

LXIV – Martha the Scapegoat

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By Butler Shaffer

For those who believe that mankind has abandoned the practice of throwing children from cliffs, or tearing out the hearts of young women on temple altars, all for the purpose of appeasing the gods, the conviction of Martha Stewart should inform you that this ritual has only changed form. Scapegoating remains an accepted ceremony, even though its more brutal expressions no longer appeal to us. It is now usually performed in a bloodless fashion, with the rites of procedural due process carefully observed.

Scapegoating, along with other forms of human sacrifice, is as old as human society. It is particularly evident during periods of political, economic, or social instability, when there is a failure of group expectations. The scapegoat serves two purposes during such periods: as an object upon which the fears, anger, and frustrations of a group can be directed. The scapegoat is also politically useful, during periods of turbulence, as a means of reminding people that the state retains the power of life and death over them. In the words of a nineteenth century tribal chief: "If I were to abolish human sacrifice, I should deprive myself of one of the most effectual means of keeping the people in subjection." The scapegoat need not be innocent of any offense: if he or she is perceived to be guilty of some offense, so much the better to convince people of the propriety of the coercive action against the victim.

Scapegoats served the needs of power systems during the Inquisitions, as well as witch and heresy trials, when church authority was challenged by such influences as the Reformation and scientific inquiry. The roots of the Salem witch trials have been traced to political instabilities within that colony. The upheavals of the Civil War brought about a sharp increase in the lynchings of blacks, as did the depression of the 1930's. As the post-World War II American state fashioned the mindset of a Cold War with the Soviet Union, it found it useful — with the aid of such men as Sen. Joseph McCarthy — to identify and ferret out domestic communist scapegoats, and to inflict the death penalty upon two: the Rosenbergs. Such a pattern of statist behavior is now repeating itself in the domestic phase of the "war against terrorism," wherein even the readers of almanacs are officially targeted, by the FBI, as potential "terrorists"!

Beginning at least in Lyndon Johnson's administration, through the Nixon years with Watergate, the Reagan years of the Iran/Contra scandals, and the revelations of wholesale influence peddling in the Clinton White House, most Americans have lost their high-school-civics-class innocence about the "noble" and "public interest" purposes of government. Lying, deception, and the incestuous relationships between large corporate interests and the state have reached such a common awareness that, unlike earlier corruption that

managed to stay hidden from view, it no longer surprises most of us. If there is one phrase that ought to inform minds of the political realities of our corporate-state world it is the one that emerged from Watergate: "follow the money!"

Lyndon Johnson's and Robert McNamara's lies about the prospects for winning the Vietnam War — lies that led to the deaths of at least fifty thousand Americans — have morphed into George Bush's lies about "weapons of mass destruction" and the prospects for "Iraqi freedom" if only more American soldiers can be sacrificed to the cause. As Halliburton and other corporate interests close to the White House prepare to rake in hundreds of millions of dollars from the Iraqi war; and as Vice President Cheney treats a Supreme Court justice to paid hunting trips at a time when a case involving Mr. Cheney is before that court, even the most unsophisticated minds experience a failure of expectations about the nature of government.

But such disappointments will never rise to a fundamental criticism of state power for, to do so, would force people to question their very sense of being. The identities of most of us are so wrapped up with the nation-state that, to condemn it, is to condemn ourselves. Besides, like dealing with a bully, most of us are fearful of standing up to what we perceive as a more powerful force and content ourselves with attacking lesser targets. Unlike that brave soul, Wang Wei-Lin, who stood up to that row of tanks in Tiananmen Square a few years ago, most of us are moral cowards who lack the integrity to challenge the forces that destroy our lives.

We are nevertheless implicitly aware that the systems with which we identify ourselves have failed in their stated purposes, and we require a cathartic remedy to overcome our withered sense of wholeness and restore our illusions. Who better to fulfill this role than the scapegoat?

The scapegoating purposes of the Martha Stewart trial were apparently evident to at least some of the jurors. One of them stated, afterwards, that the verdict "sends a message to bigwigs in corporations they have to abide by the law." He added that the verdict "was a victory for the little guy who loses money in the market because of this kind of transaction." Considering that Martha was convicted only of obstruction of justice and lying to government investigators — and not for any illegal "transaction" — it appears that some of the jurors, at least, were responding to what they perceived as systemic problems within the business community, and not to any acts for which Martha was charged. It is not the role of juries in criminal cases to "send messages," but only to determine the guilt or innocence of the accused. It would seem that, in the eyes of some of the jurors, Martha became a stand-in for the alleged sins of others.

The prosecuting attorney got caught up in this act of ritual sacrifice. "The victims in this case are the entire American public," he intoned. He then added: "when we first indicted this case, we said that it was all about lies," and "no matter who you are, if you're Martha

Stewart or Joe Q. Public, we're going to go after you."

The prosecutor failed to note, of course, that those who tell more dangerous lies out of the White House, and those well-placed business interests who profit from the consequences of those lies, will remain untouched. That "the entire American public" has been victimized by government policies that have been "all about lies," will unlikely move this man to indict Mr. Bush and his cohorts. Martha will serve as a convenient scapegoat for the dishonesty and corruption of a political system that is to remain beyond criticism.

That Martha's conviction serves to vindicate purposes irrelevant to the crimes with which she was charged is seen in the numerous attacks upon her personality following the verdict. I have heard people who should know better defend the jury's decision on the grounds that Martha is "obnoxious," or "arrogant," or a "bitch." Such responses lend credence to the mistaken view of many feminists that this case was only about Martha as a woman. There are doubtless many people — women as well as men — whose personal sense of identity looks upon the proper role of women as inheritors, rather than generators, of great wealth, and to such persons Martha becomes a useful scapegoat.

I caution you not to hold your breath awaiting federal prosecutors bringing criminal charges against any of the big-time players who hang out on "Boardwalk" and "Park Place." It will be the denizens of "Baltic Avenue" who will be called upon to bear the sins of a disappointing system. "Take that, Martha Stewart! Take that, John Q. public! We have a u2018zero tolerance' policy when it comes to the offenses of you ordinary people!" In the end, cases of this kind only reconfirm the centuries-old observation that:

The law locks up both man and woman
Who steals the goose from off the common.
But lets the greater felon loose
Who steals the common from the goose.

The Best of Butler Shaffer

