

Languages of Murder

Peter L. Berger

In early 1971, national attention was focused on two trials, the court-martial of Lieutenant William Calley for involvement in the Mylai massacre, and the trial of Charles Manson and associates for the Tate/LaBianca murders. Both trials were widely perceived as paradigmatic, though different people had different paradigms in mind. In the paradigm of the "Left," it was precisely American society that was on trial in Fort Benning. In the paradigm of the "Right," the Manson trial became the trial of the counter-culture. For some, those convinced of the imminent demise of American society, both trials together were paradigmatic of America's descent into a jungle of murderous irrationality (this last paradigm was especially prominent in foreign commentary, as, for example, in that of the German news magazine *Der Spiegel*).

The characters, and even the physical appearance, of the two major defendants facilitated these symbolic perceptions. It was not difficult to perceive Calley as the prototype of murderous *Amerika*—the ineffective martinet, blandly unrepentant, an almost too obvious incarnation of the "banality of evil." And there was Manson, hairy apparition from unspeakable depths of counter-cultural dementia, in each detail the figure of terror evoked in the rhetoric of law and order politicians and haunting the nightmares of Middle America. Both figures were so true to type, so bereft of individual reality, that one could not help wondering whether, perhaps, the one had been especially constructed by the *New York Review of Books* and the other by Spiro Agnew's ghostwriters.

It should hardly come as a surprise, then, that President Nixon, as always finely attuned to popular paradigms, intervened in both cases. It was very probably a simple *gaffe* when Nixon spoke of Manson

as a guilty man while the trial was still in process, but it left little doubt as to the enemies stalking through the President's nightmares. It was anything but a *gaffe* when Nixon intervened *after* Calley's conviction in order to assuage the emotional turmoil in that Middle America with which his imagination shares both enemies and heroes. Finally, the macabre occurrence of Christological symbolism underlined the paradigmatic character of these clashing perceptions. To his "family," Manson was a Christ-figure. It was left to Calley's biographer, John Sack, to exclaim after the conviction: "I see Rusty as Christ on the cross being crucified." Surely there is no better metaphor of our present political situation than *this* polarization in the imagery of redemptive suffering.

Two books dealing with these two trials have recently been published—Richard Hammer's *The Court-Martial of Lt. Calley* (Coward, McCann and Geoghegan; 398 pp.; \$7.95), and George Bishop's *Witness to Evil* (Nash; 431 pp.; \$6.95). Hammer's account is well-written, tautly organized, and gives the reader an at times unbearable sense of participation in the courtroom drama at Fort Benning. Bishop's book is very poorly written and organized, and it succeeds (no mean achievement in view of its subject matter) in both boring and confusing the reader for long stretches. Fortunately, both books contain long excerpts of courtroom testimony, allowing the protagonists to take the stage away from the reporters and providing this writer with material for reflecting on the significance of the two proceedings.

To anyone capable of a measure of detachment from the polarized passions of the day, the trials of Manson and Calley are not convincing as paradigms of Middle America or the counter-culture. Middle America is not inhabited by Calleys, nor the counter-culture by Mansons. Neither figure is objectively representative of his respective social milieu—at *the present time*. And yet, if one reflects about the latter

PETER BERGER is Professor of Sociology at Rutgers University and a co-author (with Richard Neuhaus) of *Movement and Revolution*.

phrase, the subjective perceptions of the two figures as cultural representatives is ominously significant. The significance deepens if one recalls that Calley and Manson were not only perceived as demonological counter-images; there was also positive identification with what they were perceived to represent. Such identification was all too apparent in the popular outcry following Calley's conviction, making Aubrey Daniel, Calley's prosecutor, question rather optimistically whether these people were aware of the evidence presented at the trial. There was, to be sure, no comparable popular identification with Manson in the counter-culture. But Bernardine Dohrn's reported identification with Manson as some sort of revolutionary hero is part and parcel of a widespread legitimization of violence and crime by radical spokesmen. It is in this sense that Calley and Manson are, indeed, both paradigmatic and representative: *They represent possibilities of the American spirit today.* The degree of identification with these representations by polarized segments of the American people will decide whether they will turn from paradigms of possibility to paradigms of objective social reality.

Precisely because of the polarization of imagery, it is important to ask—with as much detachment as one can muster—what the two crimes have in common and where they differ. Both Calley and Manson were convicted of massacres of helpless people, without provocation and without mercy. But the Mylai massacre far exceeded the Tate/LaBianca murders in the number of victims, calling up older visions of monumental horror—Lidice, Katyn, Oradour—while the latter, however horrible, remained within the parameters of what one might call “normal” criminology. Moreover, the larger settings differed greatly. The Mylai murders took place in a setting of actual war, the Tate/LaBianca murders in a war of Manson's fantasy. Thus Mylai was an event within a much larger setting of systematic brutality—of free-fire zones, of body counts, of the “mere gook rule.” The Tate/LaBianca murders took place in a setting of peace, of “normal life”; it was Manson and his associates who “brought the war home.” It is not too obvious which of the two settings brings with it the greater gravamen of guilt. Calley's crime must be seen in the setting of a much wider inhumanity, and might thus be taken both as more serious in its implications and (as the defense argued) as less culpable by the same token. The American military has in actual fact been waging a war of systematic inhumanity in Vietnam (regardless of the question of the typicality or uniqueness of the particular horror of this massacre), and to the extent that American society is responsible for its military it must share in that responsibility too. While the zones that the counter-culture has “liberated” from the larger society can hardly be held up as exemplars of humane living (one may simply refer here

to Haight-Ashbury and the East Village as they now appear after several years of “liberation”), no comparable charge of inhumanity can be made against the counter-culture. Thus, Manson's crime took place in a setting of (at the very least) relative civilization and so might be viewed as both less serious in its implications and (as the prosecution argued) as more heinous.

It would then be as simplistic to equate the two crimes morally as it is to see them as objective representations of their respective socio-cultural worlds. Nevertheless, it is instructive to look at the continuities that exist between the two crimes both in spirit and in the shape of action. As these continuities are perceived, the import of both crimes for the future of America may be seen in a profoundly disturbing conjunction.

The essential continuity is that both crimes consisted of *impersonal killings*. It is worth quoting in full a particular exchange between prosecutor Daniel and defendant Calley to make this point. Daniel was questioning Calley about his men firing as they moved into Mylai:

- Daniel: What were they firing at?
 Calley: At the enemy, sir.
 Daniel: At people?
 Calley: At the enemy, sir.
 Daniel: They weren't human beings?
 Calley: Yes, sir.
 Daniel: They were human beings?
 Calley: Yes, sir.
 Daniel: Were they men?
 Calley: I don't know, sir. I would imagine they were, sir.
 Daniel: Didn't you see?
 Calley: Pardon, sir?
 Daniel: Did you see them?
 Calley: I wasn't discriminating.
 Daniel: Did you see women?
 Calley: I don't know, sir.
 Daniel: What do you mean you weren't discriminating?
 Calley: I didn't discriminate between individuals in the village, sir. They were all the enemy, they were all to be destroyed, sir.

And in case anyone suspects that this formulation was only elicited from Calley by the hostile questioning of the prosecution, here is what Calley said earlier while under examination by the defense and what he said in his final plea to the court:

“I was ordered to go in there and destroy the enemy. That was my job on that day. That was the mission I was given. I did not sit down and think in terms of men, women and children. They were all classified the same, and that was the classification that we dealt with, just as enemy soldiers.”

“Nobody in the military system ever described them as anything other than communism. They didn't give it a race, they didn't give it a sex, they didn't give it an age. . . . That was my enemy out there.”

A similar procedure of "no discrimination" characterized the "mission" of Manson's little platoon. Indeed, the following summary of testimony of the manner in which its victims were selected may well be described as an operation in Manson's own free-fire zone:

The witness then described what was, in many ways, the most chilling aspect of the whole affair. With Manson driving, Linda, Tex, Clem Tufts, Patricia Krenwinkel and Leslie Van Houten wandered at random around the city seeking, in military kill terms, targets of opportunity. They could have stopped at anyone's house to carry out their mission. At one point Manson spotted a man driving a white Volvo sport car. He told Linda, who was now driving, to pull up beside the car at the next light and he, Manson, would kill him. She did and Manson was out of the car, apparently ready to commit murder, when the light changed and the man drove off. The objective was quickly forgotten and Charlie next told her to stop at a church they happened to be passing. They parked in the parking area, Manson got out and tried the doors but they were locked. He got back in and they drove away.

In other words, neither Calley nor Manson was killing individual human beings. Calley was killing "the enemy," or even "communism." Manson, on the other hand, was killing "pigs." This is how one witness reported Manson's definition of this term:

Asked what he meant by pigs, Manson had said that, "Pigs were anyone that gave consent to support the system."

It follows logically that the killers feel innocent of any crime. Calley repeatedly, and dramatically in his final plea, asserted his innocence. In answer to questioning by Daniel he even achieved the memorable sentence: "There wasn't any big deal, no sir." Manson, a commander sensitive to the morale of his troops, asked each participant in the murders whether he or she felt remorse; each answered "no."

The killers feel innocent because their victims have, by "classification," been deprived of humanity. The killers are also absolved of guilt because they acted under orders. As Calley put it:

"I felt then and I still do that I acted as I was directed, and I carried out the orders that I was given, and I do not feel wrong in doing so, sir."

Linda Kasabian described the command structure of the "family" in similar terms:

- Q: Did you disagree with his philosophy in some respects?
 A: Yes, I did.
 Q: And you told him that you disagreed with it when he told you?
 A: No. Because I was always told, "Never ask why."
 Q: Were you also told that you couldn't disagree?
 A: The girls used to always tell me that. "We never question Charlie. We know that what he is doing is right."

Faced with acts such as those committed in these two crimes, a common-sense reaction is to assume that the perpetrators must somehow be "crazy," or at least to have been so at the time. In both trials, psychiatrists entered the scene—to the considerable annoyance of the defendants, all of whom insisted on their sanity. Calley lost his temper completely when he was referred to a sanity board:

Outside the courtroom in the corridors, Calley was enraged. He chain-smoked cigarettes, paced up and down, and railed. "I think it's unwarranted and unnecessary. I don't think we're trying to say I was insane. So I don't like it."

Manson thus described himself ("with quiet dignity," one is tempted to say) in one of his statements to Judge Older: "I am a reasonable human being, a reasonable person."

Out of both trials came psychiatric evidence to suggest that certain conditions had been present to limit the moral capacity of persons subjected to them. In the Calley trial these were said to be the overall circumstances of the Vietnam war; in the Manson trial, the demoralization was linked to drugs. In both trials, the image of the "robot" was invoked in this connection. It was thus that Albert LaVerne, a psychiatrist called by Calley's defense (Calley himself pithily remarked of LaVerne, "He's nuts"), characterized Calley's state of mind at the time when, according to the defense, the Lieutenant was under an order to destroy Mylai:

"He could not disobey that order. He was like an automaton, a robot. When the order came to stop shooting, the party's over, he stopped."

A. R. Tweed was a psychiatrist called in by defense lawyers to cast doubt on the testimony of Linda Kasabian, the prosecution's star witness in the Manson trial. His comments on the moral effects of drug use were immediately relevant to this issue, but since drugs had been an important ingredient in the overall life style of the "family," the comments have a broader relevance:

"The habitual long-term use of LSD for pleasure or escape produces the possibility for the impairment of good sense and maturation. . . . Individuals so affected may become confused and disorganized and are usually markedly suggestible."

One of the defense lawyers summarized the psychiatric evidence by saying that LSD use "led to the disturbance of the so-called super-ego functions, which is the conscience or moral functioning area of the brain." Later on, the prosecution, in something of a lapse of logic (as the defense pointed out), described the Manson "family" as "a closely knit band of vagabond, mindless robots." Whatever the moral implications of psychiatric diagnosis, legal insanity was not invoked as a defense in either trial. And, common sense notwithstanding, Calley and Manson

were tried as they wanted to be regarded—as “reasonable persons.” In so doing, the courts were affirming once again a fundamental principle of Western law, simply stated by Aubrey Daniel in his final charge to the jury:

“When the accused put on the uniform of an American officer . . . he was not relieved of his conscience, he was not relieved of his responsibility to make appropriate moral judgments.”

It is not irrelevant to point out in this connection that, through much of the trial, the members of Manson’s “family” appeared in a “uniform” of their own.

Killing impersonally, “without discrimination,” does not come easily to Americans. Despite the currently fashionable descriptions of American culture as peculiarly prone to violence, there are powerful inhibitions against indiscriminate violence in the culture. This was poignantly revealed during the Korean War, when the military turned to the psychiatrists in desperation about the incredibly high proportion of soldiers who, even in combat, were simply unable to press the trigger of their weapons. Americans mostly murder their relatives, close friends and neighbors, as the crime statistics show; they have difficulties when it comes to killing “the enemy.” An intensive “basic training” is required to overcome these difficulties. The fundamental psychological principles of this training correspond closely to the previously mentioned protestations of innocence: *The victims must be dehumanized and the killers deprived of individuality.*

The military does its best to accomplish the latter in its training procedures; the stress of combat conditions, especially in a war such as the one in Vietnam, goes far to achieve the former. The Manson “family” had its own basic training for de-individuation. The most important training devices here were drugs and orgiastic sex. One of the essential features of the drug experience (as indeed of other forms of ecstasy) is that the borderlines between self and others, and between self and world, become blurred. All merge into oneness, and in that oneness there can be no evil—and, therefore, no evil-doing. This is not an argument from morality against the drug experience as such; it may well have emotional and even cognitive value. The moral argument only turns against the drug experience becoming a dominant theme and organizing principle of life as a whole. At that point, the de-individuation induced by the experience threatens to obliterate all moral distinctions (which, *mutatis mutandis*, is one of the reasons why the Judeo-Christian tradition, with its intense moral concern, has always been wary of ecstatic mysticisms). Similarly, an essential element of orgiastic sex is the elimination of individual distinctions. Again, to say this is not in itself a moral argument against the orgy as an *occasional* release from the in-

hibitions of “normal” life (as, say, in the Bacchanalia of classical antiquity); the moral question arises when the orgy becomes a primary and continuous mode of sexual conduct in a group. When it comes to that, the orgiastic experience, like the drug experience, serves as a training device for de-individuation. It is in this sense that the following testimony about the patterns of “making love” within the Manson commune is relevant:

“We all shed our clothes and we were laying on the floor, and it was just like—it didn’t matter who was beside you, if it was a man or a woman, you just touched each other and made love with each other, and the whole room was like this. It was sort of just like one.”

In other words, Manson’s troops “made love” in a manner instructively similar to the one in which they, as well as Calley’s troops, “made war”—*without discrimination*. It is of considerable moral importance that this particular continuity be understood. It then becomes clear that “making love” need not necessarily be as far removed from “making war” as the self-congratulatory propaganda of the counter-culture suggests. One may further recall that, in the very midst of the Mylai massacre, one of Calley’s soldiers forced a Vietnamese woman to perform what one of the witnesses in the Manson trial called “that oral whatchamacallit.”

Beyond the justifications of murder provided by the dehumanization of the victims and the de-individuation of the killer there are the wider political legitimations. In Calley’s case these are simple. They are the ancient legitimations of patriotism, which the defense paraded with high emotionality in its final plea:

“Good men, these boys. You find they were boys trained to kill, sent overseas to kill. . . . Are they to be labeled murderers at My Lai or are they entitled to consideration from the fact that they were doing their job as they saw it? Perhaps they acted too aggressively, perhaps they were trying too hard, perhaps they were not using good judgment. But do the facts warrant hanging a young American lieutenant by the neck until dead because he was trying to do his job?”

The jury, to its historic credit, was not swayed by this plea. An alarmingly large segment of the American public was. And indeed, in a political worldview in which America is identical with the forces of light struggling with the forces of darkness, the massacre of unarmed and unresisting civilians is an uncomplicated part of “doing the job.”

The political legitimations available in Manson’s bizarre universe are not terribly different. The “family” represents a holy remnant in a world of evil. It can do no wrong, because its ultimate cause is universal love. Linda Kasabian tells us all about it:

“There’s different degrees of love. There is an earthly love between people, a physical love. There is also an

important love where, you know, you feel love towards all living things, which is more of a universal love."

And again, later:

Q: When did Mr. Manson turn into a devil-like man?

A: Well, he was a devil-like man the whole time, but I saw him differently.

Q: You loved him then?

A: Yes.

Q: Do you love him now?

A: Yes.

Q: Do you love the girls now?

A: Sure, I love everybody.

It is important to stress that this language of universal love was not invented by Linda Kasabian on the witness stand. All along, *this was the language of the murderers*. The same people who proclaimed an ideology of universal love could, without remorse, "waste" those they regarded as "the enemy" (to mix their syntax with Calley's for a moment). Thus:

"Charlie said pigs were police," DeCarlo said. "They were white collar workers, ones that work from eight to five." And what should be done with pigs? "Theyotta have their throats cut and be hung up by their feet."

In this universe of political legitimations, it is always *the others* who are the murderers. It is perhaps the final touch in the profound conjunction of the two crimes that, in each trial, the *other* crime was referred to as an argument of defense. George Latimer, one of Calley's defense attorneys, directly referred to the other trial in his plea to the jury:

He talked about the trial of Charles Manson for the murder of Sharon Tate in California, which was then also coming to its end, and he talked about "draft evaders" and that part of the citizenry that try to destroy our courts and turn our courtrooms into barrooms. They can always find someone to represent them all the way to the Supreme Court of the United States. Why deride someone who helps a man who tried to defend his country?

Mylai was apparently not referred to directly in the Manson trial. But this is reportedly Manson's comment on the speech in which President Nixon mentioned him: "Here is a man . . . who is accused of hundreds of thousands of murders, accusing me."

If the killers are innocent, who then is to blame? Wilbur Hamman, one of the psychiatrists testifying in the Calley trial, had a suggestion:

"I do not believe that we should hold any one person responsible for My Lai. . . . I do not believe that we should hold any one person or the nation responsible. If you want to hold someone responsible, I think the only one you could point to would be God."

One may recall here the inscription on the execution-

er's sword in Freiburg, cited by Albert Camus in his denunciation of capital punishment: "Thou, Lord Jesus, art the judge!" This particular piece of blasphemy has often enough been a favorite excuse of conservative souls. The final excuse in the Manson defense is more modern. Manson himself stated it, in a perfect parody of the liberal theory that finally it is "society" that must be blamed for everything:

"I am not allowed to be a man in your society. I am considered inadequate and incompetent [sic] to speak or defend myself in your court. You have created the monster. . . . You have never given me the constitution you speak of. . . . I do not accept what you call justice."

And here is Manson later on, in what sounds like a mad paraphrase of some recent pronouncements of Tom Wicker's:

"These children that come at you with knives," he said, "they are your children. You taught them. I didn't teach them. Those children, everything they have done, they have done for love of their brother."

Like a distortion mirror, Manson's worldview reflects not only bits and pieces of liberal ideology; even more interestingly, it accommodates elements of the radical picture of American society. In Manson's own mind, his crimes were the first act in a political scenario he called "Helter Skelter." This is the way the chief prosecutor summarized that scenario:

"The evidence will show that one of Manson's principal motives for the Tate/LaBianca murders was to ignite Helter Skelter, in other words, start the black-white revolution by making it look like the black people had murdered the five Tate victims and Mr. and Mrs. LaBianca, thereby causing the white community to turn against the black man and ultimately lead to a civil war between blacks and whites, a war Manson foresaw the black man winning."

"Crazy?" Perhaps so. But thus far the scenario has an uncanny similarity to what passes for "revolutionary strategy" among many radical intellectuals today. Unfortunately, Manson had an ulterior motive in all of this:

"Manson envisioned that black people, once they destroyed the white race and assumed the reins of power, would be unable to handle the reins because of inexperience and would have to turn over the reins to those white people who had escaped from Helter Skelter, that is, turn over the reins to Manson and his followers."

Here, alas, Manson turns out to be too "crazy" for the radical imagination. Or could it be that he is not quite "crazy" enough? But when it comes to Manson's image of blacks, he is safely back in the universe of discourse of liberal wisdom. Here is Linda Kasabian's description of Manson's racial views—once more, it is hard to avoid the impression that one is listening to deliberate parody:

"He used to say that blackie was much more aware than whitey and super together, and whitey was just totally untogether, just would not get together; they were off on these side trips, and blackie was really together."

It is all there, jumbled together, the bits of liberal masochism and of radical mayhem. There can be no doubt that everything is distorted, mixed up, coming out in demented gibberish. Yet there is one moral implication that is lucid and unambiguous: *Crime is legitimated as a necessary step in the strategy of revolution.* In this "revolutionary morality," the details apart, Manson is in fairly large company.

On the face of it, both culture and counter-culture have an easy way out of the confrontation with these two figures. Each can, quite plausibly, dismiss "its" figure as an aberration. In that case, though, the argument cuts both ways: If denizens of Middle America can dismiss "their" Calley as a morally irrelevant exception, they must concede the same right to the counter-culture with "its" Manson—and vice versa.

This evasion, however, is the less ominous option. Far more terrible is that other option, in which there is positive identification with these figures of murderous violence, be it in the name of a beleaguered patriotism or of the necessities of revolution. One may open the newspaper any morning and discover that this second option is uncomfortably close.

The time for self-righteousness is long past for *any* sector of the political spectrum. Conservatives, liberals and radicals alike have shown an unlimited capacity for humanitarian rhetoric—and each rhetoric has revealed its potential for the legitimation of inhumanity. If "they" have their murderers, so have "we." If there is any future short of totalitarian nightmare for either "them" or "us," it will be by way of a return to moral sanity. The underlying choice for America is between the sacredness of human life that Aubrey Daniel appealed to in his summation to the jury and the various ideologies of death, no matter under what cultural or political guise they may present themselves.