MAILER'S RESISTANCE—
A LITTLE LESSON IN FREE SPEECH

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> The secret of liberty is always,
> in the end, the courage to resist.
> —Harold Laski (94)

WHAT DOES NORMAN MAILER HAVE TO DO WITH THE FIRST AMENDMENT?

There are two answers: In one sense, nothing, in another sense, everything. Let us start with the apparent and then move onto the important.

For all his hard-earned and self-lauded achievements, Mailer was not a judge, lawyer, law professor, or legal scholar. He did not litigate or legislate. If anything, he was frequently on the outs with the law. He was, in fiction and fact, an outlaw. In these ways and others, Norman Mailer had nothing to do with the law of the First Amendment. Nothing.

But take heed: The First Amendment is more than what lawyers declare or judges proclaim. It is what people do with this freedom—how they use it to inform and offend, create and desecrate, report and vilify. The First Amendment comes alive in the contrarian light of the likes of Lenny Bruce, Muhammad Ali, Christopher Hitchens, and every other person who punches us out of our comfort zones to teach us a lesson, whether by an astute comedic bit, a bruising insight, or a politically incorrect statement that is true. By that measure, Norman Mailer was, indeed, a First Amendment persona, one who exercised a fierce brand of freedom central to the culture of any society genuinely committed to liberty.

One sign of a dauntless thinker is a willingness to defend the verity of the earth's circularity in a culture in which the flat-earth crowd demands more than its demonstrable due. We live in a world of warring "truths" on the one

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hand, and mindless compromise on the other. In that world, free thinkers present a clear-and-present danger to the partisan crowd and the power elites who side with them. One must thus toe the line, both in his life manners and in his political take on the events of the day. He may fly a liberal or conservative banner, but a banner he must fly if he wishes to be counted among the influential public figures of our day. For all of Norman Mailer's faults (and he had many), he was a man of his own mind and flew his own banner—that of a "Left-Conservative" (Begiebing 404) as he liked to say. Drinker, writer, thinker, and midnight fighter, he was no walk-away intellectual. Mailer pulled no punches, even when it was prudent to do so. He was, in one way or another, always in the ring of public discussion and debate. Intellectually speaking, at times he flurried like Muhammad Ali on the night the famed boxer toppled the mighty George Foreman. At other times, however, he fell flat like Mike Tyson did the night "Iron Mike" lost to Buster Douglas, the 42–1 underdog (Russell 139).

Robert Begiebing had it right: "The great theme in much of Mailer's fiction and non-fiction is courage—the discovery and retention of one's courage (or the failure to do so)" (Begiebing 404). Admittedly, sometimes the line between courage and foolhardiness is a fine one, as Mailer must have known given the many times he crossed it. Still, we ought grant him his full due. NM tested ideas and ideologies; he placed the norms of convention on trial; he mocked callous authority; and he provoked the "great Beast"—thus did Mailer make his mark. This gadfly quality about him points to the ideal sphere of the First Amendment, that discursive domain in which dialogue is uninhibited, debate robust, and the valley of truth wide-open (New York Times v. Sullivan).

In the gallery of free expression, the First Amendment has many faces. There is, for example, the one portrayed in the Norman Rockwell painting titled "Freedom of Speech," which appeared in the *Saturday Evening Post* on February 20, 1943. It is the one of a common man standing up to speak out at a town-hall meeting. Another such image, though more eye-catching, is the one captured by the photographer John Dominis on October 16, 1968. It is the photo of Olympic medalists Tommie Smith and John Carlos raising their gloved fists to signify the Black Power salute, this with their heads bowed as the Star-Spangled Banner played. These are but a few of the faces of dissent.

Dissent is a vital part of our American heritage. Some preach it, some

practice it, others safeguard it, and still others endure it even when they oppose its message. Dissent contributes to the marketplace of ideas; it actualizes self-governance; it checks governmental abuses of power; and it helps each man and woman self-realize by way of self-expression (Collins & Skover xi-xii). Deriving from the Latin verb *dissentire* (to differ in sentiment), the term takes on special meaning in our constitutional democracy: the voice of the outsider is an essential component of our liberty. Think Tom Paine or Frederick Douglass or Susan B. Anthony or Eugene Debs or Harvey Milk or Allen Ginsberg or maybe even Edward Snowden. Now think again—think Norman Mailer, the author whose many nonconformist works included *The Armies of the Night* (1968), the I-was-there book about a massive Pentagon protest against the Vietnam War. In grandiose spirit, *Armies* calls to mind the words of America's greatest dissident poet, Walt Whitman: "I am the man, I suffer'd, I was there" (Warner 43).

It is true, very true: dissenters can be difficult to tolerate. That was surely true of Norman Mailer, who could be wildly irritating for any range of reasons. To be sure, he also could be pompous and pugnacious and more. But as a cultural critic, a philosophical provocateur, and as a modern-day dissenter, he had no real rivals in his day. In many ways, as Phillip Sipiora has aptly observed, throughout his career Mailer engaged in an "ongoing confrontation with the nation he loved . . . ." As an essayist, novelist, filmmaker, playwright, journalist and pubic figure, he "tried to live a life of affirmative rebellion" (Sipiora). For Mailer, as he expressed it in his 1955 essay "What I Think of Artistic Freedom," the "urge to rebel" is key to the artistic endeavor. He used his words (in print or on air) to contest orthodoxy, be it religious, political or cultural. His "strategic use of productive conflict" was unrelenting (Sipiora).

The First Amendment is not only about what it protects, but also what it produces—that is, the end product. On that score, enter Norman Mailer. He was the quintessential American chronicler and critic. "If it was culturally significant," wrote literary critic Kevin Rabalais, "Mailer was there to cover it" and comment on it. He chronicled and commented on "the rise of the hipster ("The White Negro"), JFK (*The Presidential Papers*), the 1967 march on the Pentagon (*The Armies of the Night*), the Apollo 11 moon shot (*Of a Fire on the Moon*), the heated 1968 Democratic and Republican national conventions (*Miami and the Siege of Chicago*), the Rumble in the Jungle (*The Fight*), the Iraq War and America's quest for imperium (*Why are We at War?)*

and Marilyn Monroe (*Marilyn*)." And there is more, such as his psychological depiction of men in war—fraternal, savage, hopeless, heroic, and afterwards celebrated yet empty – in *The Naked and the Dead* (1948). Add to that his phenomenally unsettling philosophical and genealogical account of evil—alien, enigmatic, primal, polar, malleable, and lingering—in *The Castle in the Forest* (2007). In Mailer's literary caldron, psychology and philosophy were boiled together with a dash of irony thrown in for an all-too-human measure.

There you have him: critic • prophet • journalist • essayist • novelist • psychologist • rebel • trickster • and street philosopher all packaged tightly together in the body of a Jersey-born • Brooklyn-raised • curly-haired • blue-eyed • impulse-driven • risk-prone • short-tempered • fast-speaking • quick-witted • Harvard-educated • Army-trained • Freudian-influenced • sex-driven • Monroe-fixated • boxing-obsessed • anti-establishment • anti-technology •anti-war • anti-feminist little barrel-chested of a man with a colossal swagger that exposed his arrogance and insecurity. Such is a passing sketch of a slice of a portrait of one of our most famous (and infamous) dissident artists—of which we as a Nation can never have enough.

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> Mailer . . . calls into question some of our most sacred cows, our contemporary prejudices and pieties . . . [and] he probes events of political, social, economic, and popular culture with a vision unlike any other.
>
> —Robert Begiebing (404).

The essay is one of the most powerful of weapons in the arsenal of the dissident writer. Simply consider the great use to which Albert Camus put it in works such as "Neither Victims nor Executioners" (1946), "The Rebel" (1951), and "Reflections on the Guillotine" (1957). For Camus, who was a far more modest man, the purpose of such essays was to prompt thinking while engaging his readers to consider his thoughts and then reconsider theirs. Something of the same is at work in several of Mailer's best essays such as "The Homosexual Villain," his 14-paragraph work that first appeared as the cover piece in the January 1955 issue of *One* magazine. The essay was at once confessional, personal, political, and sociological and offered up in realist dol-

lops. While Mailer had other powerful essays—for example, "The White Negro" (1957)—for my immediate purposes I want to tease out a few preliminary thoughts concerning his "Villain" essay, starting with where and when it was published.

One was the first openly homosexual magazine in America and perhaps for that reason caught the eye of US postal inspectors, who in 1954 declared it obscene. Though the censorial effort was ultimately unsuccessful, it offers a glimpse of just how controversial the idea of the homosexual life was even during the era of the Warren Court's landmark ruling in Brown v. Board of Education. Being openly gay at that time meant risking "faggot bashing," incarceration, and/or exclusion from the circles of polite society. During this general period, for example, gays were sometimes deemed to be security risks. Take Deputy Under Secretary of State John E. Peurifoy and Senator Joseph McCarthy: they did their bigoted best to rid the Department of State and the Central Intelligence Agency of such unwelcome security risks. That prejudicial idea was contagious: "Perhaps as dangerous as the actual Communists," declared the national chairman of the Republican party, "are the secret perverts [aka homosexuals] who have infiltrated our government in recent years" (Murdoch & Price 34–35).

It is against that political and cultural backdrop that we come to Mailer's "The Homosexual Villain." Start with the title: it artfully mimicked the homophobia of the times. If his essay had not appeared in an openly gay publication, the title might have been seen as more than a tad redundant (recall, criminal sodomy laws were then enforced against gays). Maybe that explains why the cover of the magazine for that issue bore the title surrounded by blots of blood.

When Mailer was first solicited to support and write for *One*, he irritably replied that he "didn't know the first thing about homosexuality." He hardly knew any homosexuals, he added with some frustration when asked about it. And the more he thought about it in his calmer moments, the more anxious he became: "I worried at what the gossip would be—for every reader who saw my piece there would be ten or a hundred who would hear that Mailer was writing for a faggot magazine. It would be taken for granted [that] I was a homosexual—how disagreeable!" (*Advertisements* 221 & Lennon 174–177).

Norman Mailer's mind changed after he read, by way of a suggestion from a gay neighbor, Donald Webster Cory's *The Homosexual in America: A*

Subjective Approach (1951). "I can think of few books," wrote NM in 1955, "which cut so radically at my prejudices and altered my ideas so profoundly." And then this: "So, as I read Mr. Cory's book, I found myself thinking in effect, My God, homosexuals are people too." That realization radicalized him as he put words to paper: "I can say for the first time I understood homosexual persecution to be a political act and a reactionary act, and I was properly ashamed of myself." Those whom he once saw as a "simple object of ridicule" became real people just as worthy of his respect as any others (*Advertisements* 224–227).

Of course, today Mailer's words seem uncontroversial. But peer back down the halls of history to a time when bigotry against homosexuals was the norm—can you remember that world?—and his essay shines brightly in a depressingly dark corridor. And there, fine men and women, you have it—Norman Mailer giving voice to those who then had little or none. Long before gay men and women had advanced in the culture wars, Mailer was there to pave the way.

In this essay as in several others, we see Mailer engaging in "thought experiments," as Jonathan Lethem tags them. Employing "a style at once aphoristic, discursive, and performative," Mailer produced a "stunning impact" (Lethem). This free-form style mimicked the free form of thought with which Mailer experimented as he ventured into realms sometimes taboo-laden, sometimes bigoted-laden. In his best essays and other works, we witness NM fighting not only the intolerant thought within the culture, but also a variant of that intolerance within himself. That is part of the splendor of "The Homosexual Villain." Before he looked out, he looked in. The personal thus became political. As he couched it in his ever-not-so-humble way: "I am imprisoned with a perception that will settle for nothing less than making a revolution in the consciousness of our time" (*The American*). And in that existential journey, the only thing that is revealed to be absurd is the prejudice that enslaves the human condition. Once he realized his mistake, once he seized upon his own bias, he had to publicly confess, almost if he had been psychologically compelled to do so. (Smacks of an ancient Greek tragedy.) Or to cast it in his own words: "It was the bravest thing I ever did because it was done out of a dim, dull sense of duty" (*Conversations* 50).

The line between introspection and social justice is not always a straight one, if it exists at all. When it does, there can be detours. For Mailer, those detours penetrated his psyche. His personal approach, if you will, is unlike

the common stock of most essays, especially those with political acumen. In that regard, Mailer's "Villain" essay was radically different from, say, Simone Weil's "Power of Words" (1937), which was deeply philosophical, though rife with political ramifications. While both were dissident essayists, the mental gulf between them was immense.

Two reasons best explain why Mailer's essay took hold and then retained staying power: (1) that it was written by whom it was, and (2) that it was written when it was. The fact that Norman Mailer lent his renowned literary name to the cause of "queer justice" in 1955 meant that his message would surely be noticed; it would provoke reflection and rejection; and it would make him unpopular or suspect in many circles. That cutting edge—that blood-blotted potential—is precisely what made the essay the greatly noticed work that it became.

Again, the First Amendment is more than the handiwork of lawyers and judges; it is the work-product of people like Mailer who take risks in the name of freedom and thereby bolster its protective power. No regime worth its democratic credentials can secure freedom if it is unwilling to endure risk. For individuals, these risks may be artistic (think Robert Mapplethorpe), or artistic and political (think of the contemporary Russian band Pussy Riot), or even poetic (think of Lawrence Ferlinghetti's Poetry as Insurgent Art). In the process, such artists help to foster a culture of free speech, which is what the First Amendment is about once one looks beyond the borders of the law.

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> So let us not talk falsely now, the hour is getting late.
>
> —Bob Dylan

Is Mailer's stock dropping, even plummeting? Will yesterday's torrent of interest in his works continue long into tomorrow? Will he match Baldwin? Will he outlast Capote? Will he trump Wolfe? Will he rival his rival Vidal? And what are we to make of Graydon Carter's observation? "As much as [Mailer's writings] were filled with big writing and big thoughts, they never made it into the lasting vessel of what we might call upper-middlebrow popular culture," wrote Carter in a *New York Times* review of J. Michael Lennon's Mailer biography. "Unlike his contemporaries Salinger, Capote, Styron, Roth,

Vonnegut, Kerouac, Heller and others," Carter emphasized, Norman Mailer "produced no single volume that captured and continues to capture the hearts and minds of successive generations. He had no *Catcher in the Rye*, no *Breakfast at Tiffany's*, no *Sophie's Choice*, no *Portnoy's Complaint*, no *Slaughterhouse-Five*, no *On the Road*, no *Catch-22*. In almost 60 years of writing, he created no Holden Caulfield, no Holly Golightly, no Alexander Portnoy, no Dean Moriarty, no Yossarian or Milo Minderbinder." This is not to demean Mailer's literary canon; it is only to point out that greatness can be a fickle mistress that smiles today only to frown tomorrow.

To gaze into a crystal ball is always a dubious endeavor. It is so if only because, to borrow from Marshall McLuhan, "we drive into the future with our eyes fixed on the rear-view mirror" (Marchand 209). That said, it is best to leave it to time to be the arbiter of Norman Mailer and his legacy. But before the clock ticks to that judgmental hour, there is another way to look at Mr. Mailer and his works, which brings me to the close of the circle of the theme of this essay.

George Orwell was fond of saying that "if liberty means anything at all, it means the right to tell people what they do not want to hear" (Orwell 64). While that right must surely be protected, it must first be exercised. After all, the end product of toleration is not more toleration ad infinitum, but rather the fruits of toleration—those intangibles like liberty, self-discovery, and societal betterment. The First Amendment would be well served if we had a few more Norman Mailers, more men and women willing to break out of the bars that quarter the mind.

If we as a people are to live out our constitutional creed, then each generation needs a Norman Mailer—bright, bipolar, and bothersome. Does that mean that we must suffer some amount of "unalloyed narcissism," as William Buckley accused Mailer of in 1968? Perhaps. Does it mean that we must endure the kind of embarrassing antics Mailer displayed when he appeared with Gore Vidal on the Dick Cavett Show in 1971? Perhaps. There is more, much more, but why beat a defenseless legend? Besides, my point is simple: we take our First Amendment provocateurs as we find them, a mix of good and bad, erudite and vulgar, and fun loving and petulant. Hence, we honor them even as we fault them . . . and that is the First Amendment way.

Sometime in a far-off future well beyond our imaginations, someone may stumble onto something Mailer. It may not be in words printed or digitally displayed; it may be no more than something akin to an echo of an echo.

What happens at that pinpoint in time may ignite a rebellious idea or two in the mind of a distant great-grandchild. And if and when it does—when Mailer's message and that mind mesh – the process of liberty will begin its dissident dance anew. Perhaps, just perhaps.

Till then, goodnight Mr. Mailer.

NOTES

1. That said, NM's uncle, Charles Rembar, was a noted First Amendment lawyer who advised him from time to time about the use of vulgar language in novels such as in *The Naked and the Dead,* in which, per Rembar's urging, "fuck" was changed to "fug" (Miller 130).
2. Criminality was an "intrinsic" trait of some homosexual characters in NM's early fiction. (*Advertisements* 223).
3. Consider, if only by way of comparison, Mailer's examination of the significance of Lee Harvey Oswald's purported homosexuality (*Oswald's Tale* 133, 379 & Knight 125–126).

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