

# THIS JUST IN...

## DOWN, BOY

Add this one to the list of socially vexing problems presented by the growing number of women in the workplace: sexual harassment of men. On September 29, *USA Today's* lead story reported that 49 percent of those responding to a survey conducted by *Men's Health* magazine said women in their offices dressed in a "pointedly provocative" manner. And 33 percent of the respondents said these women should be reported for sexual harassment.

According to Stefan Bechtel, executive editor of *Men's Health*, "The reality is, sexual harassment goes both ways."

Well, sort of. Whereas women who say they've been sexually harassed tend to complain that their bosses demand sexual favors in exchange for promotions, or even for keeping a job, male victims of sexual harassment — at least as it's defined by *Men's Health* magazine — apparently aren't complaining at all. Forty-three percent of survey respondents said that as they dress for work, they think about how their clothes will affect women. More than half — 57 percent — said they'd been sexually propositioned at work. Fifty-eight percent reported having sexual fantasies about people at work at least occasionally. And a whopping 70 percent say they wouldn't eliminate the sexual undercurrents on the job even if they could.

— Maureen Dezell

## LIGHTEN UP

It's called seasonal affective disorder (SAD), and it strikes when the days grow darker sooner — like anytime between now and December. You'll know you've got it (and women, it seems, are more likely to get it) when a heavy sense of depression sets in. You just want to sleep, you just want to eat, you don't want to talk. It can strike the healthiest among us, this newly diagnosed physiological phenomenon that researchers have linked to the pineal gland, a small gland at the base of the brain that detects change in light exposure. For SAD sufferers, when the light changes, so too does their production of melatonin, a hormone that helps to regulate mood. According to Ronald Pies, MD, a psychiatrist at the New England Medical Center, "Almost certainly thousands of people suffer from SAD," though there is not yet any strict documentation of the disorder to confirm just how many victims it claims. Nor is it clear just why light changes affect some people more than others. But there is help. Recommended treatment for the condition is as

journalistic techniques to Afghan rebels — known as the Mujahideen — in Pakistani classrooms near the battlefronts. From day one, Maitre has claimed that he could make real newsmen out of the rebels. And though Maitre has distinguished himself more as a propagandist than as a journalist, the dean has claimed he's deeply concerned that the rebels, once trained, deliver accurate, objective news reports; no way would he compromise the freedom and independence of the press. "All these liberal ideas," Maitre told the *Phoenix* last April. "I believe in them very strongly."

Oh, how our words catch up with us. Last Monday, the *Globe* reported that Maitre had deleted embarrassing portions of a memo about the commando-journalists and the Afghan war; the memo is to be sent to worldwide news agencies to help them use the Mujahideen news stories. The deletions included a section referring to Mujahideen atrocities committed against Soviet occupying forces. According to the *Globe*, Maitre said the memo wasn't supposed to be factually true; it was supposed to make the Afghan rebel-newshounds look good.

This is only the latest evidence that the Afghan training program is a sham. Had BU intended to teach objective journalism, it would never have agreed to train the Mujahideen near a war zone, nor would the university have agreed to get involved in setting up and advertising for a Mujahideen news service. On the other hand, if BU had wanted an untainted journalist to head the College of Communications, it would never have chosen Maitre. In addition to his Afghan escapades, Maitre has been involved in procontra propaganda projects for organizations linked to Marine Lieutenant Colonel Oliver North's scheme to send illegal aid to the Nicaraguan rebels.

— John Medearis

## CRIMESTOPPER #317

Anticrime tip of the month comes from South Boston, a neighborhood known for taking care of its own. After the neighborhood was recently hit by a rash of housebreaks — reportedly the biggest batch of B&Es in Southie history — the *South Boston Tribune's* South Boston Information Center (SBIC) column, the voice of hardline Southie, issued some loaded advice.

First, the SBIC's John Ciccone warned the "local weasels" that a list of suspects was being duly compiled. Then he suggested that the citizenry might want to keep some weaponry on hand to defend their homesteads. As



Bork: equating sex and pollution

## BORK CHOPS

The nominee's  
poor bedside manner

BY HARVEY SILVERGLATE

On November 1, 1961, the Planned Parenthood Center of New Haven, Connecticut, opened an eight-room walk-up office in that very heavily Roman Catholic state. The purpose of the center was to provide married couples with information, instruction, and medical advice about methods of contraception. In addition to a reception area, waiting rooms, and interview rooms, the center contained an examining room and a laboratory. Estelle T. Griswold, the executive director of the Planned Parenthood League of Connecticut — which had offices on the second floor of

changes are minimal. If that isn't possible, then sit under a high-intensity lamp for two or more hours a day. Studies have shown that, within weeks, people so depressed they were literally unable to function have bounced back into life after seeing the light.

— Susan Buchsbaum

## NEWSPEAK

Since 1985 H. Joachim Maitre, the current dean of Boston University's College of Communications, has been planning and running a program to teach

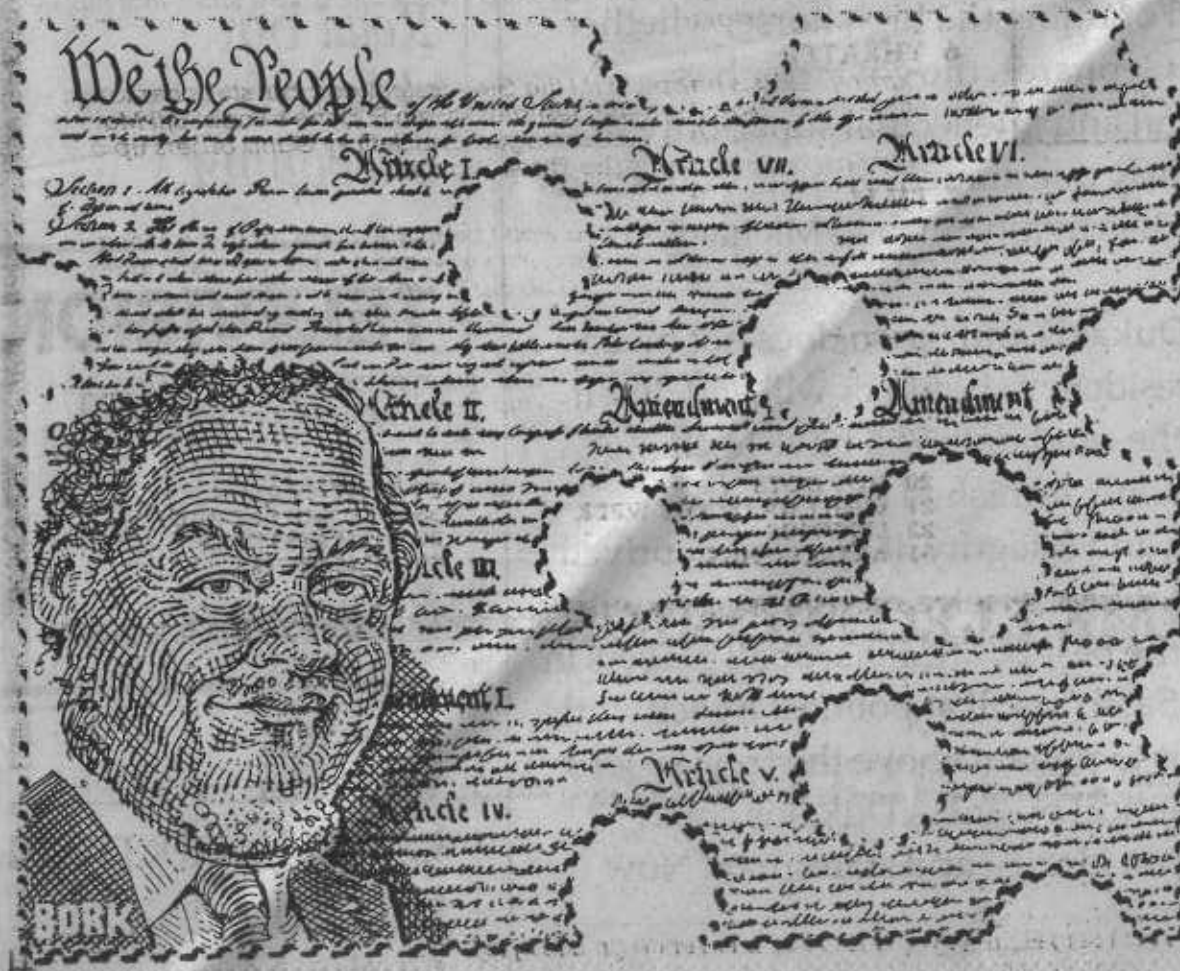
housebreak artists are caught by local people, they will be given what they deserve before being turned over to the police." (In Southie this could mean anything from a) having to listen to reruns of Ray Flynn speeches for 72 straight hours to b) a knock on the door from one of Whitey Bulger's ambassadors.)

At any rate, Southie insiders report that the B&E biz is down; the local housebreaking hoods seem to have heeded the neighborhood's pack-a-wallop message: keep away or we'll blow you away.

— Ric Kahn

## POSTAGE DUE

by R. Jones



R. J. 1987

and was in charge of... programs. The medical director when the offices opened was C. Lee Buxton, MD, director of the University Obstetrical and Gynecological Services at the Grace-New Haven Community Hospital and chairman of the Department of Obstetrics and Gynecology at the Yale University Medical School.

The center's general procedures were as follows. A woman seeking contraceptive advice was screened by the receptionist and then given an appointment. During the appointment, a staff member interviewed the patient to obtain a case history, which was placed on a standard form. The patient then attended a group orientation session at which a staff member — frequently Griswold — described all the contraceptive information and methods available at the center, including vaginal creams, jellies, and foam, diaphragms, condoms, and birth-control pills, and advice about the rhythm method. Each patient then saw a staff doctor, who performed a pelvic examination and reviewed the contraceptive method the patient had chosen and either approved or disapproved of it. The doctor then advised the patient how to use the approved contraceptive method and set up a return visit. The center dispensed the contraceptives and charged the patient a fee ranging from nothing to \$15, depending on the patient's income.

On November 10, 1961, New Haven police officers entered the center with warrants for the arrest of Griswold and Buxton. The two were charged with violating a Connecticut law that made it a crime — punishable by a fine and/or one year in prison — to use a contraceptive or to assist or counsel anyone in doing so. They were tried, found guilty, and ordered to pay a fine of \$100 each. The Supreme Court of the United States ultimately reviewed the convictions and overturned them in the landmark case of *Griswold v. Connecticut*.

Robert Bork's unrelenting hostility to the Supreme Court's handiwork in this case provided the centerpiece of much of the Senate Judiciary Committee's hearings. On the theory that an examination of the substance behind the rhetoric of "judicial philosophy" is useful in taking the measure of Bork and his views, it is necessary to examine his treatment of the opinion that decided this crucial case.

The Bill of Rights, at the time of its adoption and no less today, was and is meant to protect certain fundamental, inalienable human rights from interference by governments or by the shifting majorities that elect them. Surely one of the specters that

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The writer acknowledges the assistance of Boston University law student Joseph Kelly in the preparation of this series on the Bork nomination.



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## Channel

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winds that rattled over the outdoor Cape Cod setting told me a short story about his personal romance with radio. It is absolutely typical of the experience of most of those who have worked in that medium. For 30 years this man has worked in a variety of jobs on and off the air at tiny stations in New England. Now he has a management position and a piece of the action at a struggling station on the Cape. But another time, not so long ago, he was working at a station way up in Maine. That winter the weather plunged to minus 21 degrees for 12 straight days — or maybe it was minus 12 for 21 days. No matter, it was too cold for too long. This man said he would drive his Subaru home every night, take the battery out of his car, and carry it upstairs to his apartment so it would be warm enough the next morning for him to start the car, so he could open up the station and do his show for the few hundred faithful people who might be up and listening.

The next morning, as I drove back from the Cape to the North Shore, I flipped on the radio and searched around the dial for some company. Suddenly, in stereo on FM, there was Bruce Morrow — Cousin Bruce of my misspent youth. A disc jockey from the '50s and '60s still playing the same damn songs and making the same insipid remarks in 1987. It was the perfect ending to my "back to the future" weekend, and I sang all the way home.

They are all here: the empty-headed but pretty girl who is president of her class; the plain but bright best friend who wears glasses; the foreign dad who means well but doesn't know

view with an underwater explorer. In other words, nothing particularly compelling or imaginative. The aforementioned host is Charlie Kenney, a writer for the *Boston Globe* Sunday magazine who has never before done this kind of work. Oh well, it's only been two weeks, and I certainly hope he is getting helpful, caring, and substantial support and advice from the programming people at Channel 7, because right now the real star of the show is the set. □

## Chops

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would have horrified the framers 200 years ago as much as it would horrify citizens today is the police's breaking into the bedroom of a married couple to seek evidence of the unlawful possession or use of birth-control devices.

In order to avoid such an invasion and to protect the concept of marital privacy and personal autonomy, the Supreme Court of the United States, by a 7-2 vote in 1965, declared unconstitutional the Connecticut law that made it a crime for "any person" to use any method of artificial contraception or to assist in or counsel such conduct.

For more than two decades, Robert Bork has been a vociferous critic of that Supreme Court decision. In his now famous 1971 article in the *Indiana Law Journal*, he called this landmark opinion "an unprincipled decision." "The truth is that the Court could not reach its result in *Griswold* through principle," wrote Bork. There was no way, he insisted, that the Court could favor the desire for sexual gratification on the part of the married couple and not cater to the gratifications desired by anyone



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loving younger brother. A regular festival of clichés that the Public Broadcasting Network has collected in a program series it calls *DeGrassi Junior High* but that I think of as *Clearasil Theater*. This is PBS's major new venture for children 10 to 15 years old, and at a time when television in general is hardly doing anything original and thoughtful for youngsters, I am deeply disappointed to have had such a negative reaction to this series. The show certainly won't rot your brain or those of your children, but it never rises above the ordinary in pursuing its stated objective of "focusing on topical issues like sex and drugs" in a "light, funny, painful, and poignant" tone. If you insist, you can watch *DeGrassi Junior High* on WGBH-TV (Channel 2) in Boston on Saturday at 6 p.m., with repeats the following Friday at 7:30 p.m. There will be 24 more episodes.

For the last couple of years, for financial reasons, WNEV (Channel 7) in Boston has been running paid religious programming on Sunday mornings at 10:30, having canceled a local effort featuring Dave Finnegan that was on for a couple of seasons. Beginning Sunday, September 20, at 10:30 a.m., WNEV introduced a new, live, program called *Boston Common*. I've watched the first two airings, and so far the station seems to have spent the entire budget on the set and nothing on content or production. We have four major segments, each an in-studio discussion or interview and only the most minimal (and cheapest) tape inserts possible, usually featuring typically meaningless person-in-the-street comments. The subjects have ranged from the Bork hearings — which showed how everyone's favorite (and most available) television guest, Alan Dershowitz, can dominate a discussion when the

To make his point, Bork argued that Connecticut had no less right to impair the couple's "wish to have sexual relations without fear of unwanted children" than the government would have to interfere with an industrial polluter's desire for the "gratification" of its profit motive.

Concluded Bork in what is surely not one of the more brilliant legal analogies of all time: "Why is sexual gratification nobler than economic gratification? There is no way of deciding these matters other than by reference to some system of moral or ethical values that has no objective or intrinsic validity of its own and about which men can and do differ." The judiciary, he said, has "no role to play" in weighing the claims of all of these parties to their "gratifications."

Now, not all the members of the Senate Judiciary Committee are brilliant, but a majority of them seem to have recognized something wrong with Bork's analogy between the right to have offspring-free sex with a spouse and the right to pollute the atmosphere. They posed some hard questions to Bork, and the nominee — obviously concluding that discretion was the better part of valor — switched gears. Rather than emphasize his disagreement with the *Criswold* decision (he claimed he was critical not so much of the result as of the reasoning by which the result had been achieved), he sought to minimize the importance of the issue. He accused his questioners of trying to raise an "imaginary" issue by claiming that his stance on *Criswold* was indicative of a lack of respect for the privacy rights of citizens. The whole privacy imbroglio, he argued, was a tempest in a teapot because Connecticut's old birth-control law was "antique [and] unenforceable," since no judge would ever have issued a search

host loses control — to air here

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# Chops

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warrant to enforce the law in the couple's bedroom. He reminded the senators that the case arose not out of an invasion of the bedroom but out of a test case put together by Yale Law School professors. Pursuant to the professors' plan, the clinic staff members had conducted their work in an open manner, practically forcing the authorities to bring criminal charges against them for prescribing and dispensing contraceptives to patients of the clinic. The Supreme Court allowed the staff members to raise the marital-privacy-rights claim of the clinic's patients, and that is how the marital privacy right was born.

When Senator Joseph Biden hypothesized that a prosecution of a married couple might arise if, for example, a wiretap were to pick up information about the couple's use of contraceptives, Bork dismissed the question as fanciful. "That's unbelievable," he snapped.

Of course, as Bork well knew, it is hardly unthinkable that prosecutors would go after a married couple using prohibited contraceptives. There is absolutely no reason a magistrate would not issue a search warrant for the

couple's bedroom if, say, a nosy neighbor provided evidence that contraception was being used. Indeed, in a 1969 case, the Supreme Court invalidated an attempt by the state of Georgia to prosecute a man for reading pornography in the privacy of his own home. And just two years ago, in the already infamous case of *Bowers v. Hardwick*, the Supreme Court, by a bare majority, upheld the constitutionality of Georgia's antisodomy law. In that case the police had indeed invaded the bedroom of a homosexual couple engaged in sodomy and made an arrest. Bork knows full well that the state will use whatever power it is given, even if only (or at first) against unpopular minority citizens who have been selected out for prosecution or harassment. Besides, to jail the doctor who prescribes contraceptives is, as the Supreme Court held in *Griswold*, as much an interference in a couple's autonomy over their own sex lives as an invasion of the marital bedroom itself is.

Bork, with respect to this issue as well as many others posed during the hearings, chose to reformulate the question or evade giving a direct answer rather than expose his bottom-line conclusion that the judicial system has no role in keeping the state from interfering with the

most intimate relations between human beings. He refused to confess to his own claim that the courts have no power to recognize and protect what Justice Louis D. Brandeis in 1928 called "the most comprehensive of rights and the right most valued by civilized men," namely, "the right to be let alone." □

## Letters

Continued from page 4

governmental prohibitions. AI is most interested in establishing strong sections in the Arab world. One suspects, however, that Auerbach would view our increased presence there as ominously as he views our relative absence.

10) While AI's development of groups in the Arab world has been limited, its ability to address human-rights concerns there has not. Recently Amnesty International has sent missions to Algeria, Tunisia, PDRY, and Bahrain, among others, and requests to visit Iran and Syria are ongoing. In the past five years there have been major reports of Egypt, Syria, Iraq, and Iran. The Iran report, released this past May at the start of a major campaign, was published in both English and Persian. In recent years AI has also published ma-

for reports, as well as numerous other publications, in Arabic. In the past year AI has communicated its concerns to virtually every government in the region. Recent annual reports include submissions for every country in the region except Qatar, Oman, and North Yemen. Any honest assessment of AI's work in the Middle East must take these efforts into account.

11) Finally, in a total flight of fancy, Auerbach contends that AI had "enshrined the term 'Israeli apartheid,'" basing his claim on excerpts from a 1986 interview with AI's founder, Peter Benenson. "Israeli apartheid," of course, appears nowhere in the quotation, but it would not matter if it did because Benenson was not then, nor is now, an authorized spokesman for AI. (His official connection to the organization ended many years ago.)

12) What, one might ask, would motivate an author to go to such lengths to distort reality, to squander, as it were, his "moral coin," as Mr. Auerbach has done? Apparently he is disturbed that AI believes that all governments, including the Israeli government, must be held accountable for their abuse of human rights. He objects, apparently, to AI's insistence that no one, including Palestinians, should be imprisoned for their beliefs,

provided they have neither used nor advocated violence, and that all political prisoners are entitled to fair and prompt trials, and that no prisoner should be subjected to ill-treatment, torture, or execution. In short, when it is applied to abuses in Israel and the Occupied Territories, Mr. Auerbach objects to AI's very mandate.

13) Take, for example, the case of Faisal Husseini, whom AI has adopted as a prisoner of conscience. On April 12, 1987, during a wave of demonstrations on the West Bank, Israeli security forces searched both his home and office, then detained Husseini, director of the the Arab Studies Society, in the Muscobiyya detention center in Jerusalem. He was served with a six-month detention order signed by the minister of defense. After several hearings before a military judge, the detention order was confirmed but reduced to three months. Husseini was imprisoned, it is said, for reasons of security and public safety, yet neither he nor his lawyer was allowed to see the evidence against him. He was released but was issued a restriction order. Husseini had been under a continuous series of restriction orders for five years prior to his detention in April. Under such orders he could neither change his place of residence nor leave

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