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BREAKFAST CLUB: Bill Whitfield of the Black Panther Party in Kansas City, Missouri, serves breakfast to kids in 1969. The FBI feared the group's breakfast program because of its organizing potential.

WILLIAM P. STRAETER/AP

FEATURES

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BIG SHOTS

INDIA

Hold Your Breath

New Delhi—A man sifts through trash at a massive garbage site on September 27, a few days before India, the world's third largest emitter of greenhouse gases, ratified the Paris agreement on climate change. The deal needs to be formally accepted by countries producing at least 55 percent of global carbon dioxide emissions in order to go into force, a threshold it was due to reach in early October with the European Union's ratification. The Paris accord, signed by nearly 200 countries in December 2015, aims to limit global warming by shifting away from fossil fuels.

SAJJAD HUSSAIN

SAJJAD HUSSAIN/AFP/GETTY

LIBYA

Libyan Sniper

Sirte, Libya—A fighter with Libyan forces affiliated to the Tripoli government is helped by comrades after being shot by a sniper on October 2. On the same day, a sniper killed Dutch photojournalist Jeroen Oerlemans. The U.S.-backed forces have driven Islamic State (ISIS) fighters from most of Sirte, which was the militant group's main stronghold in Libya, but pockets of resistance remain. The Western-backed government has been trying to retake Sirte for more than four months.

MANU BRABO

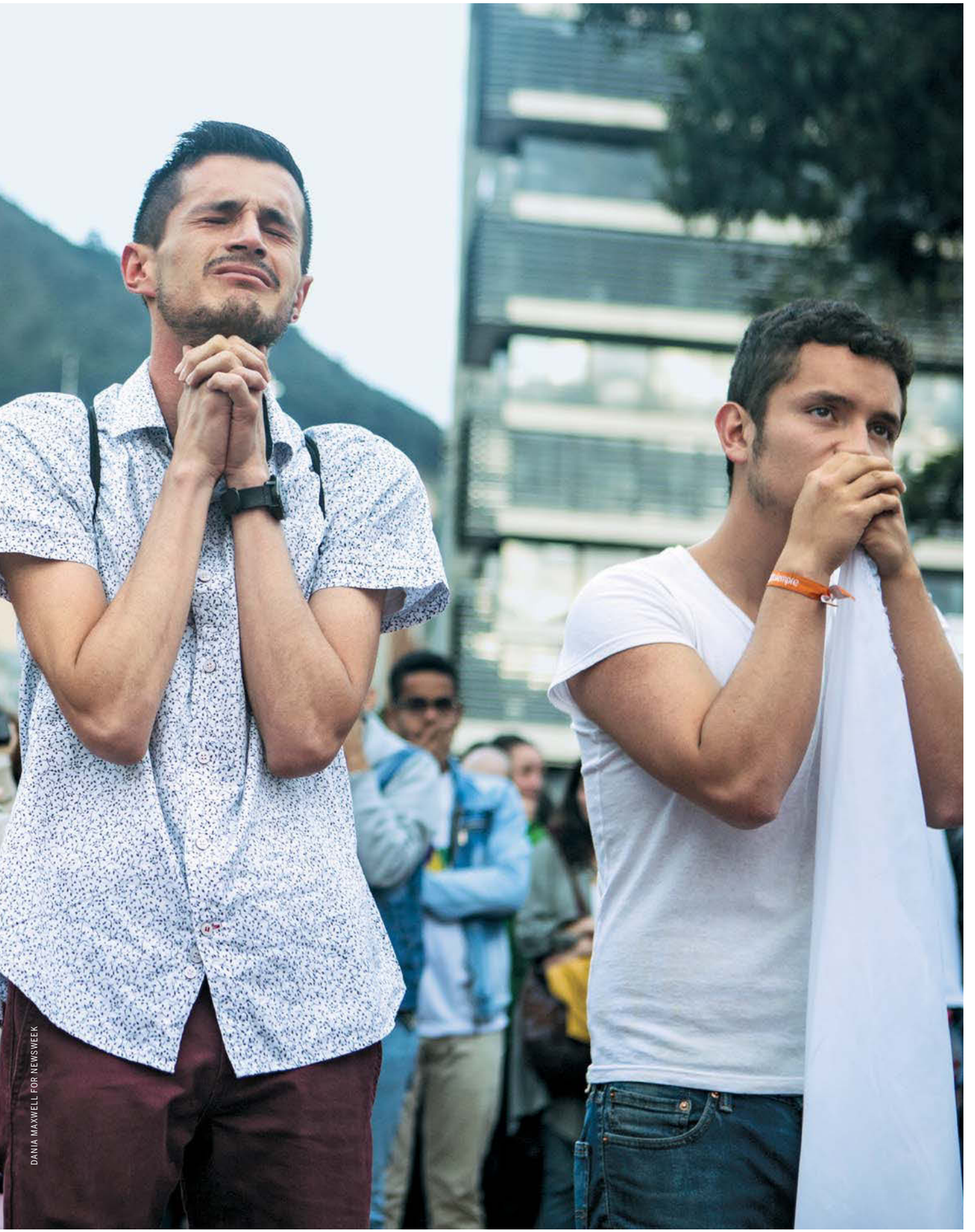
MANU BRABO/AP

COLOMBIA

Peace Postponed

Bogotá, Colombia—Colombians who backed a peace deal with the Revolutionary Armed Forces of Colombia, known as FARC, show their disappointment after the deal was narrowly rejected in a referendum on October 2. President Juan Manuel Santos had hoped to seal his legacy with an agreement to end the five-decade war that killed more than 220,000 people, but opponents complained it was too soft on the rebels. Santos said a negotiated cease-fire would remain in place and vowed to keep trying to end the war.

DANIA MAXWELL



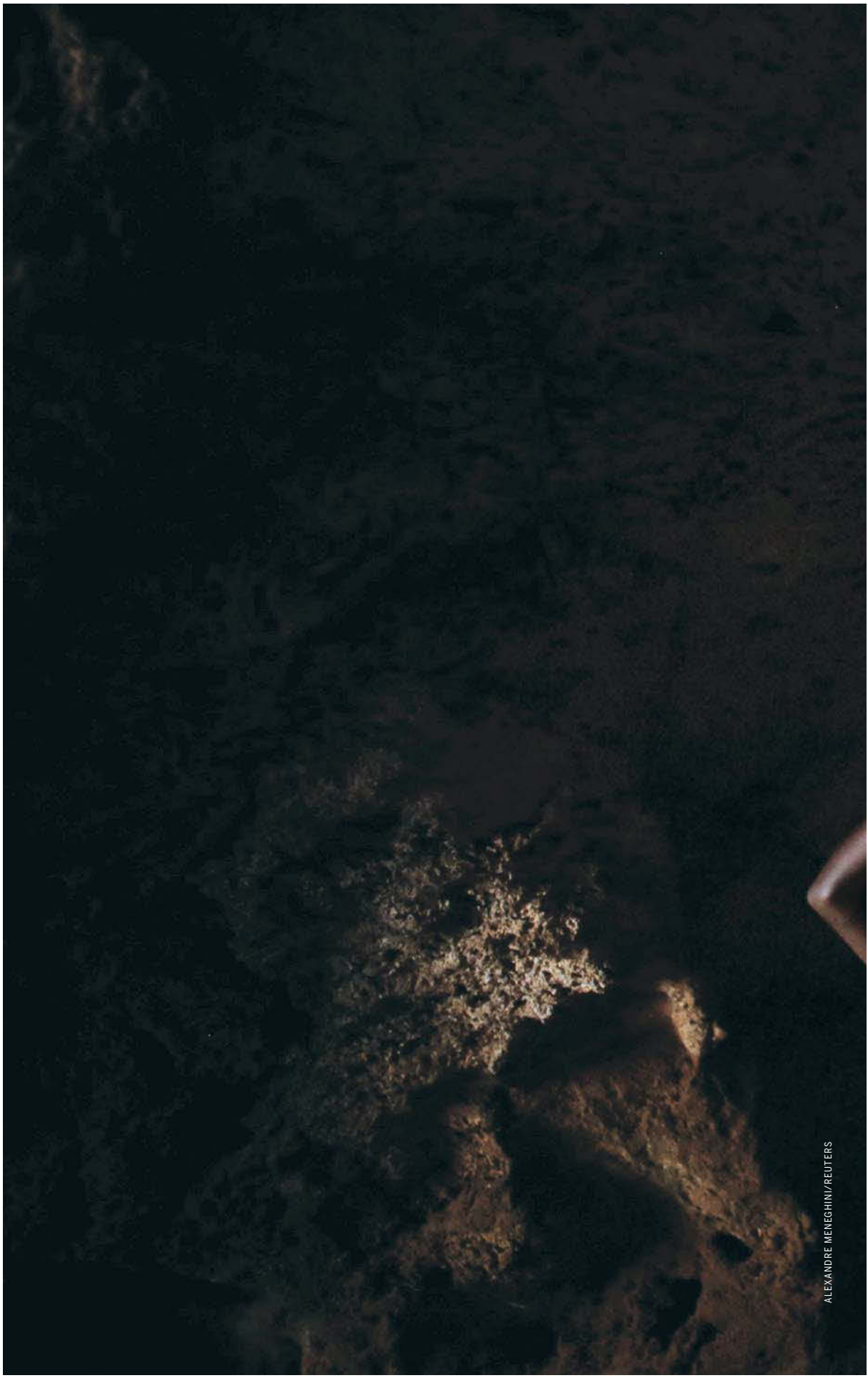
DANIA MAXWELL FOR NEWSWEEK

CUBA

Before the Storm

Siboney, Cuba—Yosvan Anaya prepares to take shelter in a cave as Cubans girded themselves for the arrival of Hurricane Matthew on October 2. The slow-moving storm targeted Haiti, Jamaica and Cuba and was expected to bring winds of 145 miles per hour, making it the strongest storm to hit the area since 2007. Cuba suspended flights, while Jamaica and Haiti warned coastal residents to evacuate. The United States airlifted the families of military personnel at its Guantánamo Bay naval base out of the country.

ALEXANDRE MENEGHINI



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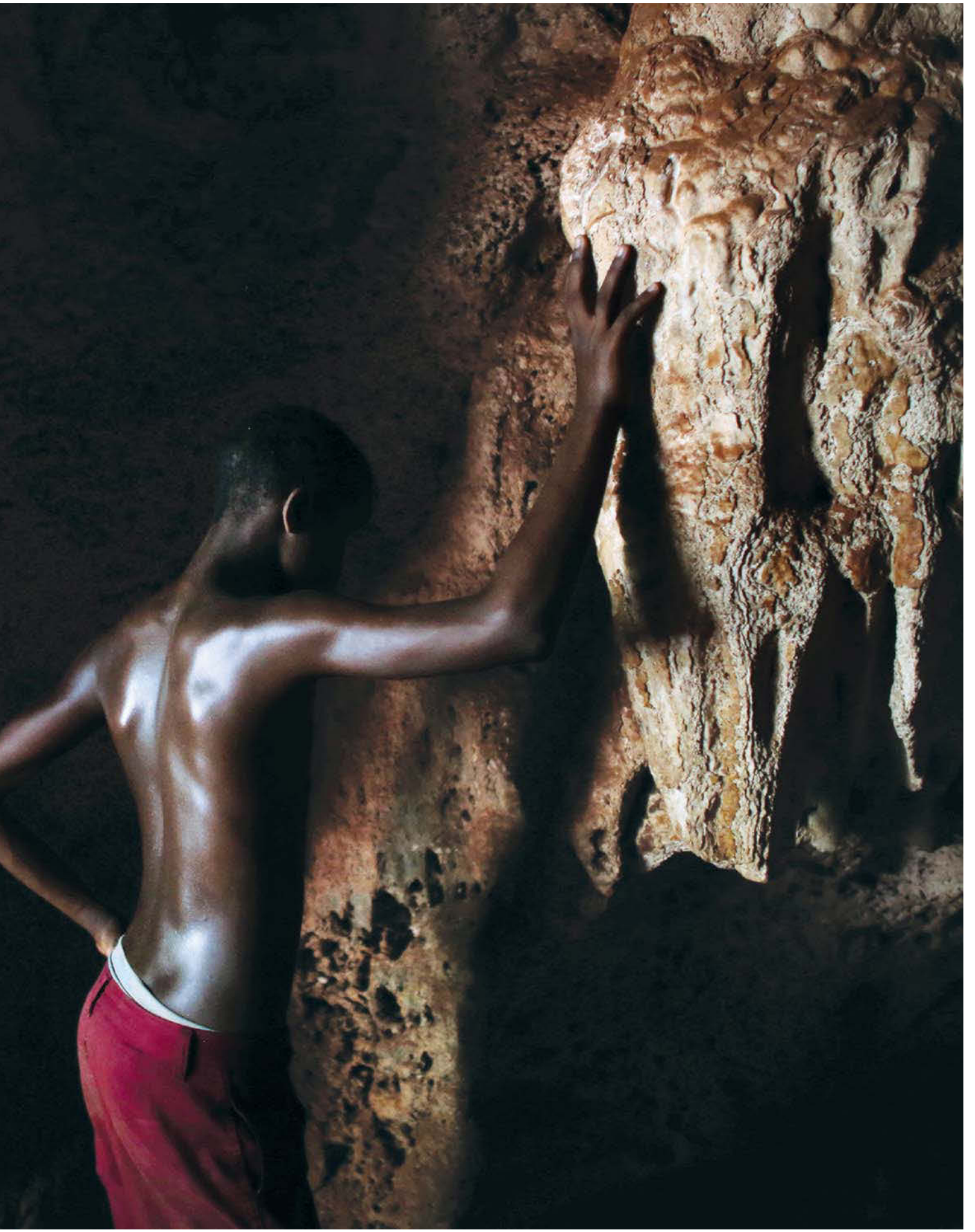

A LOWER EDUCATION

New York's attorney general says Trump U. was a cruel and massive fraud, and now he's looking hard at Donald Trump's foundation

AS DONALD TRUMP barnstormed across the nation this summer, moving to within a few percentage points of residency in the White House, one man watched in amazement from an office high in downtown New York City. The desk and file cabinets of this mild-mannered fellow are packed with documents Trump would rather Americans not read. New York State Attorney General Eric Schneiderman is the only law enforcement official in the country to investigate and sue Trump for fraud. In this version of *Gotham*, Schneiderman has been playing Batman to Trump's Joker. They have been battling in conference rooms and courtrooms and on the web for several years now. So far, the fight's a draw. But it's not over yet, and Schneiderman has one very potent superpower: the power of subpoena.

In an interview with *Newsweek* at his Manhattan office, a block from the New York Stock Exchange, Schneiderman discussed Trump's decades of shady business practices and the challenge he has posed to the legal and regulatory systems. "You can't stop tricky people from committing fraud," he says. "Bernie Madoff committed massive fraud for a long time and got away with it. But [Trump] has now called a lot of attention to himself, which I think, at the end of the day, he may regret. Being under the spotlights that are on when running for president is very much different than being a businessman who generally has a bad reputation around town, which he does."

In 2011, a year after Schneiderman got elected attorney general, the New York State Department of Education contacted him to complain that Trump had put his name on an entity called Trump University. The department has stringent rules for the use of that word—*university*—and Trump's operation didn't rise to the standards of the other institutions in New York—Cornell and Columbia, for example—licensed to call them-

BY
NINA BURLEIGH
@ninaburleigh

SCOTT OLSON/GETTY

PLAY MONEY: In January, Trump presented a ceremonial check to a charity that provides service dogs to vets; in September, *The Washington Post* reported that the money was never delivered.

selves universities.

For five years, the DOE told Trump to drop "university" from the name or to stop holding seminars in New York state. Trump ignored them, so Schneiderman stepped in.

The attorney general's office had already received a few consumer complaints from people who felt they'd been fleeced by this "university." So, for the next two years, Schneiderman's office conducted a thorough investigation. It requested and reviewed reams of Trump University materials, and it interviewed former students, collecting dozens of affidavits from people who detailed how they'd been baited into parting with up to $35,000 for advice from Trump's "handpicked" experts—experts who melted away once contracts were signed. The attorney general concluded that Trump University was not a university, and "every piece of it was a fraud."

In the course of his investigation, Schneiderman and his team of lawyers found that students were treated as "buyers" by a cadre of grifters who followed a Trump University "Sales Playbook" that devoted pages to "The Art of the Set." The set was a blueprint for cajoling eager, naïve marks into sharing their credit information and then going into debt to pay for courses offering limited and basic information taught by instructors who had little or no real estate experience and which buyers thought would lead to riches in real estate.

Trump never personally participated in this alleged scam, but he was key to the con, Schneiderman says: "Trump's primary role was to lure them in." He appeared on video ads, promising to help make Trump University students as rich as he was. His name was bold and big in print ads, taunting readers with "Are you the next Donald Trump? Come prove it to me!" According to depositions, he personally approved all the ads.

Desperate, recession-era Americans were seduced by the promise of learning the real estate magnate's "secrets"—but were in fact persuaded to part with their money for nothing, usually after their "mentors" had determined how much available credit they had. Trump eventually conceded he had never even met his "handpicked experts,"

NOT LIKELY: When Schneiderman and Trump first met, the billionaire gave him a donation for his campaign fund and predicted they'd be "best friends."

most of whom had no real estate experience and were paid on a commission basis, dependent on whether they sold "students" another, more expensive seminar.

Starting in 2012, Trump's lawyers and the attorney general's office discussed settling the case, but those talks fell apart, and in August 2012 Schneiderman sued Trump University and Trump, alleging fraud and demanding financial penalties against him and damages for former students.

Trump fired off a tweet a few days later, portraying himself as a victim: "Lightweight NYS Attorney General Eric Schneiderman is trying to extort me with a civil lawsuit." (That tweet is a relic of a much different era in Trump's life: It garnered only 90 retweets and 40 likes.) In subsequent tweets, he called Schneiderman a "hack" and made fun of his face.

For two years, Trump's lawyers filed motions to dismiss and delay the case. But earlier this year, an appellate judge ruled that the case could go forward. Trump appealed to the state's highest court, which is expected to rule by the end of the year. Schneiderman believes the case will either go to trial or Trump will settle. "He preyed on people who were in hard economic times, desperate to find ways to make ends meet. The playbook contains his instructions to target people who were desperate. Those are always the prize victims of all fraudsters."

WELCOME TO SCORCHED EARTH

Schneiderman first met Trump in 2010, when he was running for attorney general. A Democrat who'd served in the State Assembly, Schneiderman got his start in politics as an activist driving women to abortion clinics. He didn't have much in common with the by-now conservative magnate, but Trump agreed to see him in his office on Fifth Avenue, where Trump wrote him a campaign donation check for $12,500. "He said, 'I like you. We're going to be best friends,'" Schneiderman recalls.

But as negotiations for a settlement in the Trump University investigation fell apart, it became clear that they were never going to be "best friends." As Schneiderman's office moved to sue Trump for fraud, the businessman went on the attack. In addition to his snippy tweets, Trump filed a state ethics complaint accusing Schneiderman of soliciting donations from his family and employees. The ethics complaint was dismissed (Schneiderman admits he returned $500 to Ivanka Trump and $1,000 to one of Trump's lawyers).

Trump also filed a $100 million malicious prosecution case, which was dismissed. *The New York Observer,* a weekly newspaper owned by Trump's son-in-law, Jared Kushner, tried to hire an ice cream vendor to pen an "investigative" story about Schneiderman and eventually published a long hit piece on the attorney general, accusing him of being politically motivated in his pursuit of Trump.

"When I sued him, no one thought he was running for president," Schneiderman says. "In retrospect, I got a preview of what the world has seen now of the tactics he uses to fight back against his opponents."

Schneiderman says he was surprised by the vitriol and the tactics. "We have never seen this from any other defendant, this combination of scorched-earth tactics and this attitude that there is no such thing as bad publicity. Being exposed as a fraudster doesn't seem to bother him. I don't think he looks good for what he did with Trump University, but he doesn't seem to really care."

> THE ATTORNEY GENERAL CONCLUDED THAT EVERY PART OF TRUMP UNIVERSITY "WAS A FRAUD."

Schneiderman believes Trump went after him personally because the lawsuit threatened his brand. "It's obviously very important to him that the world believes he's a successful businessman. That's how he lured people onto Trump U., by saying, 'I'm a brilliant businessman, and I will teach you my secrets.' Once he's exposed, once he loses the brand as a successful businessman, he's exposed as a failure as a businessman and that he's got it by cutting corners and breaking rules. That's all he's got left."

Trump has maintained publicly that he did not make money from Trump University and that his involvement was purely altruistic. But in

MIKE GROLL/AP

a class-action suit brought by former students in California, a Trump comptroller conceded that Trump personally pocketed $5 million from the $40 million that Trump University raked in.

Schneiderman says Trump "needed" the money then and that he lies about his wealth. "Our case makes it clear this a fellow who is comfortable saying things that are clearly not true."

CRUMBLING FOUNDATION

In June of this year, after reading press accounts that Trump gave Florida Attorney General Pam Bondi a $25,000 campaign donation out of his Trump Foundation—a payment the IRS ruled improper—Schneiderman quietly opened an investigation into the foundation.

Bondi had been asked to investigate Trump University, but she declined around the time Trump gave her that check. It wasn't the first time Trump had used his foundation for political purposes. In 2014, he donated $100,000—the largest gift it gave that year—to a conservative group, Citizens United, as it was filing a federal lawsuit against Schneiderman. Citizens United objected to Schneiderman's requirement that charities disclose the identity of their donors to the New York State Charities Bureau. A federal judge threw out that case.

Revelations about the Trump Foundation, which has been heavily investigated by *The Washington Post*, include its use as a piggy bank to pay off debts owed by Trump—"not lawful" according to Schneiderman—and asking that money owed to Trump be put into the foundation—which constitutes a tax dodge.

Also, according to *The Washington Post*, Trump never registered his foundation with New York state. Under state law, if Trump solicited money for it, Schneiderman can order him to return it, and he can shut it down. Schneiderman declined to comment.

Schneiderman says his office is "still in relatively early stages" of its investigation of the Trump Foundation. "There are a lot of allegations that make it appear that there was some improper conduct there," he says. "I'm not gonna prejudge until we get all the evidence, but it's certainly clear that you can't give campaign contributions. They already admitted that was wrongfully done and paid a fine for it."

He's also looking into how money comes into the foundation. "It's called the Trump family foundation, but he apparently hasn't put his own money in for a while, so we are asking questions about why these other people gave money [to it]."

Given the many allegations about Trump's business practices, documented in books and articles over the years, and now hourly filling the pages of newspapers and magazines, including *Newsweek*, it raises an intriguing question: Why is Schneiderman the only law enforcement official known to be looking into him?

"I can't really answer for why other prosecutors choose not to investigate," he says. "But Trump has openly admitted he gives donations to people to get them to do what he wants, and that approach may well work with some people." He adds that the personal attacks Trump unleashed on him might make other law enforcement officials timid. "The prospect of taking action against someone who is really going to go after you viciously and dishonestly, as he went after me, could be a factor that might intimidate some people."

> "[TRUMP] PREYED ON PEOPLE WHO WERE IN HARD ECONOMIC TIMES, DESPERATE TO FIND WAYS TO MAKE ENDS MEET."

Legal scholars have said the Trump University fraud case could be grounds for impeachment, should Trump be elected. "The evidence indicates that Trump University used a systemic pattern of fraudulent representations to trick thousands of families into investing in a program that can be argued was a sham," University of Utah law professor Christopher Peterson wrote recently. "Fraud and racketeering are serious crimes that legally rise to the level of impeachable acts."

Schneiderman declined to discuss that possibility. "I haven't been able to wrap my head around a Trump presidency," he says. "I've been wrong about a lot this year, but at the end of the day I couldn't do what I do if I didn't believe in the ultimate wisdom of the American people. And I do think they will choose the candidate who does not have a lifelong habit of fraud and abuse and misrepresentation."

ON THE RUN: Fighting between Iraqi forces and ISIS drove these women and children from their homes in July.

AHMAD AL-RUBAYE/AFP/GETTY

Post-ISIS Crisis

AID GROUPS NEED MORE FUNDING TO PREPARE FOR THE FALLOUT OF OPERATIONS TO OUST THE ISLAMIC STATE FROM MOSUL

BY **JACK MOORE**
@JFXM

AS WASHINGTON and Baghdad prepare to launch an offensive on Mosul, humanitarian organizations are warning of the dire winter facing hundreds of thousands of Iraqis who will be forced to flee the city held by the Islamic State militant group (ISIS).

In late September, U.S. and Iraqi officials announced the addition of 600 American troops to assist Iraqi forces readying to move on the country's second-largest city, in an operation expected to begin in October. Mosul is ISIS's largest remaining prize after a series of defeats in its self-proclaimed caliphate in Iraq and Syria. "Basically, a million people will be displaced, of which 700,000 will require humanitarian assistance. The task in front of us is very, very hard. It is causing me and my team many sleepless nights," Aleksandar Milutinovic, the International Rescue Committee's (IRC) country director in Iraq, tells *Newsweek* about the scenario facing aid groups.

"Many people will flee with only the clothes on their backs and documentation in their pockets. It is a dire situation. We are working around the clock to prepare ourselves the best we can," Milutinovic continues. At present, the IRC has the capacity to support only 60,000 people in a crisis that would likely last at least six months, he adds.

Iraqi forces, backed by U.S. air power, have edged closer to Mosul by retaking key ISIS-held villages and towns in the Nineveh governorate around Mosul, already causing a significant number of people to flee their homes. Aid groups estimate that 126,000 people are already displaced in the Mosul corridor, which stretches from the northern Salahuddin province to Tikrit and Mosul. The U.S. and Iraqi forces have planned for the offensive to take place after the crippling summer heat in Iraq, a decision that will benefit the operation but make life extremely tough for those who are fleeing.

"With the winter coming, the health system will be overwhelmed because a lot of people will be coming to the health facilities with respiratory problems," says Milutinovic. "We expect there will be a rise in respiratory diseases, especially for children, because of the cold weather, so we will require more doctors and more pharmaceuticals."

Milutinovic warns that the international community has pledged only half of what is required by the IRC, U.N. agencies and other aid groups, which have requested $284 million for humanitarian aid. The biggest donors so far are the European Union, the U.K., the U.S. and members of the U.S.-led coalition, such as Denmark.

Provision of tents, blankets, heaters, water and sanitation is being made for those expected to flee Mosul. Mosques, schools and uncompleted buildings in the wider Mosul region are being earmarked for shelter, but without more funds, there will not be enough resources for everyone in need, Milutinovic adds.

"We need money," he says, "because if we don't work together, if we don't do a good job, if people are suffering, there are going to be more problems down the road." N

SPYTALK

NO COUNTRY FOR EDWARD SNOWDEN

Why the push to pardon the NSA whistleblower may be futile

NEARLY A half-century ago this month, Daniel Ellsberg, a young, intense Defense Department employee distressed over the unending war in Vietnam, removed several volumes of top-secret documents from his safe and turned them over to the press. "The Pentagon Papers," as they became known, recorded the history of covert American involvement in Indochina from the early 1940s to 1968.

Ellsberg's leak has been compared to the theft of thousands of National Security Agency (NSA) documents by Edward Snowden, the former intelligence contractor who's been living as a fugitive in Moscow for three years. Like Ellsberg, Snowden has been charged with several counts of stealing highly classified information under the Espionage Act of 1917, a legal truncheon designed to jail spies but frequently wielded against leakers and other political dissidents. Unlike Snowden, Ellsberg and his co-conspirator, Anthony Russo, facing 115 years in jail, came out of hiding after a few weeks on the run and surrendered to the Justice Department. "I did this clearly at my own jeopardy," Ellsberg said, "and I am prepared to answer to all the consequences of this decision."

Not so for Snowden. Another difference between him and Ellsberg is the nature of what they stole. The Pentagon Papers were more a sordid record of government crimes and folly in Vietnam than a compendium of properly classified secrets. They included a chapter on how the Pentagon and President Lyndon Johnson conspired in 1964 to manufacture a false account of an unprovoked attack on U.S. ships to justify widening the war against North Vietnam. Ellsberg believed the public had a right to know what the enemy already did about how the U.S. was fighting this war.

Snowden's supporters argue that Americans also had a right to know what he revealed about the NSA's sweeping surveillance of their emails and telephone calls. But he also revealed the reach of NSA spying on such adversaries as the Islamic State group (ISIS), Russia and China (along with allies like Israel and Germany). Whether Americans needed to know about congressionally authorized foreign intelligence–gathering activities that help protect the nation from subversion or attack is far less certain.

In September, Snowden's supporters launched a campaign for his pardon. One of their arguments is the system is rigged against whistleblowers—which it is. The Pentagon's own inspector general, Glenn Fine, recently told a House panel that the number of employees who filed complaints about *retaliation* for reporting waste, fraud and abuse had "more than quadrupled" over the past 12 years, with the total expected to reach 1,600 by the end of fiscal 2016. "At present," he added, his office had "192 open cases" against it, while the Defense Department as a whole had 800.

Mandy Smithberger, of the privately funded Project on Government Oversight, testified at the same hearing about a survey showing that 45 percent of Office of the Inspector General employees "disagreed that their senior leadership maintains high standards of honesty and integrity—nearly

BY
JEFF STEIN
@SpyTalker

twice the rate reported by [other] employees at the Department of Defense," she said.

That's the fun house Snowden's critics say he should have walked into rather than going public.

The Office of the Director of National Intelligence is trying to corral future Snowdens before they leave their offices with thumb drives full of secrets. According to a September report from the White House, it has established rewards for "speaking truth to power, by exemplifying professional integrity, or by reporting wrongdoing through appropriate channels."

The announcement was first reported by Steven Aftergood, editor of the highly respected *Secrecy News*, a publication of the Federation of American Scientists. "Professional integrity may be welcome everywhere," he wrote, "but 'speaking truth to power' is rarely welcomed by 'power.'" He added that reporting wrongdoing "often seems to end badly for the reporter."

Even setting up central offices to field reports of crimes and misdemeanors "doesn't work," says Tom Devine, legal director of another Washington-based whistleblower aid outfit, the Government Accountability Project. "Consistently, they are used as a trap that identifies whistleblowers and funnels their evidence into entities with a conflict of interest that then try to cover up the misconduct," Devine said in a late September press release opposing a congressional plan to open such an office at the Department of Veterans Affairs. He and others argue that new laws are needed to protect government employees who report wrongdoing, especially from inside the intelligence agencies and Pentagon.

But rewriting the Espionage Act is not in the offing, say lawyers who follow the issue. "I've never seen any real sentiment within the executive branch to amend [it]," says Stephen Vladeck, a scholar at the University of Texas law school.

> "'SPEAKING TRUTH TO POWER' IS RARELY WELCOMED BY 'POWER.'"

The century-old law carries enormous freight with judges and juries and "can lead to extreme sentencing," as lawyers for former CIA officer Jeffrey Sterling argued. Evidently their judge agreed, sentencing Sterling to 42 months for leaking details of a dangerously botched CIA spy operation against Iran, instead of the 19 to 24 years called for in the statute.

Snowden won't be so lucky. Nor does the fugitive enjoy the public relations advantages Ellsberg had when Americans turned against the war in Vietnam. Opposition to a pardon for Snowden has been widespread, ranging from President Barack Obama and Hillary Clinton to the Republican-led House Intelligence Committee and the editorial board of *The Washington Post* (one of the newspapers that benefited greatly from Snowden's leaks). In the current climate, he's likely to see many more winters in Moscow.

"I'm deeply conflicted about his whole situation," Vladeck says by email. "The best scenario for everyone is if the government offered (and Snowden accepted) some kind of plea deal...in exchange for a suspended sentence and a whole bunch of supervised release conditions."

But that's not going to happen under Obama, he concedes, nor under either of his likely successors. "At some point, though, perhaps both sides will realize that there's no perfect solution here." Snowden, he argues, "broke the law, and we're all better off for it." N

BRENDAN MCDERMID/REUTERS

UPHILL BATTLE: Opposition to a pardon for Snowden has been widespread. Even the editorial board of *The Washington Post*, which benefited from his leaks, has come out against it.

THE LONG ALARM OF THE LAW

Bulgarian lawmakers are set to vote on legislation to ban 'radical Islam.' But critics say it will wind up discriminating against all Muslims

THERE AREN'T many students at Sofia University who wear a hijab, so 20-year-old Aishe Emin's stands out. Since she moved to the Bulgarian capital two years ago, her veil has attracted unwelcome attention. But in recent months, she's received more hostile comments and stares. Her husband, Mustafa, who also attends the university, has a beard and prays regularly; some of his fellow students, he says, consider him "radical" for doing so.

The Emins are part of Bulgaria's native Pomak Muslim community. This group has faced persecution before, when fascist and later communist governments were in power. But since the recent Islamist attacks in France and Belgium, she and others have complained of a new backlash against Muslims. Most politicians in Europe have condemned the recent rise in Islamophobia, but right-wing parties in many EU countries have fueled the fear and hatred Muslims encounter on a regular basis. The Patriotic Front, a right-wing Bulgarian party that's in the ruling coalition, has introduced a series of laws that critics say would make discrimination against Muslims part of the country's legal code. Parliament has already approved one of them, a ban on women wearing veils that even partially cover their faces.

If Bulgarian lawmakers approve the rest of the vaguely worded legislation, foreign citizens would not be permitted to deliver religious sermons;

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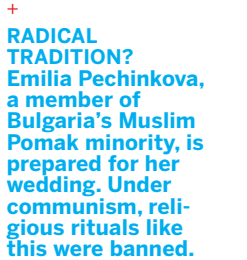

RADICAL TRADITION? Emilia Pechinkova, a member of Bulgaria's Muslim Pomak minority, is prepared for her wedding. Under communism, religious rituals like this were banned.

NIKOLAY DOYCHINOV/AFP/GETTY

foreign funding for all religious denominations would be suspended; it would be mandatory to use the Bulgarian language during all religious services; and "radical Islam" would be considered against the law, among other things. (The legislation defines adherents of "radical Islam" as those who call for the creation of an Islamic state, forcefully impose Islamic norms on others, spread holy war or raise funds for an Islamist terrorist group.)

Other countries in the European Union, including France, Latvia and Belgium, ban face coverings, but Bulgaria's proposed law prohibiting "radical Islam" would be the first within the EU. If passed, the legislation would mainly affect Muslims whose families have lived in Bulgaria for centuries—ethnic Turks, Pomaks and Roma.

Analysts say there isn't a single known case of a native Bulgarian Muslim joining a Middle Eastern extremist group. But that has not stopped the country's right-wing politicians from advancing one of Europe's most anti-Muslim agendas.

Yulian Angelov, a parliament member for the Patriotic Front, says his party is simply trying to prevent Bulgarian Muslims from becoming radicalized. The proposals, he says, would allow authorities to take early action against outsiders who plan to indoctrinate the local population and promote violence. "We all remember the bombing [in Burgas]," says Angelov, referring to an attack on a bus carrying Israeli tourists in that Bulgarian town in 2012. The investigation found that three men with Western passports and links to the Lebanon-based Hezbollah were behind the bombing. No Bulgarian nationals were implicated in the attack, which killed seven people, including the bomber. "We have to take measures," says Angelov. "We see that there are constantly terrorist attacks. We see millions of illegal migrants conquering Europe."

Critics, however, say the new laws would not only ostracize Muslims but also infringe on the rights of other religions, including Judaism and Christianity. The Bulgarian Grand Mufti's Office and the Bulgarian Catholic Church have condemned the measures, as has the Central Israelite Religious Council in Sofia. "The proposed changes in the Law on the Religious Denominations are one more step in the retreat from the democratic principles," the council said.

Another question is how the government will enforce the law. Many Islamic scholars say establishing a state run on the basis of Islamic law, along with jihad, a Koranic concept for struggle (and not necessarily a physical or violent one) in God's name, are among some of the most fundamental ideas in Islam. "How can we legally define one of [these ideas] as 'traditional' and another as 'radical'?" says Simeon Evstatiev, an associate professor of Middle Eastern and Islamic history at Sofia University. "Such a definition would create chaos among prosecutors, lawyers and judges, who will need to be competent in theological issues in order to work on such court cases. This—to put it mildly—is absurd."

Mihail Ekimjiev, a Bulgaria-based human rights lawyer, says the ambiguity of the term "radical Islam" could permit legalized persecution of Muslims. In his opinion, some of the other provisions in the proposals violate EU and human rights law. "Religious institutions have to be relatively autonomous from the state," he says. "The possibility of their being pressured with frequent checks opens the way for state repression against them."

> "WE HAVE TO TAKE MEASURES. WE SEE MILLIONS OF ILLEGAL MIGRANTS CONQUERING EUROPE."

Aside from the "burqa ban," parliament has preliminarily approved another Patriotic Front proposal—the criminalization of "radical Islam." But the legislation is still awaiting amendments and a final vote for approval.

Fearing recriminations, most Bulgarian Muslims aren't speaking out in public about the proposed laws; they're waiting to see what happens in parliament. Meanwhile, acts of hooliganism against Muslims have become more common, says Jalal Faik, the secretary general at the Grand Mufti's Office in Sofia. In August, vandals defaced a Muslim hearse in the northern city of Pleven with graffiti that read: "Murderers," "Islam is destroying Europe" and "You committed genocide against Bulgaria."

If the legislation passes, Faik predicts Bulgaria's Muslims won't stay silent for long.

THE BERKELEY INTIFADA

The endless conflict in the Middle East roils the hotbed of 1960s radicalism

FOR A PALESTINIAN insurgent supposedly determined to see Israel destroyed, Paul Hadweh looks remarkably like his fellow students at the University of California, Berkeley. I met the 22-year-old senior on the rooftop of a campus building, overlooking the expanse of San Francisco Bay, which glimmered in the pure light of late afternoon. He wore gray Converse, stylish jeans and a teal T-shirt. On the table beside him lay an iPhone, earbuds coiled, and a packet of loose tobacco. He could have been just another kid, except a nervous energy radiated from him like steam. This was understandable, for in the last month, Hadweh has been depicted as an enemy of Israel, one dangerous enough to allegedly warrant intervention from the country's government.

For a few moments, we admired the view of the Bay Area. We were about 140 miles from Chowchilla, the Central Valley town where Hadweh lived until he was 10 years old; and we were about 7,000 miles from Beit Jala, the West Bank village of mostly Palestinian Christians where Hadweh's father, a doctor, moved the family in 2003 (it is near Bethlehem); but we were mere steps from where, in 1964, Berkeley students launched the Free Speech Movement, in protest of the administration's restrictions on political activity. This juxtaposition galled Hadweh, irritated him more than Israeli politics, more even than the death threats he has received. "They've thrown an undergraduate student under the bus in the most public of manners," he says of an administration that tried to stop him from

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ABBAS MOMANI/AFP/GETTY

WEST BANK WALL: Hadweh's family has lived since 2003 in the West Bank, where Israel started to build a separation barrier in 2002 to prevent attacks.

teaching a class about Palestinian history.

Berkeley has a long tradition of students teaching classes. In 1965, in response to growing student unrest on campus, the Berkeley philosophy professor Joseph Tussman started a program that allowed both students and faculty to "engage in intensive reading and discussion of texts in an ungraded environment." The experiment came to be known as DeCal, for Democratic Education at Cal. Any student can teach a class on any topic, provided the student has a faculty sponsor and approval from the Academic Senate. DeCal classes typically have about two dozen students and are quite popular, to judge by the current offerings. There are 195 such courses offered at Berkeley this semester, and they reflect the diversity of curiosities among the school's 27,000 undergraduates: Intro to Baking, Intro to Surgery, Berkeley Poetry Review.

The DeCal website urges students who've enjoyed a DeCal course to start one of their own: "It's not as difficult a process as you'd expect." Paul Hadweh almost certainly disagrees.

HADWEH'S FAMILY arrived in the West Bank in the midst of the second intifada, as the periodic armed Palestinian campaign against Israel is known. It was a gruesome affair, with Palestinian suicide bombings in Tel Aviv and Jerusalem, Israeli military incursions, a bloody dance from which neither side wanted to disengage, even as they made the obligatory overtures for peace. At the conclusion of the second intifada, Israel remained vulnerable to rocket attacks from Gaza (and, more recently, a spate of knife attacks), while the Palestinians remained the stateless people they'd been for decades.

Hadweh's family is Christian and relatively wealthy. Nevertheless, he felt the full force of the occupation, especially after Israel started to build a West Bank barrier in 2002. "Occupation affects every aspect of your life," he says. I asked if he'd ever had the chance to hold a dialogue with his Israeli peers, the sort of thing that makes for hopeful public radio segments. Hadweh sneers: "There's no way any connection can ever be made. There's a 26-foot concrete wall between us." (The barrier varies in composition and height, and many Israelis say it is necessary to prevent terrorist attacks.)

After graduating from high school in Bethlehem, Hadweh returned to the United States for college. He started out at Sacramento City College, then transferred to Berkeley, routinely ranked the best public college in the United States. Many come to higher learning with the expectation of broadening their horizons; Hadweh, a peace and conflict studies major, freely admits to his narrow concentration: "I came in here to learn about Palestine. And I said, 'I'm gonna come out of here having learned about it.'"

So when he discovered that there was no course that, in his view, fairly addressed the situation in Israel and the Palestinian territories, he decided to make his own. "If you're not going to give me a space to explore Palestine, then I am going to make that space," he says with an edgy defiance that hints at how hard that space has been to claim.

Last year, Hadweh took an Arabic course with Hatem Bazian, an Islamic scholar at Berkeley who has been involved in political activism that, some say, seeks to delegitimize and malign Israel. Over the summer, Bazian helped Hadweh create a DeCal course called Palestine: A Settler Colonial Analysis.

According to the syllabus submitted for review, the course would "explore the connection between Zionism and settler colonialism," as well as "the possibilities of a decolonized Palestine, one in which justice is realized for all its peoples." The readings plainly suggest an antipathy to the Zionist project and hence Israel itself: Edward Said, dissenting soldiers of the Israeli

"THERE'S NO WAY ANY CONNECTION CAN EVER BE MADE. THERE'S A 26-FOOT CONCRETE WALL BETWEEN US."

Defense Forces, theorists of post-colonialism. Zionism is frequently mentioned in the syllabus; Israel, almost not at all.

I asked Hadweh if his course calls for the elimination of Israel as a Jewish state. He met this question with disgust, explaining that there is no getting rid of Jews from a land they call home. "I'm deemed anti-Semitic because I fundamentally believe we can all live together." He's vague about how he'd resolve the Israeli-Palestinian conflict, but both he and Bazian appear to seek a single state in which Palestinians and Jews are equals, and expelled Palestinians are allowed to return. Many believe this would effectively be the end of Israel, since demographic trends are generally thought to favor the Palestinians.

Hadweh believes this is an urgent question to

discuss. "This isn't a course that is pro-Palestine or pro-Israel," he says. His goal was "exploring history."

Bazian approved the course, as did the head of the Near Eastern studies department and the university's Academic Senate. As the fall semester began, he started to hang posters advertising the class around campus: four maps in a row, each showing the contours of Israel and the Palestinian territories. The first map, from 1918, is nearly all teal (Palestinian land), with just a few flecks of black (Zionist settlements) near the Mediterranean coast. Israel was founded in 1947; the map from 1960, accordingly, is overwhelmingly black. In the map's final iteration, there are only two disjointed swaths of teal: the Gaza Strip and the West Bank.

Twenty-four students signed up for the course, with six more on the waitlist. The first meeting would be on September 6.

BERKELEY'S FAMOUS progressivism can sometimes be more convenient for the school's detractors than for the school itself. Ronald Reagan, as governor of California, used the late 1960s tumult at Berkeley to position himself on the national stage as a law-and-order Middle American disgusted by the excesses of the revolutionaries camped out in front of Sproul Hall. More recently, "Berzerkeley" has served as an easy target for anyone wanting to denounce the overreach of political correctness or social activism, even as the school itself has become ever more conventional, less interested in social revolution than attracting gifted students and star faculty away from nearby rival Stanford.

Israel, on many college campuses, has become the new Vietnam. Earlier this year, the Board of Regents of the University of California system endorsed a report that began by noting that "there has been an increase in incidents reflecting anti-Semitism on UC campuses." The resolution said, "Anti-Semitism, anti-semitic forms of anti-Zionism and other forms of discrimination have no place at the University of California." Many Jewish groups saw this as a major victory; the resolution was a loss for activist organizations like Students for Justice in Palestine, which had urged the University of California and many other universities around the nation to boycott and divest from Israel. The co-founder of that group was Bazian, Hadweh's adviser on the DeCal course.

The first news report of Hadweh's course appeared to come on September 8, from *The Algemeiner*, which calls itself the "fastest growing Jewish newspaper in America." The article was titled "UC Berkeley Offers Class in Erasing Jews From Israel, Destroying Jewish State."

After that piece was published, several Jewish-American groups reached out to Berkeley administrators. The Amcha Initiative, based in California, sent a letter signed by 43 organizations that urged the chancellor to cancel the course because Hadweh and Bazian "intended to indoctrinate students to hate the Jewish state and take action to eliminate it."

Ron Hassner, a political scientist at Berkeley with a Ph.D. from Stanford, agrees with this harsh assessment. Hassner, who teaches religious conflict, says he was appalled by the DeCal course. "The class is despicable because it is bigoted," he says, comparing its intellectual underpinnings to the "flat Earth" theory.

Administrators apparently agreed. On September 15, *The Daily Californian* said the course was being canceled because it had been "mistakenly approved." That swung the outrage the other way. One pro-Palestinian website suggested that the Israeli government had exercised influence over the university. Berkeley spokesman Dan Mogulof says this was an "insidious rumor," and "there has been no contact of any kind with official or unofficial representatives of the Israeli government." More moderate voices noted that DeCal courses like Modern Square Dance and Body Positivity seemed to meet both academic

GETTING THROUGH: A Palestinian climbs over a section of the barrier dividing the West Bank city of al-Ram from East Jerusalem, as many Palestinians do each day in search of work.

THOMAS COEX/AFP/GETTY

and administrative requirements, so it seemed dubious that only a course focused on the Palestinian experience would garner extra attention.

After the class was suspended, Hadweh was offered representation by Palestine Legal, which frequently defends students who become targets of the pro-Israel lobby. His lawyer, Liz Jackson, is a Jewish alumna of Berkeley Law who, some years ago, went on Birthright Israel, the free trip offered to American Jews. "The knee-jerk labeling of the Palestinian perspective as 'anti-Jewish' is akin to dismissing the study of civil rights struggle in the U.S. or the movement to end South African apartheid as 'anti-white,'" she says, adding that there was "a documented, coordinated effort by Israel advocacy organizations, and the Israeli government itself, to suppress campus debate in the U.S."

Hadweh and Bazian met with Carla Hesse, the executive dean of the College of Letters & Science. On September 19, she wrote a letter to the Academic Senate and departmental chairs in the social sciences asserting that the "meeting resolved the procedural issues concerning academic review and consultation." The course had its name altered, from Palestine: A Settler Colonial Analysis to Palestine: A Settler Colonial Inquiry, but there were no changes to what Hadweh was going to teach or how he was going to teach it.

NOW EVERYONE was unhappy. Hadweh and his supporters thought Berkeley administrators were bowing to political pressure and media coverage; detractors thought the university was allowing anti-Semitism to flourish. There were charges of academic freedom being usurped and of that freedom being perverted for political gains. "It's a matter of double standard," says Alan Dershowitz, the Harvard Law professor and a frequent defender of Israel. "The critical question is: Would an anti-Palestinian mirror image course be accepted? Academic freedom requires a neutral single standard of evaluation."

I read this response to Jackson, Hadweh's lawyer. She found Dershowitz's position ridiculous. "There are anti-Palestinian courses taught every day all over the United States," she says, pointing to a course on Israeli history taught at Berkeley last spring that seemed to "erase Palestinians" in favor of a Zionist perspective. "Many people view classes from a Zionist perspective as being anti-Palestinian," she says. "It's correct that academic freedom requires a neutral standard applied in an even manner, regardless of the political viewpoint. That is exactly what went wrong here," in her view, with Hadweh receiving "special scrutiny."

Jackson wishes Berkeley had stood up for Hadweh the way the University of California, Riverside, came to the defense of Tina Matar, who in 2015 tried to start a course titled Palestinian Voices. The Amcha Initiative objected, but Riverside decided to let the class stand. A report issued some months after the incident agreed with this decision: "At the end of the day the existence of objections and concerns about 'Palestinian Voices' (some of which are eloquently articulated) constitutes an insufficient basis to second-guess academic judgment."

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"I'M DEEMED ANTI-SEMITIC BECAUSE I FUNDAMENTALLY BELIEVE WE CAN ALL LIVE TOGETHER."

Jackson wonders why Berkeley, which boasts of all the Nobel Prize laureates under its aegis, could not reach the same conclusion.

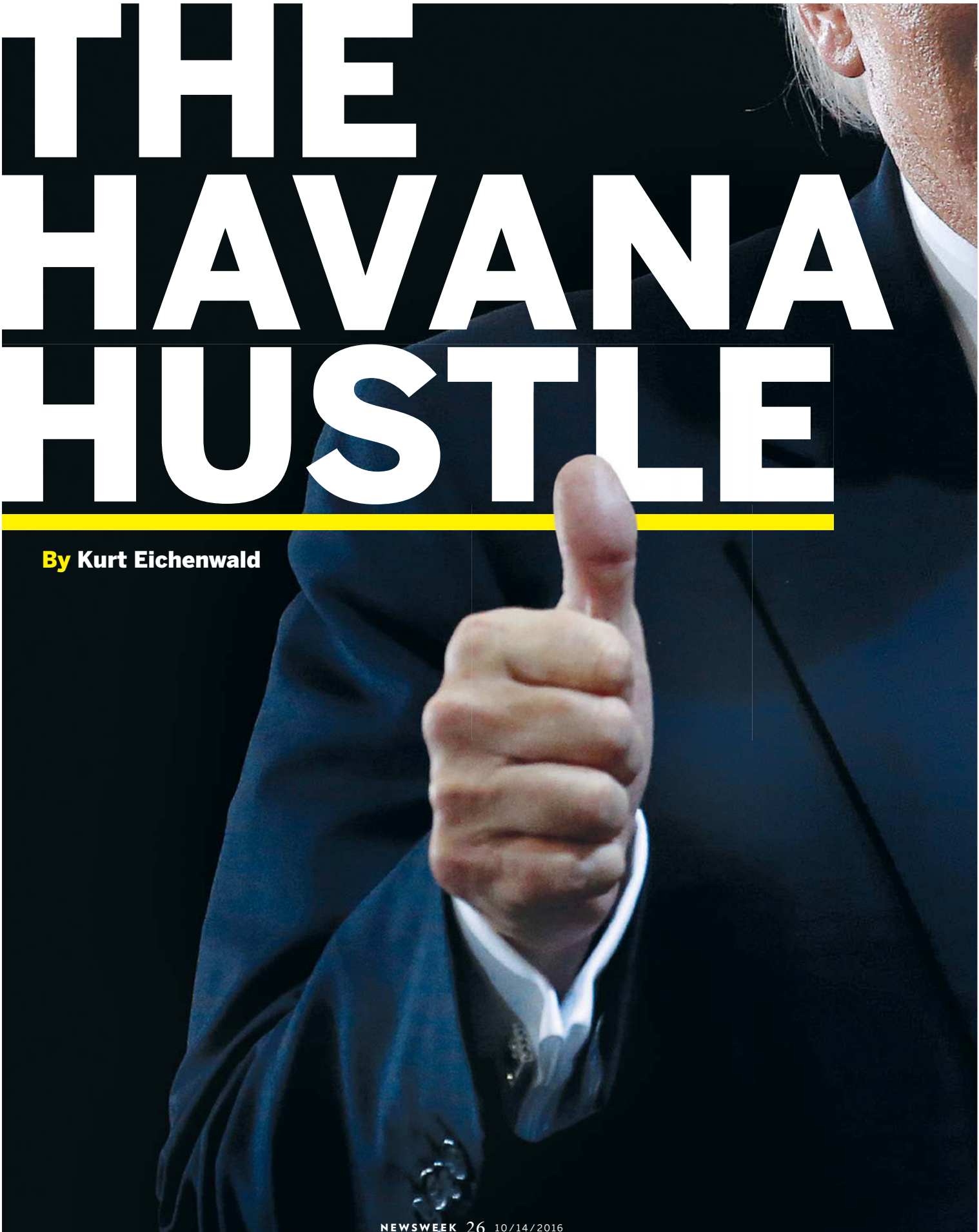
But there are issues beyond academic freedom. Hassner, the political science professor, says the furor over Hadweh's course would be "very, very hard on the Jewish students on campus," inevitably leading to a rise in anti-Semitism. Just days after we spoke, posters started appearing on campus that said "Jewish bullies" were silencing free speech at Berkeley, though the DeCal course had been reinstated.

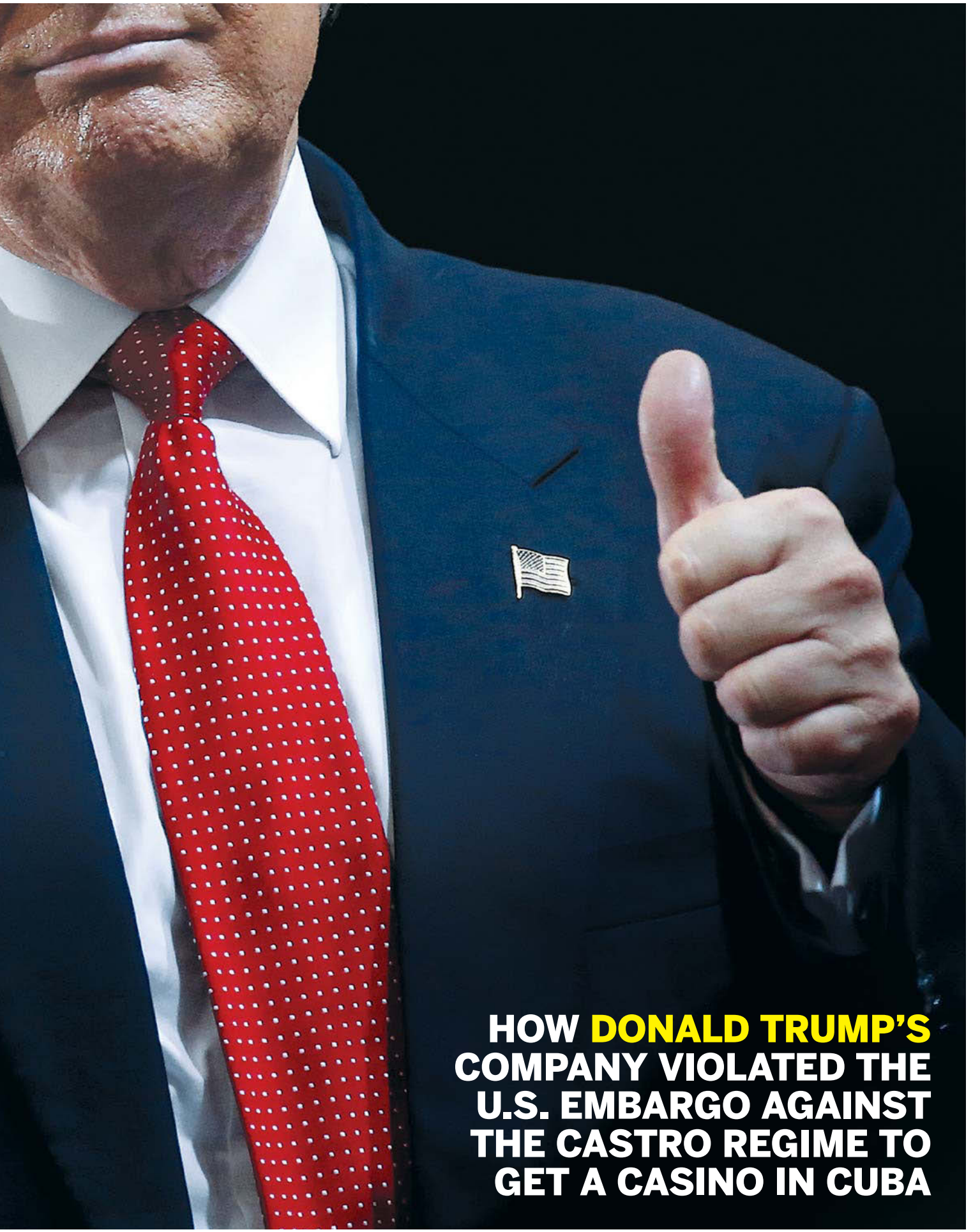
Hadweh denounced these posters, but having to defend himself against such charges clearly left him enervated. And it was only September. "What does this say to anybody who wants to talk about Palestine?" he wonders. "Don't."

Maybe the events of the last month have taught Hadweh more than any class ever could. For this is the way the Middle East works too: anger, recrimination, escalation, exasperation. And in the end, everything stays the same.

THE HAVANA HUSTLE

By Kurt Eichenwald





HOW DONALD TRUMP'S COMPANY VIOLATED THE U.S. EMBARGO AGAINST THE CASTRO REGIME TO GET A CASINO IN CUBA

THIS IS NOT THE FIRST TIME DONALD TRUMP HAS RUN FOR PRESIDENT.

Nor is it the first time that his business dealings have put him in direct conflict with what he claims are his political beliefs and forced him to lie about those transactions.

Trump launched his first presidential campaign in Miami in November 1999, seeking the nomination of the Reform Party. There, at a luncheon hosted by the Cuban American National Foundation, an organization of Cuban exiles, he proclaimed he wanted to maintain the American embargo against Cuba and would not spend any money there so long as Fidel Castro remained in power. Florida, then and now a critical electoral state, has a large number of Cuban-Americans who are virulently opposed to the Castro regime.

"As you know—and the people in this room know better than anyone—putting money and investing money in Cuba right now doesn't go to the people of Cuba," Trump told the crowd. "It goes to Fidel Castro. He's a murderer. He's a killer. He's a bad guy in every respect, and, frankly, the embargo must stand if for no other reason than, if it does stand, he will come down."

Trump might have added that while Castro may be a murderer, he was, at least in Trump's mind, an attractive business partner. Trump might have also added that he'd already tried to make a deal with Castro's regime, that a company controlled by him secretly conducted business in Communist Cuba during Castro's presidency despite strict American trade bans that made such undertakings illegal, according to interviews with former Trump executives, internal company records and court filings.

Documents show that the Trump company spent a minimum of $68,000 on its 1998 foray into Cuba at a time when the corporate expenditure of even a penny in the Caribbean country was prohibited without U.S. government approval. But the company did not spend the money directly. Instead, with Trump's knowledge, executives funneled the cash for the Cuba trip through an American consulting firm called Seven Arrows Investment and Development Corp. Once the business consultants traveled to the island and incurred the expenses for the venture, Seven Arrows instructed senior officers with Trump's company—then called Trump Hotels & Casino Resorts—on how to make it appear legal by linking it, after the fact, to a charitable effort.

The payment by Trump Hotels came just before the New York business mogul launched his first bid for the White House. On his first day of the campaign, he traveled to Miami to speak to that group of Cuban-Americans.

He did not disclose that, seven months earlier, Trump Hotels already had reimbursed its consultants for the money they spent on their secret business trip to Havana.

At the time, Americans traveling to Cuba had to receive specific U.S. government permission, which was granted only for an extremely limited number of purposes, such as humanitarian efforts. Neither an American nor a company based in the United States could spend any cash in Cuba; instead, a foreign charity or similar sponsoring entity needed to pay all expenses, including travel. Without obtaining a license from the federal Office of Foreign Assets Control (OFAC) before the consultants went to Cuba, the undertaking by Trump Hotels would have been in violation of federal law, trade experts say.

NEITHER AN AMERICAN NOR A COMPANY BASED IN THE UNITED STATES COULD SPEND ANY CASH IN CUBA.

Officials with the Trump campaign and the Trump Organization did not respond to *Newsweek* emails seeking comment on the Cuba trip, further documentation about the endeavor or an interview with Trump. Richard Fields, who was then the principal in charge of Seven Arrows, did not return calls seeking comment.

But a former Trump executive who spoke on condition of anonymity says the company did not obtain a government license prior to the trip. Internal documents show that executives involved in the Cuba project were still discussing the need for federal approval *after* the trip.

OFAC officials say there is no record that the agency granted any such license to the companies or individuals involved, although they caution that some documents from that time

MITCH JACOBSON/AP; PREVIUS SPREAD: JONATHAN ERNST/REUTERS

NOT GRAND, NOT OLD PARTY: Trump decided to seek the presidential nomination of the Reform Party in 1999 and met with Minnesota Gov. Jesse Ventura, who was the party's highest-ranking elected official.

have been destroyed. Yet one OFAC official, who agreed to discuss approval procedures if granted anonymity, says the probability that the office would have granted a license for work on behalf of an American casino is "essentially zero."

'THAT WOULD BE ILLEGAL'

PRIOR TO that Cuban trip, several European companies reached out to Trump about potentially investing together on the island through Trump Hotels, according to the former Trump executive. At the time, a bipartisan group of senators, three former secretaries of state and other former officials were urging then-President Bill Clinton to review America's Cuba policy, in hopes of eventually ending the decades-long embargo.

The goal of the Cuba trip, the former Trump executive says, was to give Trump's company a head start should Washington loosen or lift the trade restrictions. While in Cuba, the Trump representatives met with government officials, bankers and other business leaders to explore possible opportunities for the casino company. The former executive says Trump participated in discussions about the Cuba trip and knew it had taken place.

The fact that Seven Arrows spent the money and then received reimbursement from Trump Hotels does not mitigate any potential corporate liability for violating the Cuban embargo. "The money that the Trump company paid to the consultant is money that a Cuban national has an interest in and was spent on an understanding it would be reimbursed," says Richard Matheny, chair of Goodwin's national security and foreign trade regulation group, based on a description of the events by *Newsweek*. "That would be illegal. If OFAC discovered this and found there was evidence of willful misconduct, they could have made a referral to the Department of Justice."

Shortly after Trump Hotels reimbursed Seven Arrows, the two companies parted ways. Within months, Trump formed a presidential exploratory committee. He soon decided to seek the nomination of the Reform Party, which was founded by billionaire Ross Perot after his unsuccessful 1992 bid for the White House.

A HUMANITARIAN CASINO?

BY THE time Trump gave that speech in Miami, 36 years had passed since the Treasury Department in the Kennedy administration imposed the embargo. The rules prohibited any American person or company—even those with operations in other foreign countries—from engaging in financial transactions with any person or entity in Cuba. The lone exceptions: humanitarian efforts and telecommunications exports.

The impact of the embargo intensified in 1991, when the collapse of the Soviet Union ended its oil subsidies to the island and triggered a broad economic collapse. By 1993, Cuba faced extreme shortages, and Castro was forced to start printing money solely to cover government deficits. Three years later, the U.S. Congress passed the Helms-Burton Act, which codified the embargo into law and worsened Cuba's economic decline. With many financial options closed off, Cuba attempted to find overseas investment to modernize its tourism industry and other businesses.

The first signs that American policy might be shifting came in March 1998, when President Clinton announced several major changes. Among them: resuming charter flights between the United States and Cuba for authorized Americans, streamlining procedures for exporting medical equipment and allowing Cubans in the U.S. to send small amounts of cash to their relatives on the island. However, Americans and American companies still could not legally spend their own money in Cuba.

That fall, as critics pressured Clinton to further loosen the

NO CIGARS: The decades-long embargo against Castro's Cuba, which prohibited the spending of any money in that country, was the defining policy issue for many Cuban-Americans.

RAMON ESPINOSA/AP

embargo, Trump Hotels saw an opportunity. Like Castro's regime, the company was struggling, having piled up losses for years. In 1998, Trump Hotels lost $39.7 million, according to the company's financial filings with the Securities and Exchange Commission. Its stock price had collapsed, falling almost 80 percent from a high that year of $12 a share to a low of just $2.75. (After multiple bankruptcies, Trump severed his ties with the company; it is now called Trump Entertainment Resorts and is a subsidiary of Icahn Enterprises, run by renowned financier Carl Icahn.)

The company was desperate to find partners for new business that offered the chance to increase profits, according to another former Trump executive who spoke on condition of anonymity. The hotel and casino company assigned Seven Arrows, which had been working with Trump for several years, to develop such opportunities, including the one in Cuba.

On February 8, 1999, months after the consultants traveled to the island, Seven Arrows submitted a bill to Trump Hotels for the $68,551.88 it had "incurred prior to and including a trip to Cuba on behalf of Trump Hotels & Casino Resorts Inc." The 1999 document also makes clear that executives were still discussing the legal requirements for such a trip after the consultants had already returned from Cuba. The government does not provide after-the-fact licenses. "Under current law trips of the sort Mr. Fields took to Cuba must be sanctioned not only by the White House but are technically on behalf of a charity," the bill submitted to Trump Hotels says. "The one most commonly used is Carinas Cuba."

The instructions contain two errors. First, while OFAC is part of the executive branch, the White House itself does not provide licenses for business dealings in Cuba. Second, the correct name of the charity is Caritas Cuba, a group formed in 1991 by the Catholic Church, which provides services for the elderly, children and other vulnerable populations in the Caribbean nation. Caritas Cuba did not respond to emails about contacts it may have had with Trump Hotels, Seven Arrows or any individuals associated with them.

The invoice from Seven Arrows was submitted to John Burke, who was then the corporate treasurer of Trump Hotels. In a lawsuit on a different legal issue, Burke testified that Trump Hotels paid the bill in full, although he denied recognizing the document.

GAMBLING ON GAMBLING

THE CUBA venture was one of two assignments given to Seven Arrows at that time, and the second has already emerged as an issue in the GOP nominee's bid for the presidency. Trump Hotels also paid the consulting firm to help develop a deal with the Seminole tribe of Florida to partner in a casino there. Knowing that the Florida Legislature and governor opposed casino gambling in the state, Trump authorized developing a strategy to win over politicians to get the laws changed in an effort named the "Gambling Project." The law firm of Greenberg Traurig was retained to assemble the strategy. A copy of the plan prepared by the lawyers showed it involved hiring multiple consultants, lobbyists and media relations firms to persuade the governor and the Legislature to allow casino gambling in the state. The key to possible success? Campaign contributions.

"HE'S A MURDERER. HE'S A KILLER. HE'S A BAD GUY IN EVERY RESPECT."

The plan states "the executive and legislative branches of Florida government are driven by many influences, the most meaningful of which lies in campaign giving." For the Legislature, it recommends giving to "leadership accounts" maintained by state political parties, rather than to individual lawmakers, because "this is where the big bucks go and the real influence is negotiated." Records show Seven Arrows also incurred $38,996.32 on its work on the project, far less than it spent on the Cuba endeavor.

Aside from deceiving Cuban-Americans, records of the 1998 initiatives show that Trump lied to voters about his efforts in Florida during that period. At the second Republican presidential debate in 2015, one of Trump's rivals, Jeb Bush, said the billionaire had tried to buy him off with favors and contributions when he was Florida's governor in an effort to legalize casino gambling in the state. "Totally false," Trump responded. "I would have gotten it."

The documents obtained by *Newsweek* give no indication why the $39,000 spent on Seven Arrows' primary assignment—arranging for a casino deal with the Seminole tribe—was so much less than the $68,000 expended on the Cuba effort. The former Trump executive could not offer any explanation for the disparity.

Though it has long been illegal for corporations to spend money in Cuba without proper authorization, there is no chance that Trump, the company or any of its executives will be prosecuted for wrongdoing. The statute of limitations ran out long ago, and legal analysts say OFAC's enforcement division is understaffed, so the chances for an investigation were slim even at the time.

And perhaps that was the calculation behind the company's decision to flout the law: the low risk of getting caught versus the high reward of having Cuban allies if the U.S. loosened or dropped the embargo.

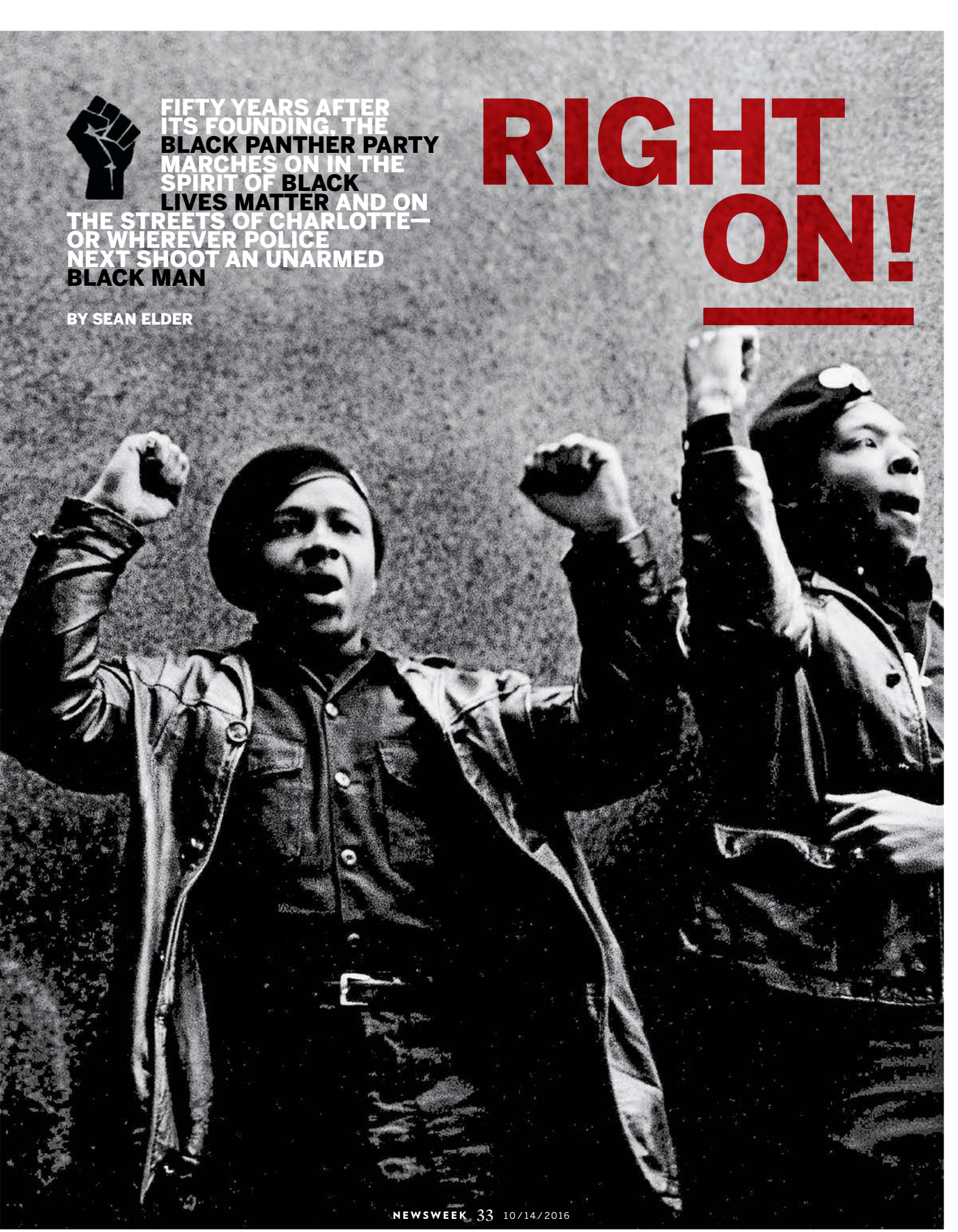
The only catch: What would happen if Trump's Cuban-American supporters ever found out?


RIGHT THEN!
RIGHT NOW!

RIGHT ON!

FIFTY YEARS AFTER ITS FOUNDING, THE BLACK PANTHER PARTY MARCHES ON IN THE SPIRIT OF BLACK LIVES MATTER AND ON THE STREETS OF CHARLOTTE—OR WHEREVER POLICE NEXT SHOOT AN UNARMED BLACK MAN

BY SEAN ELDER



"You tell all those white folks in Mississippi that all the scared niggers are dead." So said Stokely Carmichael at the birth of the Black Power movement in the 1960s. The Student Nonviolent Coordinating Committee organizer wasn't feeling so nonviolent after spending a few years watching police beat civil rights protesters with billy clubs in the South. With the Lowndes County Freedom Organization, Carmichael and other SNCC members tried to overthrow the all-white power structure running that majority-black Alabama county in 1965. They failed, but the group's symbol—a lunging black panther—endured, claws out, teeth sharp, ready to bite.

Google "Black Panther" today, and the first hit is the superhero slated for big-screen treatment in 2017. That Black Panther debuted in Marvel Comics's Fantastic Four in 1966—the same year Oakland, California, college students Bobby Seale and Huey Newton founded the Black Panther Party, 50 years ago this October. Both superhero and mortal men took their name from Carmichael's ferocious feline, but the real-life Panthers had more style than the cat in the cat suit. The Afro, the leather jacket, the shades—that look has been referenced in films such as Forrest Gump and in Beyoncé's 2016 halftime Super Bowl show, where she and her dancers freaked out Breitbart News just by donning black berets.

But the real Black Panther Party (BPP) was a lot more than superfly costumes. It was a group of utopian visionaries who sought to serve the oppressed and underserved communities not with guns (though they had those) but by demanding food, housing, education and so on. "There have been these blaxploitation cutouts [that stand in for] the way we think of these historical figures," says Alondra Nelson, author of *Body and Soul: The Black Panther Party and the Fight Against Medical Discrimination*. "These were human beings; they weren't angels. There's lots of complicated stuff. There was gun violence. People were murdered.... This was a complicated organization. But there's still lots we don't know about the breadth of the party."

That was, in part, by design: Early on, the FBI set out to discredit and destroy the BPP by infiltrating the group and setting members against one another. Drugs, egos and disorganization also contributed to the problem. At times, it seemed the Panthers didn't need any help breaking up the band. "Do you think anyone still cares about the Black Panthers?" I was asked last month at a dinner party in Oakland, just miles from Merritt College, where students Newton and Seale came up with the party's 10-point program and flipped a coin to see who would be chairman. (Seale won; Newton became minister of defense.) And this was from someone who had produced a documentary about Mumia Abu-Jamal, the former Black Panther on death row for killing a Philadelphia police officer in 1981. Maybe people don't. Most ex-Panthers are in their 70s now and probably not in your Twitter feed.

As Black Lives Matter is doing today, the Panthers responded forcefully to police brutality (with guns instead of cellphones), but they also fed thousands and opened health clinics for the poor. And as indicated by recent police shootings and protests—Tulsa, Oklahoma,

GETTY; PREVIOUS SPREAD: FENTON/GETTY

FREE HUEY: The Black Panthers march in protest at the trial of Newton, who was convicted of voluntary manslaughter in the death of an Oakland police officer.

and Charlotte, North Carolina, in September and perhaps somewhere else by the time you read this—their mission remains unfulfilled.

"'Black Lives Matter' is a call to action and a response to the virulent anti-black racism that still permeates the American landscape," Seale wrote last year. Yet some have a hard time figuring out what principles underlie the movement and what, specifically, it hopes to achieve. "I'm not sure what your point is in raising all the names of these people who are dead if you don't have a real plan for what to do," says Elaine Brown, chairwoman of the BPP from 1974 to 1977, about Black Lives Matter. "And they don't seem to have a plan. Our plan was revolution. We had an ideology; it was called revolution."

'Barely Escaped a Lynching'

"**A TODDLER** named Huey Newton was spirited from Monroe [Louisiana] to Oakland with his sharecropper parents in 1943," Isabel Wilkerson wrote in *The Warmth of Other Suns*, her award-winning book about the African-American diaspora. "His father had barely escaped a lynching in Louisiana for talking back to his white overseers. Huey Newton would become perhaps the most militant of the disillusioned offspring of the Great Migration."

Billy X. Jennings was Newton's aide in the early 1970s and is now the party's unofficial historian; his website, It's About Time, is a clearinghouse for all things Panther. Jennings's parents were from Anniston, Alabama, where locals torched a Freedom Riders bus in 1961. "First thing we did when we came to California was my dad had to buy my mom a TV," says Jennings. "Every day, we'd watch Walter Cronkite breaking down what's going on, and my mother used to get so mad at Bull Connor and the rest of those racists, she would get up and turn off the TV, boiling mad. She'd look at me and say, 'Boy, don't you never let nobody treat you like that!'"

The Panthers were born at a time when police violence went largely unreported, and political assassinations were as much a staple of the daily news as shootings at schools and malls are today. Small wonder these guys wanted to take up arms. "I was highly influenced by Martin Luther King at first and then later Malcolm

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REVOLUTIONARY: Newton sits in front of a poster of himself on a rattan throne, a spear in one hand and a rifle in the other, that adorned many a dorm room wall.

X," Seale said in 1988. (He declined to be interviewed by *Newsweek*; Newton was murdered by a member of a drug-dealing gang in 1989, not far from where he grew up in Oakland.) "Largely, the Black Panther Party came out of a lot of readings." Armed with guns and law books, Seale and Newton began "police patrols": They and other members of their nascent party would drive around Oakland's black neighborhoods and pull over to observe cops who had stopped citizens, often without cause. (Both Keith Scott in Charlotte and Terence Crutcher in Tulsa were shot by police who stopped them and believed they were armed.) "The guns [were] loaded," Seale recalled. "They're not pointing at anyone because we also know [under] California Penal Code [that] constitutes assault with a deadly weapon." Their interventions were dramatic and began to win the Panthers respect in the community. "Ultimately, they made a law against us, to stop us from carrying guns," Seale said. "That's how legal we were."

On May 2, 1967, a contingent of about 30 Panthers went to the state Capitol in Sacramento to protest legislation to ban the public display of loaded weapons—a bill inspired by those armed Black Panthers. Governor Ronald Reagan was on the lawn in front of the building, talking to a group of parochial schoolchildren, when the Panthers arrived. Reporters quickly abandoned Reagan and the kids to photograph the armed revolutionaries strolling toward the Capitol steps. "Who in the hell are all these niggers with guns?" a security guard asked, and after the Panthers marched into the Assembly chamber, their rifles pointed toward the ceiling, some legislators took cover. The group was ordered to leave, and many of the Panthers, including Seale, were arrested for "disturbing the peace."

"WHAT KIND OF COUNTRY DO YOU LIVE IN THAT YOU HAVE TO GO TO SCHOOL HUNGRY?"

The sight of those gun-toting black men and women only helped the legislation get passed: The Mulford Act (aka the "Panthers Bill") had the support of Reagan and the

National Rifle Association, and California still has some of the strictest open-carry laws in the nation. But the Panthers were never really about the guns; their 10-point program demanded jobs, housing, health care and control over the institutions that affected black people's lives. Though the sight of armed black men in the streets of Oakland was a real conversation starter, guns were not going to awaken people to what the Panthers saw as institutionalized racism, let alone win the revolution.

"If we had pooled our guns together from all over the country and were prepared to fight, we would not have won a battle against the LAPD," says Brown. (The Los Angeles police engaged in a four-hour shootout with six Panthers in 1969; though they ultimately surrendered and no one was killed that day, the news footage of half a dozen men battling 200 cops, not to mention the nation's first SWAT team, made an indelible impression.) And while the defiant image of the group resonated with a lot of young people (a poster of Newton in a rattan throne, a spear in one hand and a rifle in the other, adorned many a dorm room wall), it clearly scared the hell out of the authorities. "If you talk about revolution against the state," says Peniel Joseph, author of *Waiting 'til the Midnight Hour: A Narrative History of Black Power in America*, "the state responds accordingly!"

In the early hours of October 28, 1967, Newton and another Panther were stopped by Oakland policeman John Frey; Newton produced a law book and, after Frey insulted him and struck him in the face, a gun. Frey was killed in the melee, and a wounded Newton nearly became the BPP's first martyr. Newton was convicted of voluntary manslaughter. "Free Huey" became the movement's rallying cry, and in 1970 his conviction was reversed on appeal. (Another Panther who'd been on the scene took the Fifth when asked if he might have "by chance" shot Frey.) By then, the BPP had grown to over 50 chapters, boasting thousands of new members. And while many of those new recruits came for the guns, they stayed for the ideology.

Jamal Joseph was 15 when he entered a BPP office in Brooklyn, New York, in 1968. Joseph was an honor student radicalized by the assassination of Martin Luther King Jr. and was eager to join the Black Panthers. "My friends had told me I'd have to prove myself and probably have to kill a white dude, if not a white cop," he recalls. "Jumping up in the meeting, not really listening to someone explaining the 10-point program, I said, 'Choose me, brother! I'm ready to kill a white dude!' The whole room gets quiet. The brother that was running the meeting calls me up front and looks me up and down, real hard. He was sitting at a wooden desk and reaches into the bottom drawer. My heart was pounding, like, Oh my God, he's gonna give me a big-ass gun!' And he hands me a stack of books: *The Autobiography of Malcolm X*, *Soul on Ice* by Eldridge Cleaver, *The Wretched of the Earth* by Franz Fanon, the famous Little Red Book [*Quotations From Chairman Mao Zedong*] we all carried.

"And I said, 'Excuse me, brother, I thought you were going to arm me.' And he said, 'Excuse me, young brother: I just did.'"

THE FBI'S J. EDGAR HOOVER THOUGHT THE PANTHERS' BREAKFAST PROGRAM WAS THE MOST SUBVERSIVE PROGRAM IN AMERICA.

America's Scariest Breakfast

IDEAS ARE far more dangerous than guns; sometimes, so are pancakes. The communist ideas Seale and Newton had discovered in college fit with their view of racial oppression in America; they were also anathema to most of "the Greatest Generation" and (not coincidentally) of renewed interest to their kids. (The Panthers made money selling *Quotations from Chairman Mao Zedong* to University of California, Berkeley, students for a dollar,

UNDER FIRE: Black Panther Eldridge Cleaver stands beside a bullet-riddled campaign poster in the window of the party's headquarters in 1968.

FROM LEFT: TED STRESHINSKY/CORBIS/GETTY; AP

after buying them for a quarter.) But to reach deep into the black community, the party needed to be more than just articulate and well-read; they needed to provide safety, education, food.

"The germ of the social programs was always in the party's original imagining of itself," says Nelson. In January 1969, the Panthers started serving breakfast for kids at St. Augustine's Church in Oakland at no charge; the Free Breakfast for Children program went national and was soon feeding 10,000 kids a day. The press loved it, and people liked seeing Panthers serving pancakes. Not all people, of course.

The FBI had already infiltrated the BPP, and much of the internal strife that finally tore the party apart was stoked by informants—and obsessively monitored by J. Edgar Hoover, who called the Black Panthers "the greatest threat to the internal security of this country." It was in the early '70s that Cointelpro, the bureau's secret program to disrupt revolutionary groups, was most active. "What Hoover feared about the BPP the most was not the berets and the guns," says Jamal Joseph. "It was the Panther breakfast program. He thought this was the most subversive program in America.... He was right in that it was a formidable organizing tool because we used the breakfast program to point out to kids that not only do you have the right to eat but what kind of country do you live in that you have to go to school hungry?"

And breakfast was the least radical of the group's demands. Revised in 1972, the 10-point platform says, "We want completely free health care for all Black and oppressed people," and starting around that time the Panthers began pushing for that in their communities. "The Panther encouraged all their social programs but didn't provide resources to develop them," says Nelson. "They had to figure it out for themselves.... They had to find their own volunteers and doctors, nurses, medical supplies." The idealistic medical personnel they recruited were inspired by the example of the Medical Community for Human Rights, a group of doctors who'd participated in 1964's Freedom Summer. And the DIY clinics that sprang up in storefronts and trailers in cities across the country, where people would come for emergencies or to be screened for sickle cell anemia, were part of a larger trend. The Haight-Ashbury Free Medical Clinic in San Francisco had opened in 1967 to treat residents for crabs and bad acid trips, while the Boston Women's Health Clinic begat the feminist health bible *Our Bodies, Ourselves*.

"I think it would be impossible today to do what the Panthers would do, which would be to go to a storefront, take some equipment and some doctors, or people with training, and set up a clinic," says Nelson. You'd need to have the existing health care structure decimated—as it was in New Orleans after Hurricane Katrina in 2005.

Two days after Katrina ripped through the city, when bodies were still floating in the flooded streets and President George W. Bush was flying overhead, former Black Panther Malik Rahim started the Common Ground Clinic, says Nelson. "When asked, 'How in the world are you going to do this when the city is destroyed?' he'd say, 'We did this when we were Panthers.'"

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POWER SALUTE: Supporters raise their fists at a rally for Black Panthers Bobby Seale and Ericka Huggins in New Haven, Connecticut, in 1970.

"CHOOSE ME, BROTHER! I'M READY TO KILL A WHITE DUDE!"

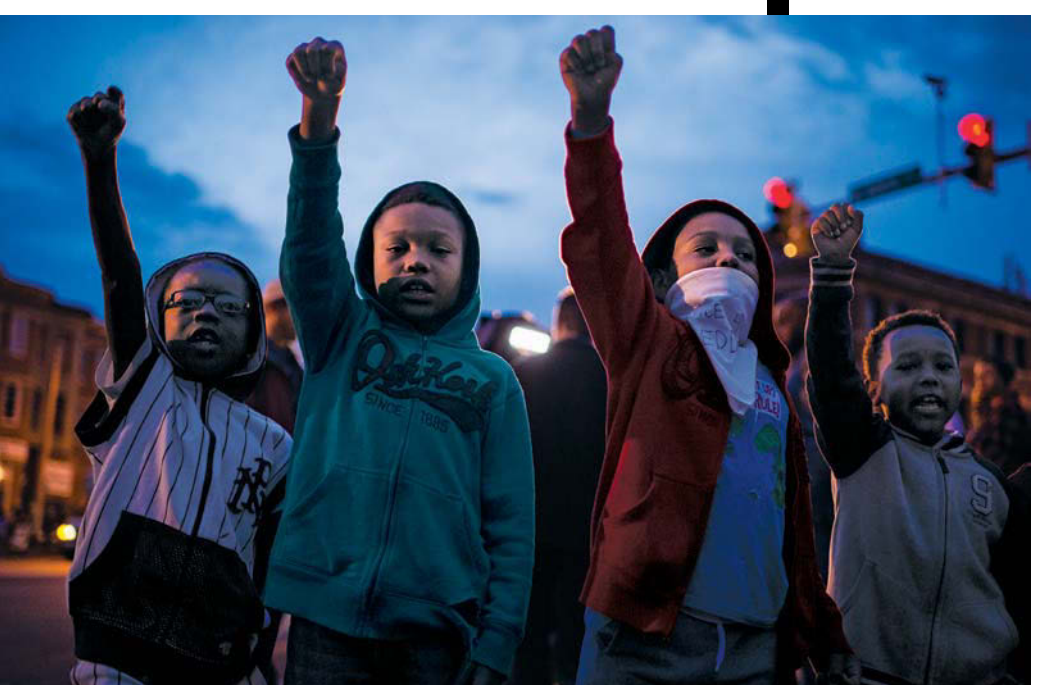
Chairman Mau-Mau

"**HISTORY DOESN'T** repeat itself, but it does rhyme." While there's no evidence Mark Twain actually said that, it's the sort of expression historians use to explain similarities and differences between then and now, and groups as diverse as the Panthers, which took root in the ghetto, and

Black Lives Matter, born on the internet.

By 1970, the Panthers had achieved celebrity status, and their fundraisers for the Panther 21 (New York members arrested on charges of planning bombings throughout the city) were held in some of Manhattan's swankiest apartments. Tom Wolfe attended one at Leonard Bernstein's home and lampooned the proceedings in the *New York* magazine article "These Radical Chic Evenings": "'I've never met a Panther,' one of the attendees told Bernstein's wife; 'this is a first for me!'...never dreaming that within forty-eight hours her words will be on the desk of the President of the United States." (Richard Nixon shared Hoover's obsession with the Panthers and the white liberals who supported them.)

Almost 50 years later, members of Black Lives Matter were invited to the White House to meet with President Barack Obama, who later criticized the group for not moving beyond protest. "Once you've highlighted an issue and brought it to people's attention and shined a spotlight, and elected officials or people who are in a position to start bringing about change are ready to sit down with you, then you can't just keep on yelling at them," Obama said.



WE GOT NEXT: Children chant during a protest in Baltimore after the death of Freddie Gray, who suffered spinal injuries while being transported in a police van.

FROM LEFT: DAVID FENTON/GETTY; JABIN BOTSFORD/THE WASHINGTON POST/GETTY

This was December 2014, while there were people protesting police shootings in large numbers across the country, shutting down roads and malls in the run-up to the holiday season. When one of those in attendance said they felt their voices weren't being heard, Obama said, "You are sitting in the Oval Office, talking to the president of the United States."

"BOY, DON'T YOU NEVER LET NOBODY TREAT YOU LIKE THAT!"

"It felt like that meeting was 'Come and sit down, and let's figure out how we can get back to business as usual,'" says Ashley Yates, a Black Lives Matter activist from Oakland who was there. "I don't know how helpful it was, but it did feel like in that moment we were seen," she says. "But it also felt like Obama was taking that moment to tell us to go slower, something we talked about later. A little bit of both, a little bit of politician double-talk—'It's a long fight, guys, and since it's a long fight, you might want to save your breath.' And we're like, 'We have enough to go hard.'"

Call it another of those rhyming-history moments: President Lyndon B. Johnson said something similar to King during the civil rights struggle, sometimes in that same room.

One difference between then and now is that Obama is our nation's first black president; another is that today's Black Lives Matter movement has less clear goals than ending segregation (such as "dismantling the patriarchal practice that requires mothers to work 'double shifts'" and "embracing and making space for trans brothers and sisters").

"I think just the declaration 'Black lives matter' is everything that the Panthers were about," says Yates. "Just saying that black people are worthy of defense, that black people are worthy." The 31-year-old spokeswoman has history with the BPP. While a member of the Legion of Black Collegians at the University of Missouri, Yates brought Fred Hampton Jr. to speak on campus. Hampton, son of the Chicago BPP leader killed by Chicago police in 1969, was in the womb at the time of the shooting; today, he is chairman of the Prisoners of Conscience Committee, which bills itself as "a revolutionary organization."

"I don't think we have the analysis as a movement at large that the Panthers did around imperialism, internationalism, international solidarity and what it really means to push against the American empire," Yates says. "My generation and this movement have just started to see that [for us], one of the largest forms of oppression is not Cointelpro; we talk about diversion tactics, divide and conquer, but what we're really trying to raise [is] the tactic

of imprisonment as a tactic of oppression." Their issues may not fit easily on a placard, but the image of Michael Brown—lying uncovered on the street in Ferguson, Missouri, for hours after he was shot by a white policeman—proved as galvanizing as that of Huey on the throne.

Chicago Police Killed the 'Black Messiah'

THE IDEA OF "community" has morphed since the Panthers' time and even Obama's days as a community organizer in Chicago. "I think Black Lives Matter is absolutely connected to the larger civil rights–Black Power period," says Peniel Joseph. "It's rooted in the same fight, but things have changed because the black community has become much more stratified, much more geographically separated than it was 50 years ago."

Born in the wake of the Trayvon Martin shooting, Black Lives Matter went from a hashtag to a national movement in the summer of 2014 with the sometimes violent protests that followed the shooting of Brown. Social media allows the movement and its most recognizable figures to remain in touch in ways the Panthers could hardly have imagined. Black Lives Matter spokesman DeRay Mckesson, for instance, posted a video on Periscope of himself getting arrested in Baton Rouge, Louisiana, following the police shooting of Philandro Castile, in July 2016.

"All we had were transistor radios and walkie-talkies, mimeograph machines," says Jennings of the Panthers' early days. "It took until 1994 and Rodney King getting his ass kicked for people to believe that there was really police brutality going on. And look at all the thousands of people who took ass-kickings way before that time!" (Forty-six years after it was recorded, Gil Scott-Heron's "The Revolution Will Not Be Televised" remains prophetic, if somewhat ironic: "There will be no pictures of pigs shooting down brothers on the instant replay.")

Though the methods for distributing cellphone, dashboard and body cam videos have made the outrage more instantaneous (and defensible), some ex-Panthers feel there's no substitute for organizing. "It's almost like we have too much information," says Jamal Joseph. "People spend so much time on their devices, reading on their laptops, that we're not getting in the same room the way we did." (Or as Yates says, "It's a lot easier to establish yourself as an expert who has done things in the movement when you're sitting at home tweeting.")

Joseph was one of the Panther 21 (who were acquitted of all 156 charges in 1971) and later, the Black Liberation Army, which ambushed police in the '70s. He served time in Leavenworth for his involvement in the 1981 Brink's robbery in which two security guards were killed and earned two college degrees while inside. Today, he is a professor at Columbia University, "of which I used to say, 'Let's burn this damn place down!'"

He is often asked to speak to black activists. "When I talk about it, I get a little dismayed," he says. "I give a pretty good speech, a pretty good pep talk. They take it to heart, and then they leave and get right back on their news feed, you know what I mean? 'Panthers were cool,' they tweet, and then go back to what they were doing."

Political process is less stimulating than protest, but it's where many revolutionaries end up after trying to change the system from without. By the early '70s, the Panthers were shifting from agitating to campaigning. Seale ran for Oakland mayor in 1972, losing in a runoff; Elaine Brown ran unsuccessfully for City Council twice before managing the campaign of Lionel Wilson, who became Oakland's first black mayor in 1977. Black Lives Matter's Mckesson, now interim chief of human capital for Baltimore City Public Schools, ran for mayor this year. "An outside-only strategy is not a strategy to win," he says. "The Black Panthers serve as an important model for a way to organize and have inspired activists and organizers in continuing to develop new ways of organizing as tools change and the context changes."

"'PANTHERS WERE COOL,' THEY TWEET, AND THEN GO BACK TO WHAT THEY WERE DOING."

The Panthers will have a chance to inspire more people in Oakland this month; the Oakland Museum is opening an exhibition titled "All Power to the People: Black Panthers at 50," and there will be reunions of both party members and people from affiliated groups, such as the Brown Berets, the Young Lords and a largely forgotten white group from Chicago called the Young Patriots, who had met with Fred Hampton, the charismatic leader Hoover privately feared was the "black messiah" who would unite the '60s' disparate revolutionary groups.

"They organized the same way the BPP did, around tenants' rights," recalls Brown, even though they were not the most natural of allies. "Some of them would have jackets with a Confederate flag sewed on them, and they were working with the BPP to the point where, when Fred Hampton was killed, many of them were calling him Chairman Fred. I'm talking about tobacco-chewing, teeth-missing, no-shoe-wearing, call me 'nigger' [guys]—that's what I'm talking about. I'm not talking about the SDS [Students for a Democratic Society] white people who went to school in Berkeley. I'm talking about some *serious* white people."

Brown believes that if the Young Patriots had survived, "these people would not be voting for Donald Trump." But maybe revolutionary groups are built to fall apart. "The goal of the BPP was not to have every member of the black community become a Panther," says Joseph. "The goal of the party was to show people the possibility of struggle, the possibility of fighting for your freedom.

"We wanted to make ourselves obsolete." N

Campaign News Breaks at All Hours,
Especially the Eleventh.

the 11th Hour
WITH BRIAN WILLIAMS

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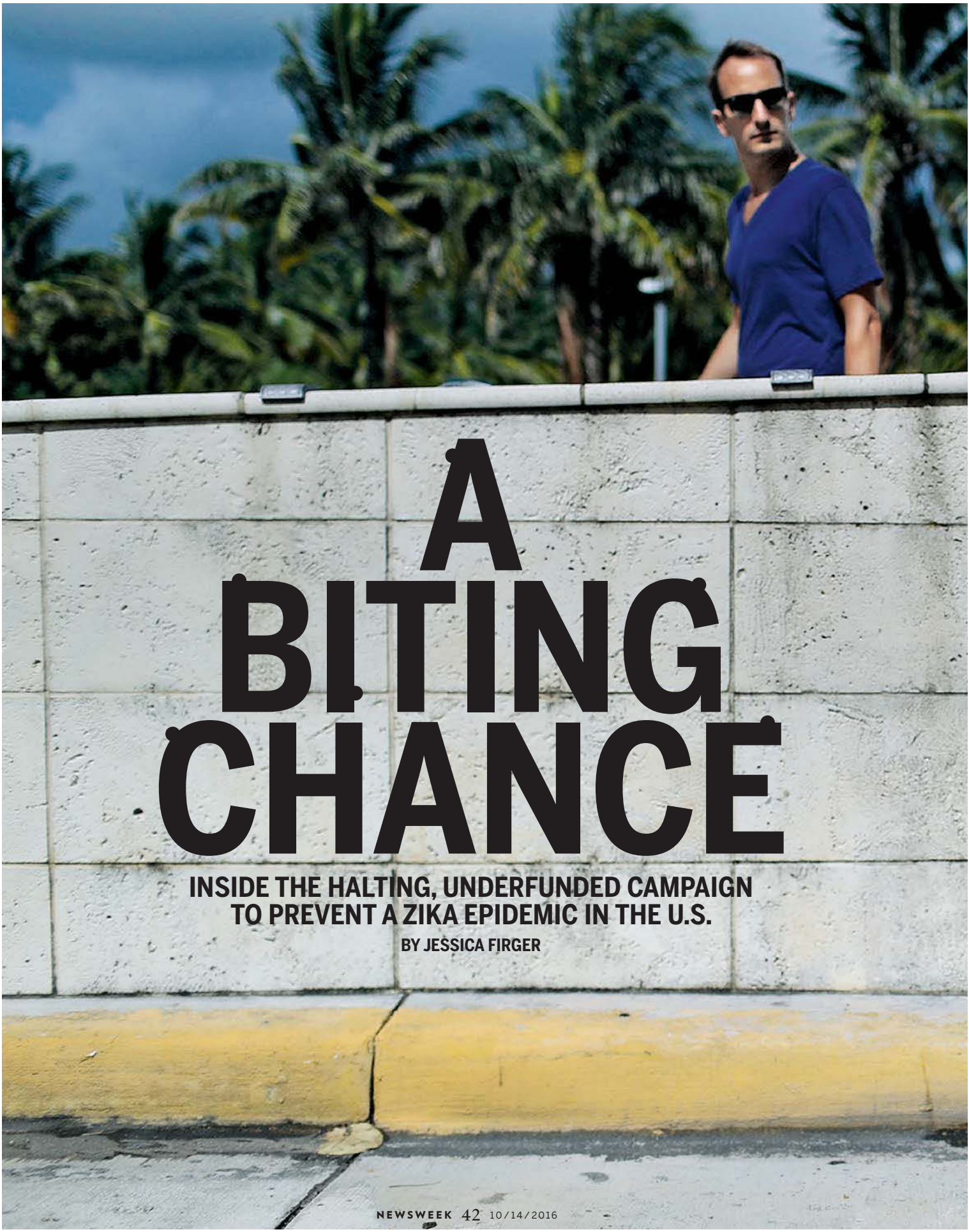


A BITING CHANCE

INSIDE THE HALTING, UNDERFUNDED CAMPAIGN TO PREVENT A ZIKA EPIDEMIC IN THE U.S.

BY JESSICA FIRGER

AS HUNDREDS OF SHOPPERS AND

tourists stroll through an outdoor mall south of Miami Beach's Lincoln Road, a white, unmarked van with tinted windows creeps through a nearby neighborhood. Then a second van appears, and a third and fourth. One eases to the curb and stops under the palms on a block of mostly two-story apartment buildings. As the other three vans silently roll on, three people step out, walk up the stairs into an apartment complex and knock on the first door they come to. One of them holds a clipboard and another an ice cooler—the clipboard for questionnaires; the cooler for samples.

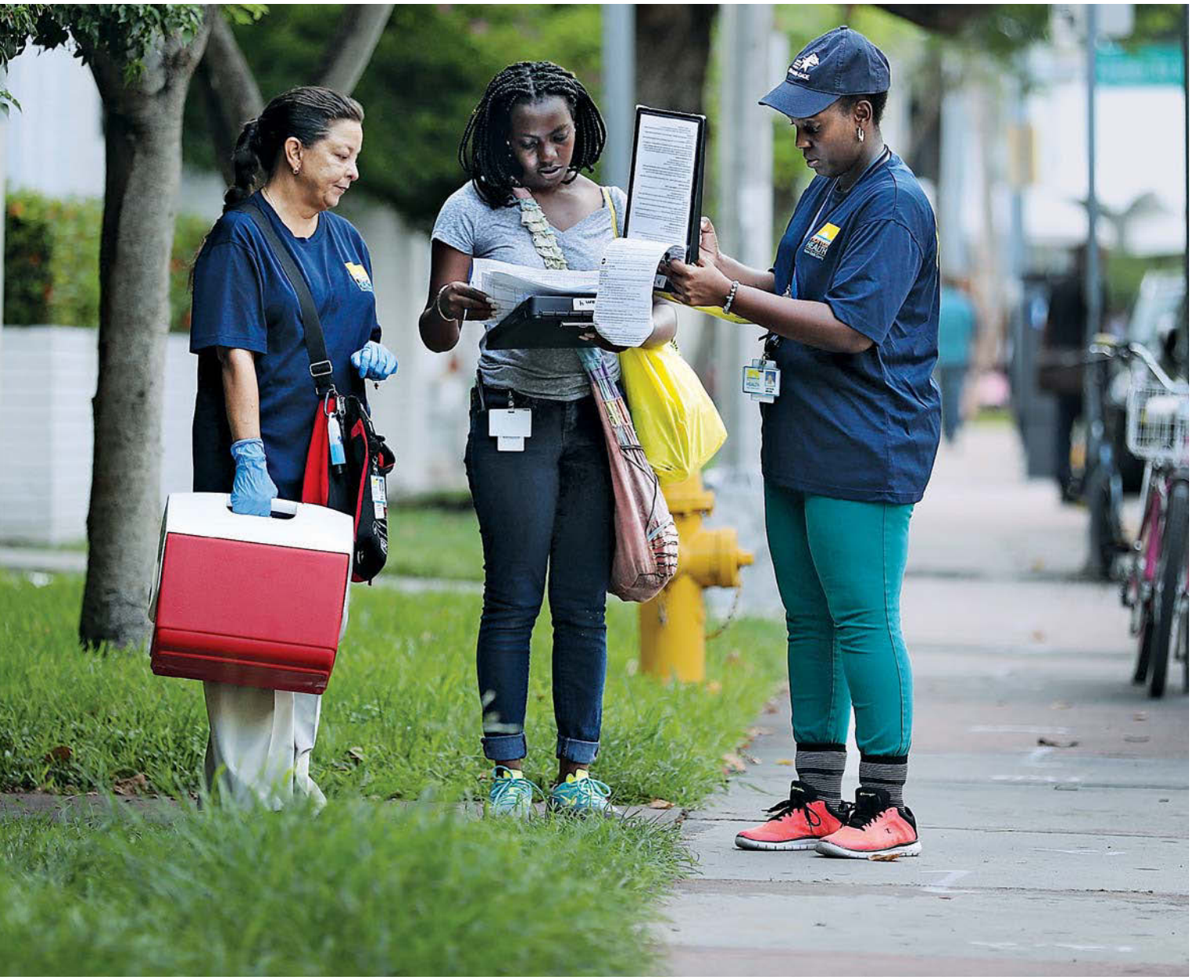
It's close to 90 degrees outside and nearly 7 p.m., so the folks who just got out of that white van hope the people who live here will be home, preparing dinner. They also hope they might be willing to provide a quick urine sample, because this neighborhood is one of the first spots in the continental United States where active transmission of the Zika virus has been confirmed. Between the end of July and late September, state health officials in Florida confirmed at least 120 cases of locally transmitted Zika, and new cases are reported nearly every day. Authorities have also trapped mosquitoes in Miami-Dade County that test positive for the virus. The unmarked vans and their teams are part of an emergency public health campaign to track the virus, learn how it spreads and do whatever they can to stamp it out.

"LOOK AT THE PEOPLE ON THE BEACH.... HERE ARE READY BLOOD MEALS, WARM BODIES. THE MOSQUITOES ARE LOVING IT."

For more than a year, Americans have watched from a not-very-safe distance as the *Aedes aegypti* mosquito—Zika's principal vector—took bites out of more than 50 countries and territories in Central and South America, as well as the Pacific and Caribbean islands and, most recently, parts of Asia. For months, U.S. federal health officials have warned lawmakers and the public that local transmission of Zika is unavoidable and that the U.S. must do everything possible to ensure a small outbreak won't spread. But they were hamstrung by a lack of funds, and control efforts in the U.S. were too slow, too meager. Transmission of the virus was first reported in the U.S. on July 29, in Miami's Wynwood neighborhood. In addition to more than 100 locally acquired cases, Florida's health department was reporting at least 700 travel-related cases. Nationally, the Centers for Disease Control and Prevention (CDC) has identified 3,565 cases of travel-associated cases in the continental U.S. since the end of September.

Florida is a terrible place for this outbreak to appear. A fifth of the state's population lives below the federal poverty line. Florida's and Miami-Dade County's uninsured rates are among the highest in the country, and Governor Rick Scott has refused to expand Medicaid, even in light of the Zika emergency. The number of unplanned pregnancies in the state is nearly 15 percentage points higher than the national average—59 percent versus 45 percent, according to the Guttmacher Institute, a sexual and reproductive health policy organization in New York City.

Should the virus become more widespread in the U.S., it could easily outrun the efforts to control and understand it. Investigating over 100 cases of a virus that remains asymptomatic in one out of five people is challenging enough. But, in



SAMPLES, PLEASE: Florida Health Department workers visited homes in the Miami Beach neighborhood in August asking residents for urine samples.

FROM LEFT, JOE RAEDLE/GETTY; JOE RAEDLE/GETTY

future mosquito seasons, that number could rise. That would require an even larger infrastructure for surveillance and more money for a program that is already seriously underfunded.

"We might like to think that we're no longer vulnerable to mosquitoes and other infectious disease-carrying vectors, but we are. We need to keep our guard up, and for that we need funding," says CDC Director Thomas Frieden. "The decisions and actions we take now are going to have implications decades to come for the children who are born affected by Zika."

THROWING PENNIES AT A HURRICANE

ZIKA IS a virus of several firsts. It's the first infectious disease to prompt the CDC to issue a travel advisory to pregnant women (i.e., don't visit) within U.S. continental borders. It's the only known flavivirus (in the same family as West Nile, dengue and yellow fever) capable of sexual transmission. It's the first mosquito-borne infection with a propensity to cause devastating harm to developing fetuses and severe birth defects, a fact that wasn't confirmed by the CDC until last April.

Zika is spread mostly by *A. aegypti*, according to the CDC, but it can also be spread through sex, possibly blood transfusions and from a pregnant woman to her fetus. That's notable because it's where Zika has done most of its damage. But while news accounts have dwelled on Zika's ability to cause the severe brain defect known as microcephaly in a developing fetus, it can cause other serious brain abnormalities and defects of the eye, hearing and development in exposed fetuses.

In the U.S., Zika is a medical mystery, as well as

GET OFF: Curry teaches medical students at the University of Miami methods for working with Zika patients and preventing the spread of the virus.

a political mess. On September 28, after months of infighting and pressure from Frieden and the CDC, Congress approved a $1.1 billion funding package to fight the virus. Congress had blocked a Zika funding bill three times in two months, because Republican legislators attached a rider to the bill that would have prevented money from going to Planned Parenthood clinics in Puerto Rico. (At least 20,000 Puerto Ricans have been infected with the Zika virus, including nearly 2,000 pregnant women.)

At the end of August, Frieden said his agency would be out of money within a month—he reported that the CDC had only $28 million remaining of the $222 million set aside for its Zika response. Some of the money, he said, was reallocated from the agency's budgets for HIV prevention and for a comprehensive immunization program aimed at Ebola and other infectious diseases. Officials at the National Institutes of Health said stalling on funding would mean research on potential vaccines would come to a halt.

This alarms Frieden, who has said repeatedly that short-term solutions aren't enough. He would like to create an emergency rapid-response fund for infectious diseases. "It has been described as the public health equivalent of FEMA, and, in fact, the case [for funding] is even stronger," he says. "Unlike an earthquake or hurricane, we can actually stop an outbreak, and if we get there sooner, we can nip it in the bud and dramatically reduce the human and economic costs."

"Get there sooner" is why Florida is the crucial site for the testing of reporting and surveillance protocols. More than 8,000 people in Florida have been tested for the virus, and the health department continues to seek more volunteers. Zika's arrival has brought with it the kind of intrusive public health interventions that incite anger and panic: Obstetricians urge pregnant women to use condoms; vector-control officials show up to inspect residential backyards for evidence of standing water; state health care workers encourage people who report flu-like symptoms to be tested for the virus immediately in an effort to follow the chain of transmission and prevent more cases.

One of the few bits of good news in all this is that specimen collection is far easier for Zika than for other infectious

FROM LEFT, SCOTT MCINTYRE FOR NEWSWEEK; LYNNE SLADKY/AP

diseases, even with people who are asymptomatic or likely to be Zika-negative. Cases are tested with urine samples, and then blood is drawn to confirm an infection. "People are much more willing to part with urine than with blood," says Frieden. And health care workers need all the specimens they can get; mosquito season isn't over in South Florida until November.

KILL THE LITTLE NINJAS

THE ZIKA outbreak in Florida is an example of what many experts call the urbanization of viruses—it's a vector-borne tropical disease that isn't supposed to come into contact with large populations of people. (It was discovered in Uganda's Zika Forest in a caged rhesus monkey nearly 70 years ago.) But the growing number of cities in the developing world, deforestation and the presence of enormous landfills have created a hospitable environment for Zika to thrive in.

So does the weather. Heavy storms in late August and early September brought flooding in Louisiana and Florida, which left standing water that makes mosquito control a nearly impossible goal. Public health departments in many major U.S. cities have opted to use pesticides. For example, as of mid-September, New York City's health department conducted 11 rounds of pesticide spraying and seven rounds of aerial spraying to kill mosquito larvae.

But some experts say the shower of chemicals—specifically naled, an organophosphate insecticide that acts as a neurotoxin to target adult mosquitoes—is ineffective. In mid-September, Dr. Michael Callahan, a researcher and clinician at Harvard Medical School and CEO and co-founder of the Zika Foundation—an organization developing low-cost and sustainable solutions to fight the virus—said aerial spraying won't eliminate the threat in Miami Beach and that the mosquito control plan officials have implemented there is more appropriate for West Nile disease. He says the only way to effectively rid an area of *A. aegypti* is to conduct ground spraying in houses and yards and eliminate areas of standing water.

Health officials also know they are trying to kill an extraordinarily resilient beast. Dubbed by Frieden the "cockroach of mosquitoes," the *A. aegypti* variety is picky, as well as tough. These "little ninjas," as some vector specialists call them, prefer human blood over that of other animals. They like to breed in fresh water—in particular, open containers such as flowerpots. But they're also highly capable of reproducing in a bottle cap. They're attracted to light but don't like direct sun. They search for food in the daytime and thrive indoors.

They're also insanely adaptable. *A. aegypti* originated in Africa, but it has evolved to function nimbly in the urban environment. One researcher in Trinidad was able to show that *A. aegypti* mosquitoes change their habits in an environment with street lights. If there's artificial outdoor light, the mosquitos will bite. In urban areas studded with signage and street lamps, that means they bite all the time.

FLORIDA IS A TERRIBLE PLACE FOR THIS OUTBREAK TO APPEAR. A FIFTH OF THE STATE'S POPULATION LIVES BELOW THE FEDERAL POVERTY LINE.

THE AC SHIELD

JOHN BEIER, a professor, mosquito expert and director of the Division of Environment and Public Health at the University of Miami Health System, says Zika is outsmarting the experts. He had predicted the first cases of local transmission in Florida might crop up in Coconut Grove, with its big houses and lush grounds. Instead, the mosquitoes were drawn to places where lights never go off and areas frequented by tourists, some of whom come from countries where the Zika virus is rampant. "Look at the people on the beach and in Wynwood. Here are ready blood meals, warm bodies walking down the streets spending a lot of time outside, even early evening," says Beier. "The mosquitoes are loving it."

Michael Osterholm, regents professor at the University of Minnesota and director of its Center for Infectious Disease Research and Policy, argues that public health agencies need to think long term because it's impossible to compensate quickly for decades of minimal mosquito control. "By the time we realize the hurricane is here, we're already in the eye of it," he says.

NOT IN MY BACKYARD: Miami-Dade County official Giraldo Carratala checks a home after reports of mosquitoes in the neighborhood in August.

Osterholm is concerned about the limited support and preparation for effective vector control, but he says the continental U.S. won't likely see the large number of cases that have hit Puerto Rico and Brazil. The reason: Unlike in many countries in the developing world, residences in the U.S. typically have air conditioning and window screens. (That means fewer mosquitoes indoors.) Osterholm also predicts that in the next three to five years, there's likely to be a global die-down of Zika cases as more people become infected and develop immunity.

But other experts, such as Lawrence Gostin, professor of global health law at Georgetown University and director of World Health Organization Collaborating Center on Public Health Law and Human Rights, says Zika is here to stay. Although future outbreaks would likely occur only in the Gulf Coast states, they might range as far north as New York City.

There's still so much that experts and physicians are racing to find out. Since the beginning of 2015, more than 1,000 articles and studies on Zika have been published in major academic and medical journals, according to the database PubMed. Every week, new details and alarming findings emerge. Since the outbreak, we've learned that sexual transmission is much more common than previously believed; that the virus can remain present in semen for up to six months after an acute infection and has been detected in both tears and saliva; and also, quite possibly, that Zika can have long-term effects on brain function in adults. (The Zika virus is already linked to Guillain-Barré syndrome, a rare and temporary condition in which the immune system attacks nerves and causes weakness in the lower extremities and even paralysis.)

THE ZIKA OUTBREAK IS AN EXAMPLE OF WHAT MANY EXPERTS CALL THE URBANIZATION OF VIRUSES.

But there are also many confounding questions. In July, Utah dealt with a case of a man who came into contact with his elderly father, who had visited a country with an outbreak and contracted the virus. Lab tests of the deceased father showed he had an especially high Zika viral load in his blood—over 100,000 times more than in typical samples of infected people.

Health officials are also grappling with the fact that the Zika tests aren't completely accurate. The polymerase chain reaction, or PCR, that detects the presence of the virus's genetic material can produce false negatives in the first and last few days of an infection. It takes about a week to get results, but more often people wait weeks. Another test detects Zika antibodies, but it can produce false positives because it will pick up antibodies from other similar viruses, such as dengue.

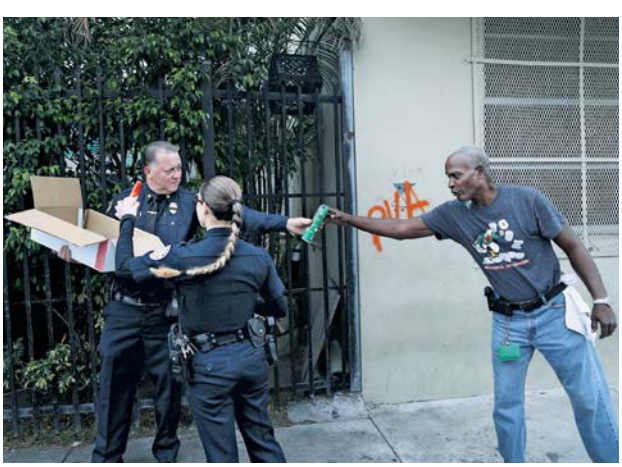
Dr. Gaurav Saigal, chief of pediatric radiology and a clinician at the University of Miami Health System who is working with the hospital's Zika Response Team, interprets brain scans of the newborns who test positive for the Zika virus. He calls the effects of Zika "much more severe than other infections." He works alongside Dr. Christine Curry, an obstetrician at the hospital and co-director of the team.

Through brain scans on fetuses in utero, Curry may already know ahead of the delivery date that an infant will have complex health problems. When the child is born, physicians take samples of blood, urine, placenta and sometimes cerebrospinal fluid. The samples are tested at the hospital and sent to the CDC. But sometimes Curry isn't aware of abnormalities until after the birth because prenatal medical imaging doesn't detect everything.

The medical community and public health officials now classify the spectrum of abnormalities that can occur in fetuses as Zika congenital syndrome. The degree of these birth defects appears to depend upon which trimester a mother becomes infected; the problems tend to be most pronounced when infections occur at the very beginning of a pregnancy. But even that is still unclear. "Pregnancy is filled with uncertainty," says Curry. "This is just another thing we put on the list."

CONDOM NATION

MUCH OF the burden of tracking the spread of Zika in the U.S. falls on the states, which do not always heed CDC guidelines. Dr. Christopher Braden, deputy director of the CDC's National Center for Emerging and Zoonotic Infectious Diseases, notes there isn't even a federal mandate to compel state and local health officials to report cases of the virus. He believes states are doing a good job on that front, but relying on each state to develop its own strategy to fight Zika can mean that politics sometimes trumps safety.



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ZIKA FRONT LINE: Much of the burden of fighting Zika falls on local officials rather than the federal government, particularly with the long delay in Congress approving funding.

BUG CENTRAL: County officials spray insecticide in Miami's Wynwood neighborhood, where local transmission of the Zika virus was first reported within the United States.

FROM LEFT, JOE RAEDLE/GETTY; EMILY MICHOT/MIAMI HERALD/TNS/NEWSCOM

A week after Wynwood's initial cases were reported, the AIDS Healthcare Foundation purchased billboard space on Route I-95 in Florida's Broward County—close to Wynwood—where there were reports of one locally acquired case. It featured two giant condoms with a mosquito perched atop them and said "Why worry?" and "Prevents Zika transmission." The sign was removed 10 days later.

Condoms are a contentious issue in Florida because of the state's highly restrictive pregnancy termination laws. Abortion is illegal after 24 weeks unless it's done to save the mother's life. Asked whether his stance on abortion had changed in light of the potential impact of Zika, the governor says he was working with state health officials to push public health campaigns on eliminating standing water, applying bug repellent and keeping residents informed of the ongoing Zika case count and efforts to control its vector—the *A. aegypti* mosquito on which it hitches a ride. "I've got daughters of childbearing age," Scott tells *Newsweek*. But he confused the message by adding, "I'm a pro-life individual."

A spokesperson for Planned Parenthood in Florida says that the organization had hoped to work alongside Florida's health department to provide Zika education and safety kits for pregnant women but that state officials were unresponsive. Instead, Planned Parenthood in Miami-Dade County launched its own six-week community canvassing campaign in mid-August, going door to door and providing education materials, including Zika prevention kits containing insect spray and condoms. It also targeted neighborhoods that government health care workers weren't visiting.

These local efforts in Florida are well-intentioned, but they'll never change the fact that the government is chronically unprepared for exotic viruses that suddenly show up on U.S. mainland and that viruses have no interest in political agendas. That means Zika surveillance will be mandatory in Miami until state and federal officials can get a better handle on what Beier calls "this vicious killing machine."


Bank of America
Chicago
Marathon
Clock Time
2:28 PM
Race Time
06:58:46
Runner fell at mile 5
On Course: 20000
Finished: 4392
Treatments: 1
Hospital Transports: 5
Medical Tents (Bed Occupancy)
Jackson
Podiatry
Laflin
Indiana
Balbo
0 10 20 30 40 50 60 70
Aid Stations (Bed Occupancy)
A1
A2
A4
A5
A9
A10
A11
A12
0 5 10 15
72°F
Chicago, IL
35% RH
10 MPH ←
Runner Density
0 - 2000
2000 - 4000
4000 - 6000
Bed Occupancy
<50% full
50% - 90%
>90%

GOOD SCIENCE

READY, SET—DATA!

Chicago's marathon turns to tech to help participants stay the course

+

TRACKING THE PACK: Collecting data on large numbers of runners and fans could help reduce injuries and keep the race on track.

FROM LEFT: NAM Y. HUH/AP; NORTHWESTERN'S DATA VISUALIZATION TEAM

BY
MICHELE GORMAN
@mrich1201

AS MORE than 40,000 runners prepared this year to toe the line at the Chicago Marathon on October 9, Northwestern University engineering professor Karen Smilowitz and her team of students prepared to monitor the event with a system that would compile information on the marathon—the course map, runner density, location of lead runners, current temperature, capacity of medical tents—and display it on a large screen in the command center. Race organizers and medical personnel planned to gather there, under a tent in Grant Park, to oversee the marathon, ensure smooth operations and respond to emergencies.

On the course, runners pass checkpoints about every 3 miles. But the distribution of runners between the markers is irregular. That's where Smilowitz's program comes in: Her team is producing a real-time model of the race by combining data from previous Chicago marathons with updates from the checkpoints. The system analyzes the information and can predict, for example, where runners will be if the temperature rises sharply. Then personnel can foresee how many runners might seek help at aid tents and transfer volunteers where they're needed.

The race doesn't run itself. At the 2007 Chicago Marathon, officials let runners race for three and a half hours when high humidity and record-setting fall temperatures forced them to partially stop the race. By then, the large number of dehydrated runners had overwhelmed many of the medical tents and hydration stations.

Since then, officials have used the command center and Smilowitz's program to communicate more efficiently and prepare for emergencies.

Smilowitz's group has adapted the program to other races, including the Houston Marathon and the Shamrock Shuffle, an annual 8-kilometer race in Chicago. The team hopes to commercialize the system for other large-scale sporting events, concerts and parades, and to expand it to collect data on the race's spectators.

That will be a challenge. Chicago Marathon organizers expected 1.7 million fans to line the route this year. And Smilowitz wants to keep an eye on all of them.

WHEN DINOSAURS RULED THE EPA

If Donald Trump gets to the White House, 'global warming' will magically disappear

WHEN THE pope wrote in an encyclical last year that the Earth is "among the most abandoned and maltreated of the poor," Myron Ebell immediately saw that as an opportunity to attack. The Vatican "seems to have forgotten" that "putting the world on an energy-starvation diet will consign billions of people to perpetual energy poverty," Ebell wrote in a blog post for the Competitive Enterprise Institute. Global warming might be bad, he added, but "global warming policies...will almost certainly be catastrophic."

Ebell, the director of the Center for Energy and Environment at the Competitive Enterprise Institute and a prominent climate-change skeptic, was chosen at the end of September to head the Environmental Protection Agency's transition team if Donald Trump is elected president. That does not necessarily mean he would have a role in a Trump EPA, but at the very least, he would be able to populate the EPA with officials who share his views and those of Trump, who hasn't made the environment an issue in his campaign but does offer goals and proposals on his campaign website. His plans are listed under a tab that says "Energy." There is no "Environment" tab. And his proposals have far more to do with boosting energy production than with conservation. It says nothing about greenhouse gas emissions.

Ebell's harsh rebuke of the pope—especially this pope, revered as a champion of the poor—and his other writings offer a glimpse of what a Trump EPA might look like—both in substance and in style. It would be vastly different from what the agency has looked like under President Barack Obama and sharply at odds with the scientific consensus.

The appointment of Ebell to head the transition team came as Trump was fumbling to deny a 2012 tweet in which he wrote, "The concept of global warming was created by and for the Chinese in order to make U.S. manufacturing non-competitive." In the first presidential debate on September 26, Democratic nominee Hillary Clinton accused him of saying climate change was a hoax perpetrated by the Chinese. "I did not. I did not. I do not say that," he replied, later calling the tweet a "joke."

Ebell is sometimes described as climate denier-in-chief, and he revels in it, crowing in his biography that he's been called one of the leading "misleaders" on climate change and "villain of the month" by one environmental group. David Goldston, a policy analyst at the Natural Resources Defense Council Action Fund, says Ebell "doesn't believe in climate change and wants to reverse the advances we've had in environmental protection and decimate—if not utterly destroy—the Environmental Protection Agency." The Competitive Enterprise Institute, Ebell's employer, "has done everything it can politically and through litigation to block any forward movement on climate and to try to harass anybody who is trying to get forward movement," Goldston says.

Ebell is also the chairman of the Cooler Heads Coalition, more than two dozen nonprofit groups "that question global warming alarmism and

BY
PAUL RAEBURN
@praeburn

oppose energy rationing policies," according to the coalition's website. Those positions line up nicely with Trump's goals, which include "saving" the coal industry, reviving the Keystone XL oil pipeline and expanding offshore oil drilling.

Ebell has attacked nearly every aspect of Obama's environmental policies and accomplishments. He has said that the president's decision in September to sign the Paris climate accord—which commits nations to sharp reductions in the greenhouse gas emissions responsible for climate change—was "clearly an unconstitutional usurpation of the Senate's authority" because treaties need approval by two-thirds of the Senate. (The White House argued that it was an agreement, not a treaty.) In a speech in August at the Detroit Economic Club, Trump said he would cancel the agreement and stop all payments of U.S. tax dollars to U.N. climate change programs.

These and other views on climate and climate change policy that Ebell has espoused for decades are entirely at odds with the scientific consensus.

MARK WILSON/GETTY

POLAR EXPRESS: Activists cheer the rejection of the proposed Keystone XL pipeline but fear that a Trump administration would bring it back.

Ebell also argues that the potential remedies are worse than the disease, another position supported by few facts. Scientists have compiled mountains of evidence to show quite the opposite—that preventing global warming might be difficult but doing nothing will be far, far worse. Computer models of future climate predict that average surface temperatures on Earth could rise between 2 and 6 degrees Celsius by the end of the 21st century. That's enough to change rainfall patterns, speed coastal erosion, melt ice caps and glaciers and raise sea level by as much as 2 feet.

Trump's campaign also appointed an energy lobbyist, Mike McKenna, to work on transition in the Energy Department, and David Bernhardt, a former Bush Interior Department official, to lead the Interior Department's transition team. McKenna served in the Virginia Department of Environmental Quality and the federal government, according to his website. Bernhardt, a lawyer, has represented mining and energy companies.

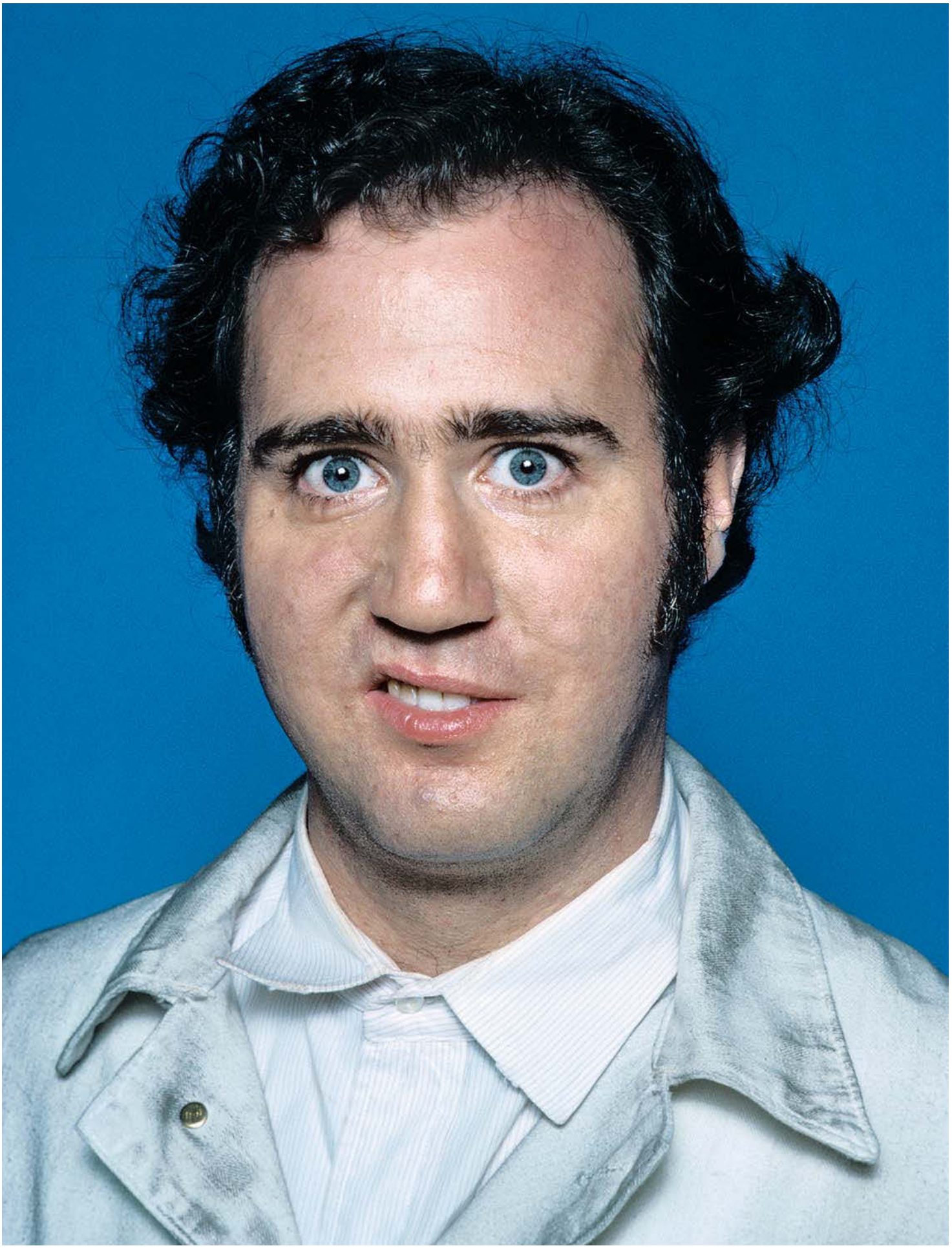
The Obama administration has taken steps to limit global warming emissions, especially during its second term. In addition to crafting the Clean Air Plan, it has moved to clean up the nation's water, limit mercury emissions from power plants and set tough mileage goals for cars and trucks.

Trump, with the eager assistance of Ebell and other climate change skeptics, could make major changes at the EPA, says Goldston. "A Trump administration can do substantial harm," he says. "We need additional steps, and they would not take those. But they can try to undo all the progress that occurred during the Obama administration."

> "THE CONCEPT OF GLOBAL WARMING WAS CREATED BY AND FOR THE CHINESE."

A central talking point of Trump's campaign is to adopt policies that will lift restrictions on industry and create jobs, which is much easier to do if global warming concerns are dismissed. What Trump and his advisers fail to see is that revamping the fossil fuel industry could both create jobs and ease climate change.

Trump takes a less nuanced view. His energy policy, his website says, "will unleash an energy revolution that will bring vast new wealth to our country." Provided it isn't underwater.



DONALD, DID YOU HEAR ABOUT THIS ONE?

Exclusive *Newsweek* investigation: Is Donald Trump Andy Kaufman?

STIFF PUNCHLINE: Kaufman had several long-running characters who, like Trump, relished abusing large portions of his audience.

ABC/GETTY

BY
ZACH SCHONFELD
@zzzzaaaaccccchhh

THIS IS A WEIRD theory, but bear with me: Donald Trump is Andy Kaufman. Ignore the temporal and practical impossibilities: that Kaufman died of lung cancer in 1984, that Trump has a life story predating Kaufman's career, that Trump's wives haven't let slip a word about the ruse. Just consider the intriguing possibility that the GOP presidential nominee is a character invented and, with characteristically unflinching dedication, portrayed by the performance artist Andy Kaufman.

The theory hinges on the notion that Trump's bid for the presidency is so outlandish—the gaffes, gratuitous insults, boasts about penis size, sudden policy reversals and racist overtures—that it must be performance art. More specifically, the work of Kaufman, an idiosyncratic figure who yanked performance art in bizarre, sometimes dangerous directions, whether he was impersonating an incompetent comedian known as Foreign Man or pretending to revive an elderly lady who feigned a heart attack on his stage. Many people liken Trump to Tony Clifton, Kaufman's lounge singer character. Kaufman would don a bad wig, glue on a filthy mustache and shout insults at audience members in a voice that resembled a coked-up Bugs Bunny.

The theory is nuts, but so is the fact that it has become a constant refrain. It is the hip conspiracy theory, the meme that offers meaning. Though the idea predates this election—comedian John Mulaney tweeted that Trump is Kaufman way back in 2012—it has gained prominence in 2016. There are digitally manipulated images depicting the late Kaufman grinning as he holds up a mask of Trump's face. (He seems to be saying, "Gotcha!") And during the summer, actor Don Cheadle changed his Twitter avatar to an illustration of Kaufman stepping out of a full Trump bodysuit.

Erik Vance, a science writer in Mexico City, was among the first to champion the theory. Vance was disturbed by Trump's "ignorant babble" about

the dangers of vaccines in 2014. "I remember thinking, This guy has got to be pulling our legs. I just started thinking about other people who mess with us," and he realized Trump's demeanor reminded him of Kaufman's abrasive characters. So he took a Trumpian leap of logic: What evidence is there that they're not the same person?

Vance popped out a blog post, "Donald Trump Is the World's Greatest Performance Artist."

"All you gotta do is watch one Tony Clifton video, and you realize, this is Trump!" Vance says. "He's saying these audacious, horrible things that he's not serious about, but he doesn't care! It's just one big joke for him.... You can't help but think, No one can think this stuff!

"I imagine Trump going home at night and putting on a beret and listening to Rachmaninoff and discussing postmodern theory."

A year and a half later—shortly before Trump sewed up the Republican nomination—retired Brigham Young University professor Eric Samuelsen wrote a blog post musing that Trump is Kaufman. "What makes it plausible is the sort of huge pranks that Kaufman loved," says Samuelsen. "He made up his entire feud with [pro wrestler] Jerry Lawler."

For disciples of Kaufman's Tony Clifton character, the Republican nominee's mannerisms are familiar. "When Trump walked onstage at the GOP convention, he looked like Tony Clifton to me," says Kaufman's brother, who has also played the Clifton character. "There was something about his walk and his stature, demeanor. Before he ever said a word, just walking to the stand to speak, I said, 'Wow. Tony Clifton.'... It's the personality that the wrestler has and Tony Clifton has—Trump reminds people of that, I think."

Fans have spotted other parallels between Clifton and Trump. "Their attitudes towards women are probably along the same lines," says Vance. Plus, there's the swagger, the exaggerated *Noo Yoik* accent. "He's got the pucker—the lips," Vance adds. "He's got that pucker that's exactly like Tony Clifton. Tony Clifton's got terrible hair. But I think Donald's got him beat on that. Just the brashness and the doubling down. If you ever watch Kaufman being Clifton, he doubles down. He'll say something and then anger people [and] he'll just double down. It's really funny when he's onstage." Vance considers the present situation. "I guess it's less funny now."

Others compare Trump to Kaufman's embattled wrestler character, who would challenge women onstage and offer them $1,000 to beat him. "On the campaign trail, Donald has been playing a very specific role from professional wrestling called 'the Heel,'" observes Michael Jennings, a Kaufman fan. "And Andy *loved* being the Heel. He loved feeding off all that violent, hateful energy.... I sincerely believe he would have adored Trump's performance throughout this election cycle."

Does Vance believe any of this? When I ask him, he becomes flustered. He's a journalist. He knows it's ludicrous, but..."the world would make more sense if this whole thing was a joke," he says. "And I would laugh along with it. As long as it didn't end up with a crazy person in the White House."

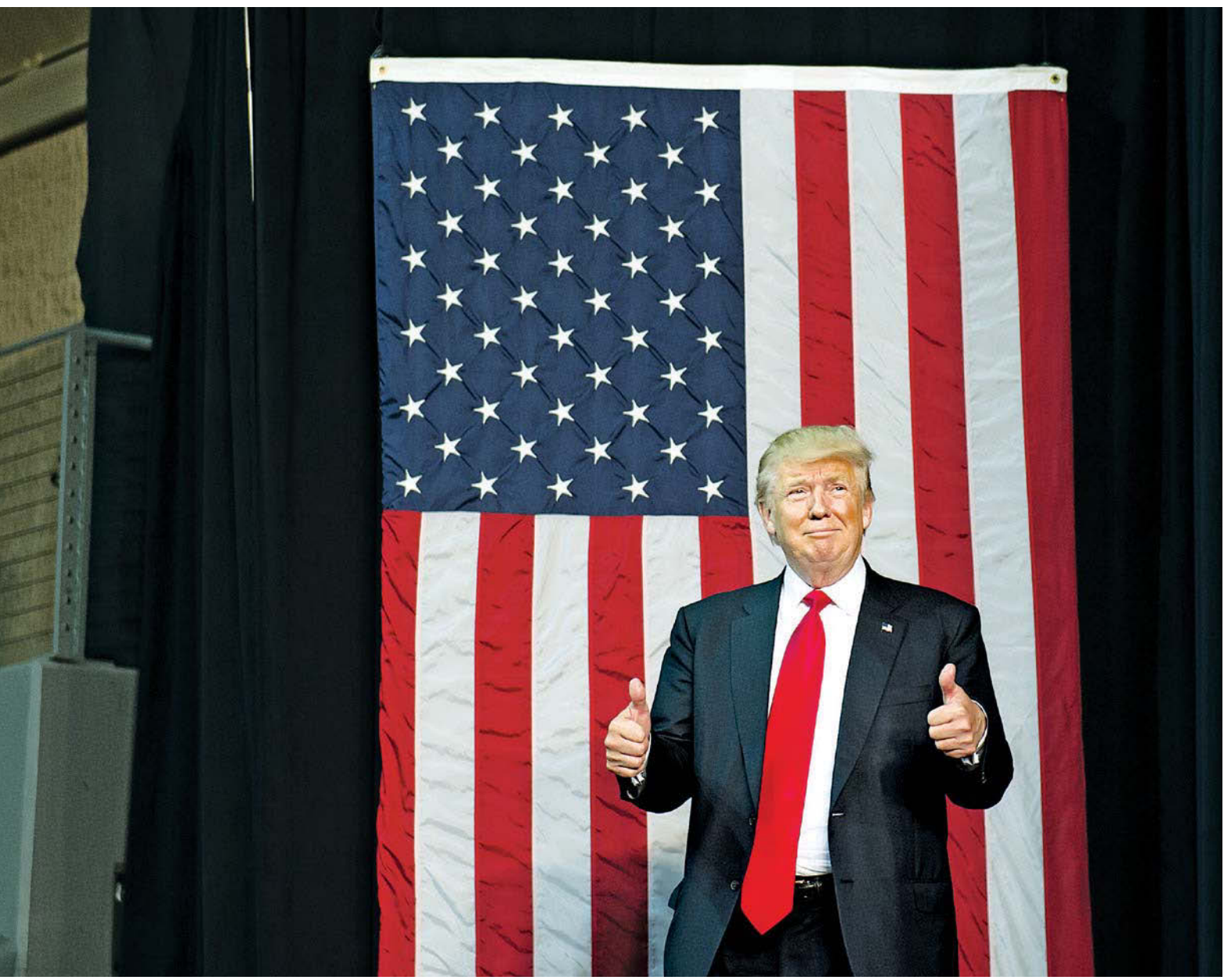
Vance adds, however, that Kaufman took pride in never breaking character. "Andy wouldn't come out afterwards and say, 'Thanks, folks, it was all a joke. He would just walk offstage."

PLEASE PINCH THE CORPSE

Rumors that Kaufman faked his death have persisted in the three decades since it was first reported, and he deserves some blame for that: He spoke of wanting to fake his death as the ultimate gag, then succumbed to a rare type of lung cancer—or did he? "He was a consistent practical joker," says Kaufman college buddy Al Parinello, who adds that he's 90 percent sure his friend's death was a hoax.

> "THE WORLD WOULD MAKE MORE SENSE IF THIS WHOLE THING WAS A JOKE."

Much of the theorizing here involves Alan Abel, a legendary prankster who in 1979 faked his own death in an astoundingly well-organized con. He tricked *The New York Times* into running his obituary, then gleefully hosted a press conference to gloat. Kaufman befriended Abel and took obsessive interest in this hoax. "He wanted to know every detail," says Abel, who is 92 and still not dead. "I told Andy exactly what I did, and he was taking notes."



JEFF SWENSEN/GETTY

BIRTHER REDUX? Trump has a life history that precedes Kaufman's career, but why let facts get in the way of a great conspiracy theory?

"People who went to his funeral pinched him to make sure he was dead," Abel says, but Parinello, who was also there, claims Kaufman was a meditation expert. With meditation, he insists, "you can actually control certain physical responses of the human body. You can slow your heart rate down to a point where you might actually be diagnosed as a person who is no longer living."

MANIAC ON THE MOON

Is Trump *really* Kaufman? I contacted CMG Worldwide, Kaufman's "exclusive licensing agent," and reached Chairman and CEO Mark Roesler, who had little patience for my query. "Congrats," he snarked in an email. "Sounds like you are really on to something."

I started contacting Kaufman's old friends and associates, expecting equally dismissive replies. Instead, those who knew the comedian seemed intrigued and even delighted. "If he were Donald Trump, that would be the best gag ever in the history of gags," says producer Bob Pagani, who was friendly with Kaufman during the last few years of his life. "He always said that what he was interested in was an honest reaction. If it was anger, if it was laughter, whatever."

The comedian's younger brother, Michael Kaufman, refused to address the death hoax rumors, except to say, "It should be a compliment to [Trump] that he's being compared to Andy." He added that his brother was uninterested in politics, a point Parinello seconds: "Totally apolitical. Nothing. Nobody. What he supported was tall women."

OK, so the Trump–Kaufman truthers are kidding—mostly—but as with other enduring crackpot theories (aliens built Stonehenge, the CIA killed JFK), this one persists because it explains so much about so much that cannot be explained.

Among the pundit class, Trump's campaign has sprouted dozens of unlikely theories: that he is deliberately trying to sabotage his campaign, that he only ran to make sure Hillary Clinton got elected, that he might win but refuse to take office, that he is only after revenge, that he is only after TV ratings, that his whole campaign is just a wild scheme to launch Trump TV.

All that tells you Trump's campaign works as exquisite satire, whether he intends it or not. The man has exposed pundits as pompous charlatans laughably removed from the average voter. He has wreaked havoc on the news media's obsession with false equivalence. He has stripped bare the bigotry undergirding the immigration debate. And, most of all, he's spotlighted the moral bankruptcy of the GOP—hence the spectacle of House Speaker Paul Ryan denouncing Trump's attack on a federal judge as the "textbook definition" of racism but declining to withdraw his endorsement. "It's a very bizarre election season," says Vance, "and it feels almost scripted by some sort of comic genius."

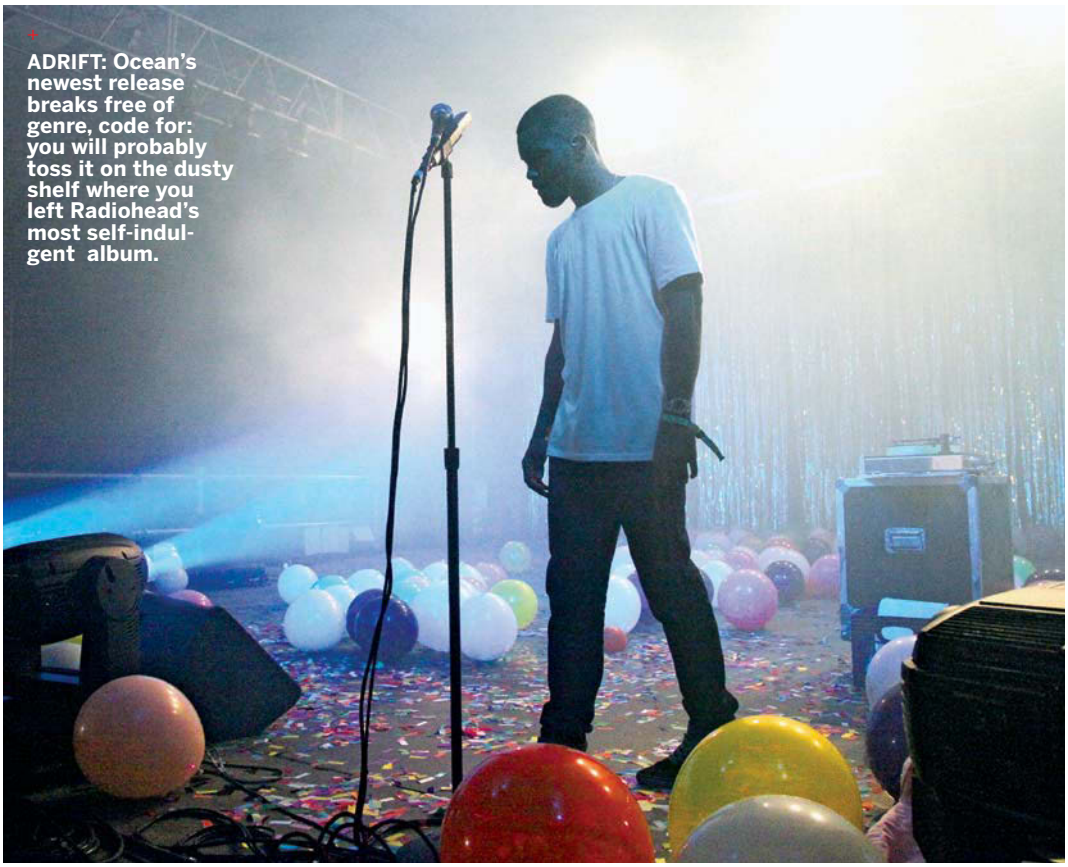
ANDY KAUFMAN

LOUNGE LIZARD: Kaufman sometimes did his Tony Clifton character as the opening act for his show, leaving many of his fans bruised and befuddled.

"IT'S A VERY BIZARRE ELECTION, AND IT FEELS ALMOST SCRIPTED BY SOME SORT OF COMIC GENIUS."

The sheer joy of an Andy Kaufman performance is that you have no idea what might happen. The sheer horror of a Trump presidency, for the overwhelming swath of the country that loathes him, is that you have no idea what might happen. So saying he's just Kaufman is a goofy reassurance. It's a way to ascribe meaning to a world without meaning, as chaotic and unpredictable as the grammar in a Trump tweet.

"If this whole thing were a joke, I think there would be a lot of nervous but relieved laughter across the world," Vance says, then chuckles. "We should be so lucky." N



ADRIFT: Ocean's newest release breaks free of genre, code for: you will probably toss it on the dusty shelf where you left Radiohead's most self-indulgent album.

FILMMAGIC/GETTY

Quickly Summing Up Everyone Else's Hard Work

We read all the reviews so you don't have to

BY
NEWSWEEK STAFF
@Newsweek

FRANK OCEAN, *BLONDE*

"The aesthetic Ocean pursues on *Blonde* doesn't allow for big, bold pronouncements on race or sexuality. Save for a moving shout-out over [the] lolloping beat [of 'Nikes'] ('RIP Trayvon, that nigga looked just like me'), Ocean sidesteps the racial politics that fuelled *To Pimp a Butterfly* and *Lemonade* (although you could argue that the record makes a statement simply by breaking free of genre and attempting to usurp canonical works by white artists). Ocean's sexuality, which he has previously explored on tracks such as 'Bad Religion,' is alluded to, but in nuanced ways: the stunning ballad 'Self Control' opens with, 'I'll be the boyfriend in your wet dreams tonight.'"
—Tim Jonze/*The Guardian*
TL;DR: The ocean's not the only thing that's all wet.

SULLY

"The story of the Miracle on the Hudson should be cleared for takeoff. It has Tom Hanks in the pilot's seat, radiating everyman decency. And he's flying a course carefully laid out by director Clint Eastwood. So why does the film remain earthbound?"
—Stephen Whitty/New York *Daily News*
TL;DR: This time, you'll catch yourself rooting for the geese.

WILCO, *SCHMILCO*

"*Schmilco*'s subtle intricacies provide cover for a series of vignettes of dreamers in various degrees of resignation."
—Craig Jenkins/Vulture
TL;DR: It's the perfect album if you've given up on your dreams.

CAFÉ SOCIETY

"Like most of Mr. [Woody] Allen's recent work, this movie takes place within the hermetically enclosed universe of its maker's long-established preoccupations. Rather than find fresh themes or problems, he likes to rearrange the old ones into a newish pattern, emphasizing some elements and letting others drift into the background."
—A.O. Scott/*The New York Times*
TL;DR: Play it again and again and again and again, Sam.

JACK WHITE, *ACOUSTIC RECORDINGS 1998-2016*

"More than just showcasing his tuneful side, *Acoustic Recordings* is a shrine to White's self-sufficiency, in both the musical and ideological senses. After all, White has always been one to take matters into his own hands, whether he's building guitars from some spare wire and wood, opening his own record press, or ensuring aliens have access to a turntable. And until he can get off this godforsaken planet and join his records in space, *Acoustic Recordings* stockpiles a great American songbook that can endure even after we're all forced to live off the grid."
—Stuart Berman/Pitchfork
TL;DR: Finally, together in one place, all of those songs you skipped over to replay "Seven Nation Army." N

HUNG JURY

The Nazis stole the painting, but the University of Oklahoma refused to give it back

RAYMOND DOWD is angry. He shoves a ream of paper several inches thick across a conference table in his midtown Manhattan office. The stack contains copies of property declarations by Jews from nearly 80 years ago. Tax documents aren't the most thrilling read, but Dowd, a lawyer who has handled several World War II–era restitution cases, says the papers are essential to understanding how the Nazis stripped Jews of so much art. By making Jews declare what they owned, sometimes in exchange for travel papers, the Nazis were creating an inventory of their belongings. "This happened on a sunny day. Birds singing, Jews lining up, a blond chick with a typewriter typing this stuff up. No machine guns, no violence," he says. "Some tax thing. That's how it happened."

The Nazis used those records of what Jews owned and similar methods to plunder their possessions, including an estimated 650,000 art objects. The thefts included Van Gogh's *Portrait of Dr. Gachet*, Vermeer's *The Astronomer* and Klimt's gold-layered art nouveau masterpiece *Adele Bloch-Bauer I*. They also included a painting of a peasant woman with a flock of sheep, which now hangs in a wood-paneled room at the University of Oklahoma's Fred Jones Jr. Museum of Art.

Painted by Camille Pissarro in 1886, *Shepherdess Bringing in Sheep* arrived at the OU museum in 2000 as part of a gift worth $50 million. In 2008, Sotheby's appraised the painting at $1.5 million, and a school magazine once singled it out as a "breathtaking" highlight of the collection. It's also a work the Nazis stole from a wealthy Parisian family. Their lone heir, a Holocaust survivor, spent her adult life searching for her *Shepherdess*. And now she wants it back.

LEGAL VS. RIGHT

"Billions of dollars—many, many billions—of works of art are still out there," says Ronald Lauder, the philanthropist and Estée Lauder cosmetics company executive, who has been a leader in the mission to return art stolen by the Nazis. Despite massive efforts in Europe and the U.S. since World War II to reclaim the plundered assets, advocates say some 100,000 works remain missing—and that many museums are fighting to keep them from their rightful owners.

Those advocates have accused some of the world's biggest museums, like the Museum of Modern Art in New York City and the Thyssen-Bornemisza Museum in Madrid, of stonewalling families, and paintings of dubious provenance hang quietly even in museums on American college campuses. OU and at least five other American colleges have faced claims against their museums: Yale, Princeton, Rutgers, Indiana University and Oberlin. Dowd says institutions use legal technicalities to block claims, often invoking the statute of limitations (the deadline to bring legal action), which for Nazi art

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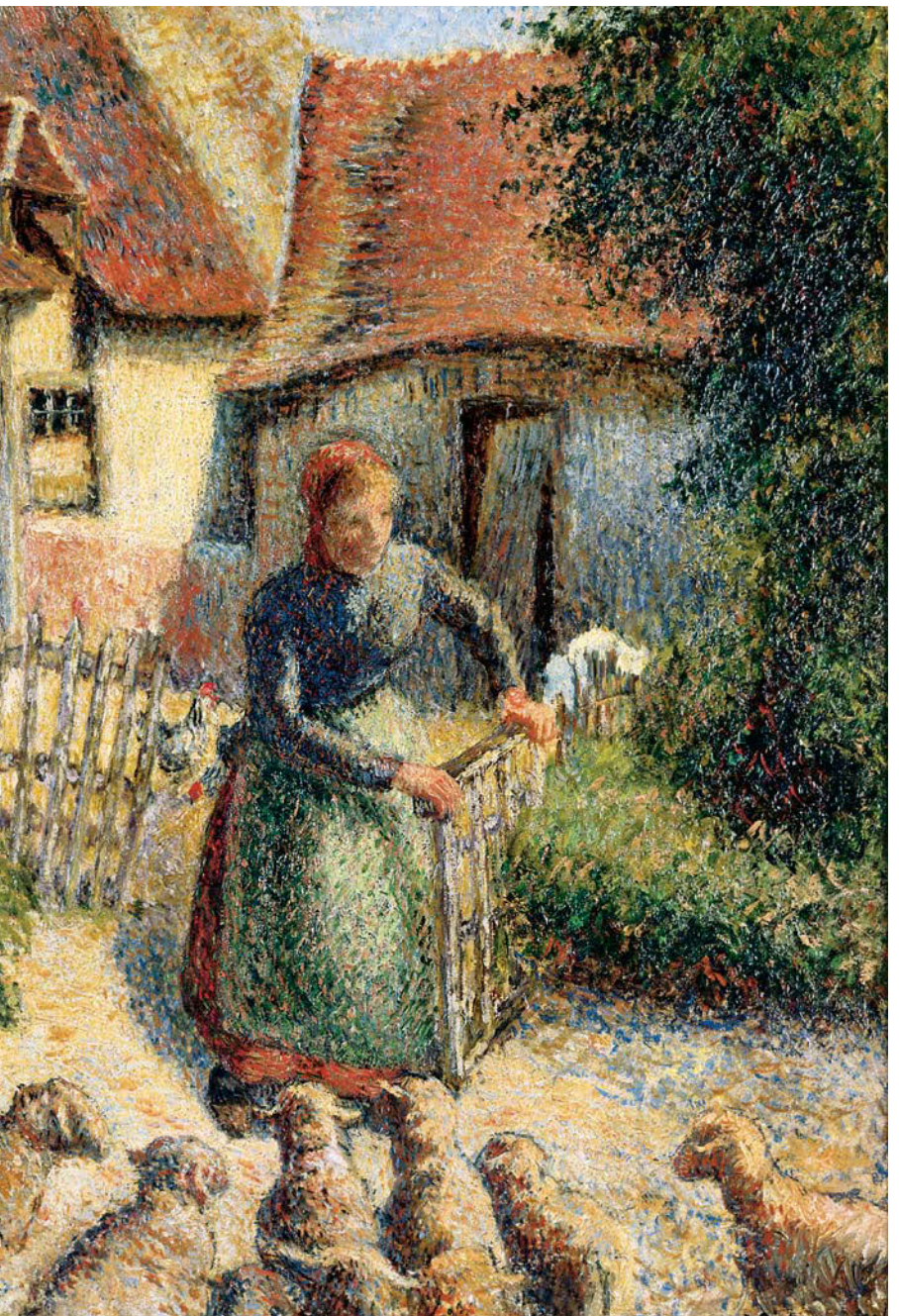


FRED JONES JR. MUSEUM OF ART

LAMBS TO THE SLAUGHTERERS: The Nazis plundered an estimated 650,000 art objects before and during Word War II, including Pissaro's Shepherdess.

theft varies by state and is typically three or four years after a person "reasonably" could have discovered where the art was. That means courts might turn Jewish claimants away, saying they are 70 years too late. "History is being buried because the courts are closing the doors," Dowd says. "This is Holocaust denial."

A HOLOCAUST *ANNIE*

Prior to World War II, *Shepherdess* belonged to Théophile Bader, who co-founded the upscale department store chain Galeries Lafayette. It later went to Bader's daughter Yvonne and her husband, Raoul Meyer. In 1940, around the time Paris fell to the Nazis, the Meyers stashed the painting and the rest of their art collection in a bank vault in southern France. But the Nazis accessed the vault a year later and seized the collection, which also included at least three Renoirs and a Derain. They hauled it back to Paris, where they operated a depot for their cultural plunders in a building near the Louvre Museum called the Jeu de Paume. Scholars have described the site, which once served as Napoleon III's indoor tennis court, as a "concentration camp" for more than 22,000 stolen art objects.

Léone Meyer was born in late 1939, as war was breaking out. Her mother reportedly was a Parisian seamstress. Her father is unknown. She was just a few years old when her family was murdered at Auschwitz. Someone likely put her into hiding, says Pierre Ciric, her attorney, and she

> "HISTORY IS BEING BURIED BECAUSE THE COURTS ARE CLOSING THE DOORS. THIS IS HOLOCAUST DENIAL."

wound up in an orphanage near Paris. Somewhat like the plot of *Annie*, the wealthy Raoul and Yvonne Meyer, who had been in hiding during the war, adopted her in 1946. They also tried to reclaim all their stolen art. By 1952, the Meyers had chased down *Shepherdess*—it was in Switzerland. They sued its owner, but the court ruled against them because they couldn't prove he had known the work was stolen when he acquired it. The dealer, who had a reputation for handling stolen art, offered to sell it to the Meyers, but they refused to buy something they already owned.

Léone Meyer's adoptive parents died in the 1970s, leaving her their sole heir. Then in her 30s, she felt that recovering the painting was a duty to both her murdered family and her adoptive one. But she had no idea where her *Shepherdess* was. After the Swiss court decision, the painting crossed the Atlantic and made its way to a gallery in New York City. In 1957, a wealthy woman from Oklahoma bought it. Clara Weitzenhoffer's father and husband were Oklahoma oilmen, and she channeled her fortune into collecting English furniture, Chinese porcelain and paintings resembling her beloved Dalmatians. She also had a passion for impressionist art, says

ART LOVER: Meyer, a Holocaust orphan adopted by a rich Parisian couple, spent her entire adult life chasing down her Shepherdess.

OLIVIER ROLLER

her son, Max Weitzenhoffer, a theater owner and producer in New York City and London. (He's behind *Harry Potter and the Cursed Child*.) Max Weitzenhoffer says he got used to growing up surrounded by his mother's art. "Nobody really thought these things had any value other than what she paid for them," he says. "My father always said, 'What are you going to do in time of war? You can't eat them.'" *Shepherdess* was one of his mother's favorites, and he recalls her keeping it in the living room next to her Van Gogh.

After his mother's death in 2000, Weitzenhoffer finalized the donation of her art to OU, where he is chairman of the Board of Regents and his family is the namesake of the fine arts school. Within two months, more than 33,000 people viewed the 33-work collection, and daily museum attendance increased eightfold. The museum on OU's Norman, Oklahoma, campus later built a new wing and installed the works in four rooms resembling the inside of Weitzenhoffer's childhood home.

But around 2009, an associate curator at the Indianapolis Museum of Art discovered that the chain of custody for *Shepherdess* was questionable; the Holocaust Art Restitution Project learned of the finding and later published a blog post about it. Meyer's son spotted the post in March 2012. Some eight months later, Meyer contacted University President David Boren and asked him to return the work. His response: The University of Oklahoma Foundation owned the painting, not the university. Finding that response unhelpful, she sued.

The lawsuit named Boren, the foundation and OU's Board of Regents as defendants. OU hired Thaddeus Stauber, a lawyer who was then defending a Madrid museum that didn't want to hand over another Pissarro to a Jewish family. In May 2014, Stauber convinced a judge to dismiss Meyer's lawsuit on jurisdictional grounds, insisting she should have filed her complaint in Oklahoma, not New York, the sort of legal technicality that restitution advocates loathe. Meyer appealed, and it took another year for the case to restart in Oklahoma.

By that time, OU was getting hammered, and the case had spun into a PR nightmare. "They were really dragging their feet," says Oklahoma state Representative Paul Wesselhoft. "I can't really comprehend why OU would not simply voluntarily give the painting up.... It's terribly embarrassing." Petitions against the university amassed hundreds of signatures, and an advocacy group hired an airplane to fly over an OU football pregame tailgate dragging a banner that read: "David Boren #ReturnTheStolenArt." In May 2015, the Oklahoma Legislature passed a resolution demanding that the university clean up this mess, pronto.

But when Meyer's case started again in Oklahoma, Stauber called for its dismissal based on the statute of limitations. So in late 2015, Ronald Lauder stepped in, writing to Boren and urging resolution. "At first, they did not want to give it up to the Meyer family," says Lauder. "When we first started, it was really negative, and once we spoke...he did exactly the right thing." A mediator affiliated with Lauder's World Jewish Congress and Lauder negotiated the settlement, and the parties announced their agreement in February.

WE'LL ALMOST ALWAYS HAVE PARIS

Having run the Galeries Lafayette for several years until 2005 and done humanitarian work as a physician, Meyer, who turns 77 in November, is now retired but still living in Paris, across the Seine from the Grand Palais. At long last, she will have her *Shepherdess* back. Kind of. Ciric, her lawyer, says the painting will return to France before the end of November. It will go on view for five years at an institution of her choice. Then it will rotate every three years or so between a French institution and the Fred Jones Jr. Museum. The ownership title goes to Meyer, and she will eventually gift it to a French institution "either during her lifetime or through her will," according to a settlement document. Boren says he's satisfied with the outcome: "I just wish we could have done it in a month instead of the time it's taken."

There may also be a happy ending for more Holocaust victims and their families, who could encounter fewer hurdles to reclaiming their art. In April, members of U.S. Congress introduced a bill that aims to eliminate the legal roadblocks museums use to hold on to works. The bill is now pending. Dowd, the restitution lawyer, calls the legislation "earth-shattering."

The ending of this tale might be less happy for OU. Representative Wesselhoft and others think the Fred Jones Jr. Museum's Weitzenhoffer collection has additional art stolen from Jews. Meyer's lawsuit noted that a Renoir was apparently sold by a collector fleeing Nazi Germany, a red flag. A work by Mary Cassatt allegedly lacks ownership information for 1939 to 1957. A Degas is allegedly missing information for 1918 to 1963. A Monet allegedly has no ownership information before 1957. Three other works are allegedly connected to a gallery the Nazis raided or to dealers who were known Nazi collaborators. At least seven additional paintings allegedly have little to no provenance information prior to the 1950s or 1960s, or at all. Museum Director Mark White says by email that they are making progress on filling in ownership history gaps, but "such research is an exhaustive process."

> THE JEU DE PAUME, ONCE NAPOLEON III'S INDOOR TENNIS COURT, WAS A "CONCENTRATION CAMP" FOR LOOTED ART.

Until its journey overseas is booked, Meyer's *Shepherdess* remains on the wall in the Oklahoma museum. The room is a popular spot for marriage proposals, according to Boren, who knows of at least two that have taken place there. Both supplicants got the answer they were hoping for. N

REWIND

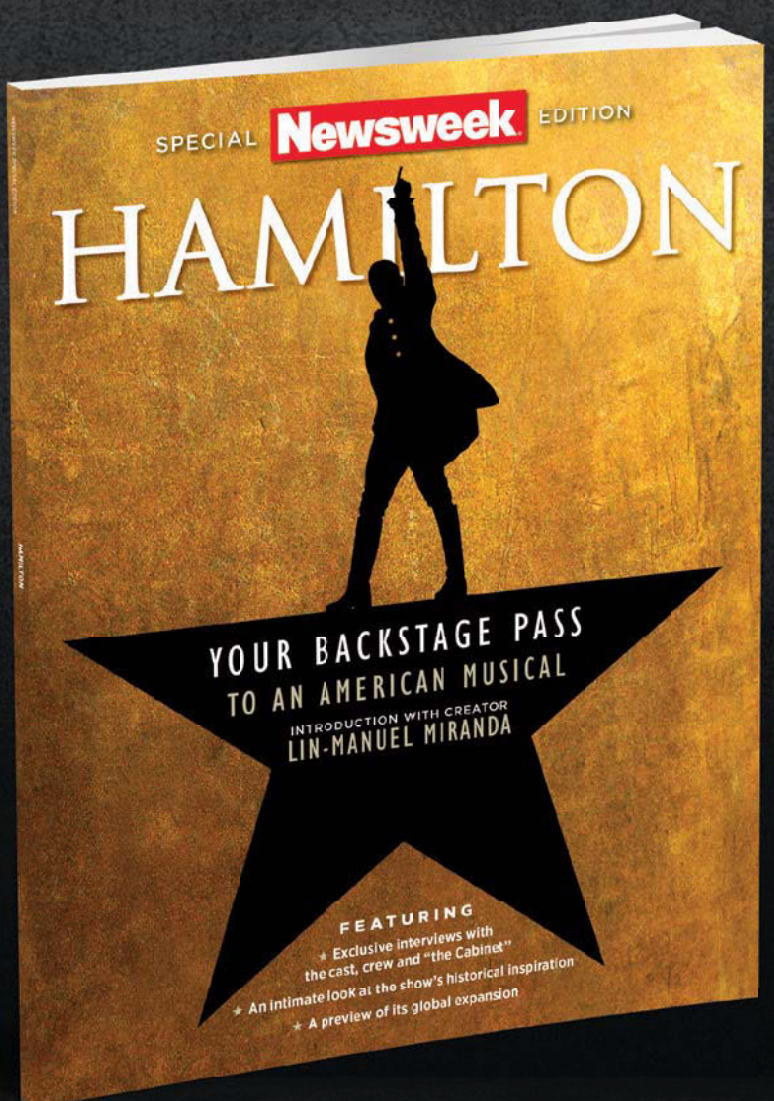
20 YEARS

OCTOBER 14, 1996

A REPORT ON HOUSE SPEAKER NEWT GINGRICH'S SHAKY RELATIONSHIP WITH GOP PRESIDENTIAL NOMINEE BOB DOLE

"Dole's advisers weren't eager to have [Newt Gingrich] around at their headquarters last week, either. He stopped by one day while the candidate was in debate prep—and wasn't invited into the room. 'We don't need advice on how to be unpopular,' said one Dole aide."

Look behind the curtain of the Broadway phenomenon



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