In his opening statement Schmidt declared: "Dan White was a good man. He was a good policeman and he was a good fireman. Good people—fine people with fine backgrounds simply don't kill people in cold blood." Or again, the theme of the American dream: "He was a deeply troubled, introverted man for whom the American dream was a nightmare."<sup>39</sup>

*Psychiatric testimony: medicalizing guilt.* Thomas Szasz has thoroughly exposed this aspect of the trial:

Anything is possible in human affairs if one has the power to redefine basic concepts—to say that day is night, that two plus two makes five—and get away with it. In the trial of Dan White, the defense, aided and abetted by the prosecution, had the power to hand the case over to the psychiatrists, and the psychiatrists had the power to redefine a political crime as an ordinary crime, and an ordinary crime as a psychiatric problem.<sup>40</sup>

By this psychiatric metamorphosis, a gun is turned into a "security blanket," and violence into indigestion. A Fresno psychiatrist, Dr. George Solomon, testified that White carried a gun to combat his feelings of insecurity. "I feel there's a possible symbolic aspect to the gun—it was a security blanket in certain ways."<sup>41</sup> The most ridiculous example of medicalizing crime was the so-called Twinkie Defense. White's junk food diet

and its relation to his depression and crime was a topic throughout the deliberations. According to one report, Martin Bliner, a San Francisco psychiatrist "told the jury that White's compulsive diet of candy bars, cupcakes and Cokes was evidence of deep depression—and a source of excessive sugar that had aggravated a chemical imbalance in the brain."<sup>42</sup> The incredibility of this interpretation instantly found expression in San Francisco jokes and graffiti: "Eat a Twinkie, kill a mayor!"

The five psychiatric witnesses also focused on White's moral anguish. Dr. Donald Lunde used the American dream to explain why White was a frustrated workaholic and prone to depression and moments of "diminished capacity."

The American dream is a nightmare to someone like Dan White. . . . The harder he worked and the more he achieved, the worse he felt. For somebody basically as depressed, compulsive, feeling guilty and worthless, working harder and achieving more makes them feel worse. When he was successful, he felt terrible afterwards.<sup>43</sup>

Another psychiatrist, Jerry Jones, testified to White's rigid morality, a moral code that would rather kill someone than beat him up. Jones reported that White was "flabbergasted" when asked why he didn't merely hit either of his victims. "That was contrary to his code of behavior," said Jones. "It seemed ridiculous to him, so unfair. He could've defeated them so easily in a fist fight."<sup>44</sup>

*The moralizing media.* The media not only selectively reported the moralizing of the defense and the "psychiatric experts," they also reinforced it. For example, the *Washington Post*, in a feature entitled, "San Francisco: A City of Violence," attempted to tie the murders of Moscone and Milk to "the pervasive atmosphere of terrorism that has enveloped the region since the early 60's," from the time of the demonstrations in Berkeley to the time of the People's Temple. The cause? Of course, nothing about politics and real struggles between groups, but the frustration of people who come to the big city looking for something new and find only lack of structure and social control (what the sociologists like to call anomie, breakdown in morality, another moral explanation of societal discontents). The *Post* quotes a San Francisco psychologist, "There's nothing to keep the crazies under control."

And what about Dan White? The *Post* selectively quotes the moralizing of a Bay Area activist: "Look at Dan White, a high school hero, working class idealistic, my country right or wrong. Everything is good, everything is moral, and then he finds out that the political game doesn't work that way."<sup>45</sup>