

# THE TAB

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NEWS & POLITICS

# Life Inside Walmart's Perfect City

The model of America's oligarch urbanism is Bentonville, Arkansas, a dazzling but eerie new cultural capital of the South

BY SEAN COOPER

Philadelphia recedes through the cabin window of my plane, the Comcast towers and turtle-shell stadiums disappearing, along with the drug and gun epidemics swallowing neighborhoods whole. I land in an entirely different version of an American city. Rolling through the wide, lush, tree-lined streets of Bentonville, Arkansas, I have arrived in what appears to be a safe, clean, outpost in northwest Arkansas that in short order has become home to a flourishing middle class and the best museums within a thousand miles. I've made it just in time for the start of the Bentonville Film Festival. At the pristine Skylight Cinema I snag one of the last backrow seats just before the house lights dim.

After some cursory remarks from the festival's organizers thanking Walmart, the founding sponsor, as well as Coca-Cola, the presenting sponsor, the films begin. I soon realize we won't be watching films at all. The first tranche of screenings for this Storytellers Showcase, which I wrongly assumed to be a slate of indie shorts, are instead the finalists who'd created commercials

as part of the Coca-Cola Refreshing Films Program.

The opening spot features a slim, attractive white woman texting plans to meet up with a slim attractive Indian woman at an AMC cineplex, where they purchase Cokes in the lobby before walking into the theater. The camera pans over 28 diverse audience members—many ethnicities, gay couples, etc.—with everyone holding a Coke product, label out, smiling like children being tucked into bed. And that's the commercial. "I strive to give representation to outcasts and underdogs," the director, Christine Zivic, writes in the mission statement I find on my phone. "My upbringing in a neurodiverse family, with Serbian and French-Canadian parents informs my progressive outlook on cultural diversity and inclusion."

I look around the theater to see if anyone else is confused or surprised to have paid \$40 for a ticket to this screening, only to end up watching soda commercials. But the standing-room-only crowd, some of whom are drinking Cokes purchased in the lobby, appear entranced.

In the next commercial, I realize that Zivic misstepped by not including anyone from the disabled community.

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### Turning a Kibbutz Into a Tourist Attraction

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BY HILLEL KUTTLER

### Gett in Shape

In the discourse about divorce in Tractate Gittin, the Talmud gives us closure when love expires

BY DOVID BASHEVKIN



Titled “A Leg Up,” this spot follows a young white girl with a broken leg and crutches frustrated by her injury as she tries to make a meal in her kitchen. Suddenly appearing in the theater lobby, she purchases her 48 oz. Coke and large popcorn, and then via some movie magic that helps her carry the wares, she’s in her seat beaming manically. The theater is packed: A young white man

high-fives a young Black man, a trio of women, one Asian, one Black, and one white joyfully recline into their seats, while nearby a young white woman with blond hair leans on the shoulder of her young Black date.

They all go on like this, and oddly, none of the creators introducing their finalist spots in prerecorded messages, nor the festival organizers adding their 2 cents at the front of the theater, calls them commercials—or even branded content. These are all films.

And this, I realize, is Bentonville—the greatest product Walmart has ever sold.

A short walk from the film festival screen is the free-admission site of the Walmart History Museum, a temporary location while the new state-of-the-art facility, set to launch in 2024, is under construction. It is easy to forget, wandering the museum, that for much of the first 20 years of this century, Walmart’s reputation was in tatters. Perusing Sam Walton’s family photos, and the lucite paperweights of mini Walmart stock prospectuses, the case is convincingly made that all Walton ever wanted to do was spread the good gospel of affordable prices for regular, working-day people.

In the back of the museum, a holographic Sam Walton sits on a stool in a bright, white box. He wears a red tie, sports coat, and blue jeans. Though Sam died in 1992, and the box has more than a passing resemblance to an open coffin, the virtual Walton appears quite real, shifting his weight back and forth while he waits for visitors to engage his AI-powered voice to discuss his road to success as one of the richest humans in history. When I try to chat up the projection, Walton’s major motor functions seemed to be offline, yet his digital eyes still follow me as I read his words off a display. “I would like to be remembered as a good friend,” he once said. “I have such a strong feeling for the folks in our company. They have meant so much to me.”

Some of those folks—or associates, in Walmart’s parlance—might have struggled to fully register the warm feelings during and after Sam’s reign. The history of Walmart’s breakneck expansion across the United States includes a long list of victims broken or

destroyed by the company. “Wal-Mart has been fingered as the source of virtually every conceivable economic ill. It kills jobs and downtowns, say critics, and destroys community character,” according to a 2008 Federal Reserve Bank report. “[Walmart’s] been accused of discriminating against women, using illegal immigrants, requiring work off the clock and being overly aggressive in stopping the formation of labor unions among its workers. It’s been blamed for sprawl and traffic congestion, as well as aesthetic offenses.”

As Walmart’s communications officers have tirelessly argued in response to such criticisms, the company provided products at a low price to many places that didn’t have them, as well as jobs where the alternatives might have been fast food, dangerous factory work, or nothing at all. Still, their low wages left tens of thousands of workers unable to “make ends meet without their paychecks being leavened by government food stamps, Medicaid, or the succor of a nonprofit,” as Rick Wartzman observes in his book about the retailer, *Still Broke*.

In contrast to a company like General Motors, which, as Wartzman points out, helped build the postwar American middle class with union job security and benefits, the cutthroat mentality incubated by Sam Walton in Bentonville was to use Walmart’s dominance to eliminate retail competitors by slashing costs wherever possible—including on labor.

Walmart’s aggressive anti-union approach thwarted some doomed organizing efforts in the 1980s and 1990s, rapidly deploying corporate staff that could unleash a full court press against any sign of union activity in the break rooms. “I’ve never seen a company that will go to the lengths that Walmart goes to, to avoid a union,” said Martin Levitt, a former Walmart consultant who later wrote a book titled *Confessions of a Union Buster*. “They have zero tolerance.”

In the late 2000s, Walmart’s image had become so bad, and recruitment of top talent so difficult, that the company finally began to change some of its ways, at least cosmetically, by embracing environmental and corporate social

justice initiatives, though it would take until this year for the company to bump its minimum hourly rate to \$14—still hardly enough to keep track with the cost of living.

It was at this time that the family began investing in Bentonville, a former sleepy Southern town of livestock processing factories and cash crop farms that happened to become the headquarters to Walmart after Sam Walton opened his first retail location nearby. The exponential economic growth of Walmart catalyzed a similar change of pace across the whole city—and indeed all of northwest Missouri—which has led to the explosive sprawl of beautifully designed restaurants and cultural amenities like the Tower Bar, the top-floor bar of Bentonville’s new modern art museum, The Momentary, where I found myself after an afternoon of film festival screenings.

One couple sat along the wall of glass quietly drinking craft cocktails and watching clouds float by like stage props, while Prince’s *How Come U Don’t Call Me Anymore* played to the otherwise empty sixth-floor lounge. Midcentury bucket chairs and glistening terrazzo floors completed the cosmopolitan lacquer of this newly remodeled town, firming up an emergent version of the city that would be unfamiliar to anyone who called it home just a decade ago. But that kind of acute alienation from the recent past can simply be a sign of incredible progress.

“Boy, they make it seem like it’s the biggest thing in the world,” said Zach Orr, who’d taken a bar stool beside me. Orr was talking about the film festival, spread out along the lush lawn of The Momentary, which includes an outdoor performance stage that hosts popular bluegrass bands and once hot hip-hop acts like Wu-Tang and Outkast’s Big Boi. Like several other attractions in the area, the museum charges no admission, and the entire complex—museum, music venue, bar, artist-in-residence studio spaces—is one of dozens of big ticket projects spearheaded in recent years by the Walton brood. Before it opened, Sam Walton’s grandson Tom said The Momentary would be “huge for the younger generation, the millennial,”

the type of attraction that would help Bentonville “become one of the hottest destinations in the country.”

Orr, 31, looked over a printed lineup for the Walton-funded film festival, noting that the program’s politics also seemed targeted to millennials. “Purpose Driven Progress,” he said, reading the title of a panel on the main stage. “That’s just about people competing to complain about who’s the biggest victim. Oh, wow—you’re a victim, in the most progressive community in America. I just don’t care. I’m too busy making money.”

A native of Little Rock, Orr had embraced the hustler’s mentality when he dropped out of the state university in Fayetteville. “I was going to class losing \$1,000 a day,” he said, recalling the cost of attending lectures compared to running his power-washing business, cleaning the thousands of new windows sparkling across the booming business and residential sectors of Bentonville, which now stands as the commercial engine of northwest Arkansas (NWA). Selling the operation for a handsome pay day, Orr left the area for several years, streamlining front-of-house operations for *Twin Peaks* locations around the Middle West, a sports lodge chain chipping away at Hooter’s dominance in the breastaaurant category. The nomadic pleasures of well-paid road life waned, though, as the siren of opportunity back home grew too loud to ignore.

When you talk to people in Bentonville a lot of stories go like this: Something the Walton’s built or funded created new, lucrative opportunities for various schemes and side hustles. Orr’s family, for example, recently caught wind of the site of the latest mountain bike trail being built in the area, and were poised to expand their rental property business to cash in on the new hot spot. Mountain biking was never a thing in Bentonville—but it’s a passion pursuit of Tom Walton and his brother Stuart, the millennial third gen heirs who’ve peeled off \$75 million from the family fortune to build out hundreds of miles of new biking trails that, practically overnight, have made the four cities within northwest Arkansas—Bentonville, Rogers, Springdale, and

Fayetteville—an international destination for cycling. As the site of the cyclocross world championships (sponsored by Walmart) and dozens of other events each year, the massive cash expenditure to build out the trails that thread in and around the downtown corridors have elevated the sport into a \$159 million local market. Providing an outdoor recreational activity to Walmart’s middle-class knowledge workers and the thousands of vendors and suppliers that operate in close proximity to the retail giant, the money turned out to be a great “return on investment” Tom Walton told *Outside* magazine—and “a great model for rural America.”

Sipping The Momentary house old fashioned, I asked Orr about the seven construction cranes just outside the window in the middle distance. In fact, all around Bentonville, the only sound of comparable frequency to the whizzing metallic whine from packs of span-dexed mountain bikers coasting along the wide, protected bike lanes that line the pristine streets was the heavy bang of dozers, jackhammers, and nail guns busily creating new luxury townhouses and commercial buildings on what seemed like every block. It’s all part of the infrastructure and housing needed to keep up with the inflow of 36 people currently moving to NWA *every day*. Recent estimates predict the area will double its current population to a million by 2045, a flood of new city dwellers that would make top-tier cities like San Francisco, Chicago, and Boston blush with envy as they struggle to grow or even maintain their post-pandemic populations.

For Orr, as with many here I encountered, the primary draw is the opportunities created by Walmart. As both the world’s largest retailer, with a store at least 10 miles from every American driving up annual sales to some \$570 billion, the company is also the biggest employer in America, with roughly 1.6 million people on its rolls—the equivalent of the entire city of Philadelphia. Walmart’s leaders have seen the writing on the wall about brick and mortar, and are now finally embracing the digital sphere as they spin up an e-commerce platform to compete with Amazon.

Such an undertaking, though, requires a new kind of workforce—a highly educated talent pool of software engineers, web developers, cyber security experts, and other web-business operators accustomed to the restaurants, shopping, recreation, and entertainment they find in coastal urban centers. A type of lifestyle, in other words, that wasn't available in the Ozark Mountains until Walmart decided to remodel them.

"I have connections to the people building the campus," Orr said of the new Walmart headquarters being built by those cranes in front of us, adding that his uncle manages one of the construction outfits behind the new 350-acre Walmart home office. The roughly \$1 billion facility will open in 2025 with 12 office buildings, its own hotel, pools, a yoga studio, and on-site fitness and food offerings competitive with the headquarters of Apple and other top Silicon Valley operators. "So I say, give me your campus, that's like \$40,000 a month in power-washing maintenance," Orr says, estimating what he can make once he starts up a new power-washing outfit. "That's my BMW account."

Just about everyone I meet in Bentonville turns out to either be getting in on the Walmart hustle or know a handful of people trying to climb the ladder within the Walton extended family universe. The opportunities seem endless. As long as you are willing to play the game, you can come out a winner.

And it is a game that doesn't appear to have many appealing alternatives—particularly for the region's fastest growing target demographic, Americans in their 30s. It was that slice of the age bracket that held almost \$4 trillion in debt by the end of 2022, a 27% increase from three years prior and the fastest rate of debt accumulation for the age group since the 2008 Great Recession. Looking to stretch their dollars, young, white-collar professionals continue to flood out of states with high costs of living. Last year, New York and California said goodbye to more upwardly mobile American workers under 35 than any other state, with most heading to the middle of the country.

But it's not just economics repelling young Americans from expensive

coastal enclaves. While crime rates are finally beginning to dip in major urban centers, the remote work exodus out of dense office districts took commercial activity with it, leaving behind clusters of homeless camps that continue to drive away retailers and restaurants of all sizes while office skyscrapers go dormant from lack of activity. Combine the decline in downtown amenities with some of the worst public transit systems in the country, and it's no surprise that affordable, safe, and well-run cities like Bentonville are ascendant.

Yet, there's a catch to getting all of these amenities at such a good price: The benefactors who built this city have a very particular notion of what life should look like. This isn't so different from company towns built by reigning business titans of their day—at least the ones like Hershey, Pennsylvania, and Lowell, Massachusetts, which were generally benevolent to the employees they recruited to these corporate-centric communities, helping to build homes, churches, community centers, and even critical infrastructure while instilling a reigning culture that, as much as anything else, held up the company as an enlightened entity worthy of loyalty and devotion. What distinguishes Bentonville is that no family has ever had so much money at their disposal to execute such a comprehensive vision of what it means to live in an American city.

And Bentonville is but one example of a city being built festival by festival and museum by museum by America's oligarchy, where fashionable politics and a trendy arts scene serve as the benign or even beautiful face of ruthless corporatization and elbows-out labor practices. It is, in fact, leading the way for a flourishing new form of oligarch urbanism—of centralized development concentrated around the interests and unprecedented wealth of a small group of the ultrarich. While these metro areas reflect the idiosyncratic preferences of their patrons—bike trails, eco-preservation, and modern American art in the case of Bentonville—they rely on the same homogenized corporate structures of clustered nonprofits and for-profit consultant entities that vertically integrate the local government

and business economy to serve the parent corporation which the benefactors ultimately control.

To be sure, there were advantages to fabricating an entire metro area up from scratch with seemingly no budget constraints. Not only had the Waltons given birth to an entirely new arts scene and thriving recreational biking and hiking economy, but they helped the city with little budget items, too, smoothing out growing pains that can hinder local governments trying to quickly absorb tens of thousands of new residents. When I popped into the pristine city hall building to check out its calendar, I noticed that the city council was voting on a half-million dollars in grants from the Walton Family Foundation for a revised city land-use plan, as well as runway improvements at the local airport.

Across the street, larger efforts were underway at the Bentonville library. Already a large, spacious facility with private study rooms, a teen zone, adult work spaces, a fireplace reading nook, a genealogy center, a computer lab, and a cafe that wouldn't be out of place in an expensive private university, the library—which is considered a point of interest on the city's integrated bike trail system—abutted a construction site that would add 22,800 square feet to the footprint. All of this was thanks to more than \$6 million from the Waltons.

Up the road, a crew was chipping away at the 14-acre site for the new Alice Walton School of Medicine. Named after Sam Walton's daughter, one of the more active heirs reshaping the city, the 154,000-square-foot, state-of-the-art medical training compound will operate under the University of Arkansas umbrella and include, along with the usual surgery theaters and medical labs, a set of "healing gardens, an urban farming space, outdoor classrooms and a rooftop terrace" as part of its ambition to "be as one with the surrounding forest lands." That, along with Alice's forthcoming 75,000-square-foot Whole Health Institute, is just a piece of the Walton family's larger ambition to create a nation-leading regional health care system that captures some of the \$950 million in medical billings that residents of

greater Bentonville now spend outside the region each year.

This explosive investment in the area's critical infrastructure is matched by the company's concerted effort to control the costs of labor—practices that aren't unique to Walmart in this corner of Arkansas. Tyson Foods, along with the transportation conglomerate J.B. Hunt, make up the trifecta of Fortune 500 corporations helmed by families running their business out of NWA. And while neither of the other two families running those businesses possesses anything close to the approximate \$212 billion fortune held by the Waltons, the \$2.4 billion or so amassed by the Tysons as America's largest poultry producer has gone a long way to curry favor with the local government enforcing workforce regulations at the company's 20 poultry plants across Arkansas.

During the early days of the COVID-19 pandemic, when the virus was spreading quickly among the predominantly immigrant workforce at Tyson's poultry plants, the company's communications team was crafting language in public statements and releasing videos featuring Springdale's mayor, Doug Sprouse, downplaying the role of open plants in spreading infections. "What we're finding out is that much more often than not [the virus] is being spread when they're not at work," Mayor Sprouse said in a Tyson promotional video. As Olivia Paschal found in public records requests she reported for Facing South, Mayor Sprouse, as well as Greg Hines, the mayor of Rogers, another NWA city with a Tyson plant, had both attached their names to quotes written by Tyson's communications team extolling Tyson's pandemic mitigation efforts.

"Sending this quote to you for your review," wrote Jeff Wood, Tyson's director of local government relations, in an email to Mayor Hines ahead of a Tyson announcement that 700 factory workers in 10 Tyson plants had become infected. "Tyson is not only taking steps to protect the health of their employees, but also helping to ensure the well-being of entire communities, and we are experiencing the benefits of their public service," went the quote attributed to Mayor Hines. When Paschal asked the

**"Taking over the arts is a way to kill the essence of the culture and the town."**

mayor about how the communications with the public were created, he admitted that the statement had been "prepared by Tyson representatives" before he signed off on it.

Borrowing a page from the Walton playbook, the Tysons have recently made significant investments through the Tyson Family Foundation to help revitalize the downtown of Springdale, where their company has maintained its headquarters since its founding. On several art and culture efforts, Tyson family members have teamed up with the Walton heirs, cutting checks for the Walton's Momentary and serving on the board of CACHE, a public arts collective with studios in both Springdale and Bentonville.

Seeding small grants to the NWA artists who display works there or who perform at local events, a patron system has emerged, with the arts community heavily reliant on these two families to make a living. "I need the grant money," one musician, who's received Tyson grants and worked gigs in Walton facilities, told me. However, the concentrated source of funding, he says, makes it difficult for artists to create anything that might offend their patrons. "If you cross them you're fucked, it's basically career suicide."

A similar chill permeates the

grassroots groups and nonprofits representing the low-wage workers who can struggle to make ends meet on the retail and factory wages set by Walmart and Tyson management. "Walmart and Tyson are involved in almost every single nonprofit you see around here. They hire people to be on the boards or to lead the groups," Magaly Licolli, a founder of the poultry worker labor outfit Venceremos, told me. As one of the few nonprofit organizations that doesn't take money from the Walton or Tyson families, Licolli has organized a nascent labor effort in NWA, leading strikes at Tyson plants where some poultry line workers were once reportedly forced to wear diapers so as not to soil themselves when denied the bathroom breaks that slow down production.

"Art is a huge component for any culture to express what's going on politically or socially," Licolli said. "When Walmart took over the funding of the arts here, it silenced the artists and controlled the narrative of the art itself. So we saw a lot of Walmart money going to murals at the beginning of Black Lives Matter, but they were paying artists that weren't from the local Black culture. It was just corporate art—art that doesn't feel like anything, just a stamp to say we care about these issues, but really they don't, because they're not taking care of the Black community, or the immigrant community, or improving working conditions or the level of poverty."

One fledgling grassroots art group composed of the teenage children of poultry workers began making art and theater projects around Springdale, with a focus on issues of significance to the immigrant community. The group, which went by the name Stitches, began receiving grant funding, "and from there the white people took the project to expand it and make it better. But they pretty much killed the essence of that project," Licolli said. "Taking over the arts is a way to kill the essence of the culture and the town."

Stitches co-founder, Samuel Lopez, landed on the cover of *Time* magazine in 2018 as one of 31 People Changing the South. Recalling the intense courtship to take Walmart funding to expand the arts programing beyond Stitches, Lopez

described the less-than-savory quid pro quo. “The closer we got to political topics the closer we got to losing the funding. The money deterred people from being able to speak what was really on their mind, or what they believed in ... [to the point] that you kind of became shunned,” he told me. He ultimately left the Walmart orbit because not being able to document the realities of life for NWA’s factory workers and other lower-income residents in the surrounding area wasn’t worth the paycheck. “I got tired of performing for white audiences as if my story and my pain is somehow cathartic to them. Giving me that money was just an illusion of justice.”

“The Walton Family Foundation has long supported arts and culture initiatives in Northwest Arkansas,” Kathryn Heller, a senior communications officer for the Walton Family Foundation, wrote in an email responding to questions about expectations attached to their project funding. “These efforts include support for a wide range of organizations, including community-based and culturally-specific programming to help foster an inclusive region where small entities play as integral a role as large institutions.”

With the struggles of those on the lower end of the economic ladder seemingly airbrushed out of the constant churn of art and cultural events that purport to depict the thriving, multicultural region in all its diverse splendor, it’s rather easy for those in the higher-income brackets to remove themselves from the experience of anyone struggling to make ends meet in NWA. As recently as 2019, only 600 homes in NWA sold for more than \$500,000. Three years later, the number of houses going for half a million has tripled. For the buyers who’ve pushed the luxury residential market up into the \$1 million to \$3 million range, there’s little reason to step outside the circumscribed route of the Walmart headquarters, one’s favorite third wave coffee shop, the local art galleries, new restaurants, and gorgeous hiking trails, and see any of the 343 homeless counted across the NWA last year, a small percentage of the state’s total homeless population. Nor do the denizens of NWA’s comfortable, tree-lined streets

(recognized for 25 straight years by the Arbor Day Foundation as a “USA Tree City”) have to worry about violent or even petty crime, particularly in Bentonville proper, where the city’s negligible crime rate tracks closer to small towns about a tenth of the size. Yet in Springdale, away from the fledgling downtown center that would appear to be thriving thanks to its Walmart- and Tyson-sponsored arts and culture scene, Lopez and his neighbors who make their living in the poultry factories encounter a crime rate more aligned with Arkansas as a whole, which is one of the five most dangerous states in the nation.

Not long after Sam Walton had his first taste of success in the retail business, he decided to protect his nascent fortune by diversifying corporate ownership across his family. “The best way to reduce paying estate taxes is to give your assets away before they appreciate,” he wrote in his memoir, noting that in 1953, when his oldest child was just 9 years old, he’d already given 20% stakes to his wife and kids, keeping the same slice of the pie for himself. Today, Walton’s surviving heirs own a little less than half of the company; utilizing around two-dozen trusts to filter about \$575 million in annual grants through the Walton Family Foundation, half of which usually go to projects in NWA. Some estimate that the family’s good works have allowed them to avoid roughly \$3 billion in federal estate taxes.

“We are not embarrassed to say we are borrowing heavily from Austin’s playbook,” Olivia Walton, the wife of Tom, Sam Walton’s grandson, told *The Economist* in reference to the family’s bike trails and other efforts to make Bentonville more like arts-friendly Austin, Texas, an appealing alternative to the coasts for highly skilled knowledge economy workers. Indeed, unlike say Kingston, New York, where Peter Buffet, an heir to Warren Buffet’s fortune, has taken a more below-the-radar approach to deploying hundreds of millions of dollars to reimagine the social and economic reality of a small city, the Walton’s are not shy about their ambition to methodically transform NWA. At the Sam M. Walton College of Business at the University of Arkansas,

there’s an ongoing effort to analyze and offer suggestions to the Walton Family Foundation as they overhaul NWA’s “economic, educational, cultural and environmental fields,” as a 2017 report put it. Recruitment drives have seen the Northwest Arkansas Council, a group run by members of the Walton, Tyson, and Hunt clans, offering \$10,000 and free bikes to qualified applicants who relocated to NWA in 2020. When Silicon Valley began laying off workers during recent waves of economic stability, the council ran an aggressive million-dollar ad campaign to lure tech workers to Bentonville.

In September on a 350-acre slice of rolling Bentonville grounds surrounded by forest owned by the Walton’s, the third-gen heirs will oversee their second annual FORMAT, an arts and culture festival that has drawn major artists like LCD Soundsystem, The National, Modest Mouse, The Flaming Lips, and Beach House, while art installations will make fashionable critiques of our capitalistic society. Last year’s event included a dystopian-themed speakeasy with a front door that looked like a port-a-potty and a mixed-media installation of secondhand T-shirts that “decelerates the frenetic pace of mass commodification with handcrafted production.”

The alluring mix of top-tier entertainment and morally purifying art about the pernicious effects of the very same wealth concentration that makes that entertainment possible isn’t the only draw, though, for the young families that relocate to NWA. At the Helen

## COLLECTION

### Dark Side of the Lower East Side

You know the Jewish history of Manhattan’s Lower East Side: pushcart peddlers, crowded tenements, Yiddish storefront signs. But *Tablet* has explored another world beneath all that—crooks, mobsters, thugs, and violent criminals.

[tabletmag.com/collections/dark-side-lower-east-side](https://tabletmag.com/collections/dark-side-lower-east-side)

## August Beach Reads

### Henry Bean, *The Nenoquich*

Published in 1982 under a different title, now rereleased by McNally Editions as part of our great wave of midlist redemptions, the scriptwriter Henry Bean's first and only novel, set in the post-1968 milieu of disillusioned ex-student radicals of Berkeley, occupies an interesting historical place after the young Jewish men and sex novels of Philip Roth and Leonard Michaels but before the old Jewish man and sex novels of later Roth. A friend referred to it as a consummate novel of "Jewish male sexual depravity," but the depravity on display—a seduction both cruel and tender of a married woman in her 20s by a young man in his 20s—struck me less as particularly "Jewish" than specifically "revolutionary," and belongs to the European and bourgeois tradition of the novel itself.

In many ways, while looking back to a tradition inaugurated by Goethe's *Werther*, Bean composed a novel that anticipated a problem that would soon vex Gen X—the idea that allowing yourself to admit love for anyone or anything is itself a kind of selling out to capitalism and the bourgeoisie. The ending is a sign that the author was always destined for Hollywood.

—Marco Roth

R. Walton's Children's Enrichment Center, a bike ride from the new Walmart home office, the company's knowledge workers can drop off their offspring to be immersed in the "Whole Child" approach. Kids partake in "a variety of developmentally sound learning centers including music, library, and science [and] most importantly, a highly trained staff with teacher-to-child ratios far below the state requirement."

The close attention teachers pay to students continues through the 4 to 1 teacher ratio touted by the Thaden School, the private academy funded

by the Walton Family Foundation that opened its doors to middle and high school students in 2017. The lush grasses and high-design buildings scattered over the pristine 26-acre campus have the feeling of being made by one person, the structures and perfectly arranged plant life operating under some kind of unified aesthetic harmony. Thaden's ongoing construction hasn't taken away from its curb appeal, already racking up a bevy of the nation's top design and architecture awards, including an American Institute of Architects' honor lauding "the campus master plan [that] was envisioned as an urban pastoral learning landscape," as the architect of the project, Marlon Blackwell, described it. With net assets of \$78 million and a head of school pulling in a compensation package worth \$585,000 a year, Thaden has recruited a caliber of educators good enough to assume the mantle of the top-ranked private school in Arkansas. Should any of Thaden's executive team lose sight of their mission shaping the young minds of Bentonville, there are regularly scheduled bespoke leadership coaching sessions at the University of Arkansas Sam Walton business school, not far away.

With six of Arkansas' 10 best high schools in NWA, and eight of the area's high schools ranked among the top 10% in the nation, Bentonville families have excellent options should their kids not meet the admissions criteria to join the 500 students at Thaden. Outside the NWA, however, Arkansas families are faced with less promising choices. With 22% of Arkansas' children living in poverty and 30% of the state's parents lacking secure employment, the rest of the state's school systems are perennially underfunded. Even including the NWA in the tally, just 41% of Arkansas public students were proficient in reading and less than half were proficient in math before the pandemic. Those figures had been an improvement over 2015 benchmark testing until almost all of that progress was wiped away by remote learning and pandemic lockdown disruptions, according to a recent report from the Walmart funded Forward Arkansas. Today, while half of Arkansas high school graduates go on to attend some college classes, the

drop-out rate sits around 50%, leaving only 25% of all high school graduates with college credentials.

"Significant progress on student outcomes remains elusive," Forward Arkansas found this year, noting "we should first develop a deeper understanding of how existing education funding is being used and why certain funding decisions are being made, especially at the local level."

Perhaps no investment has had the same effect in NWA as the 2011 opening of Crystal Bridges Museum of American Art. As the marquee undertaking of Sam Walton's daughter Alice Walton, whose \$63 billion fortune has made her at times the wealthiest woman in the world, Crystal Bridges catapulted the once culturally barren NWA into the upper echelon of the nation's top art destinations. Initially the home for an endowment four times the size of New York City's Whitney Museum, along with Alice's \$500 million art collection, the trove of masterworks spanning five centuries has steadily grown with major acquisitions, including the massive Louise Bourgeois bronze and steel *Maman* sculpture and Jasper Johns' "Flag" painting, both of which are on view in a museum that is open to the public with no charge for admission. Situated on 120 acres on the northern edge of Bentonville (a parcel gifted from the Walton family), the museum itself is an immersive experience designed by the preeminent Israeli architect Moshe Safdie, who set the structure's connected glass-walled pavilions over a pair of spring-fed ponds in such a way that, from various vantages, it can seem as though the museum floats upon the water, surrounded by the same dense forest of sycamores and oaks where Alice and her siblings rode horses when they were younger.

"To think that all the children growing up in this region now have access to art as a part of their education is probably the most fulfilling thing I've ever done," Alice said during a taped conversation with Safdie as the museum prepared an expansion, now ongoing, that will nearly double its footprint.

While sitting on the gallery's leather couch—set in front of the museum's luminous Mark Rothko "No. 210"—I

think of a conversation I had earlier in the week with Americo Torres, a man in Bentonville who'd taken up gardening after retiring from his job at a carpet supplier in town. Americo and his wife, Cecilia, fled from civil war in El Salvador for Los Angeles in 1980. When that city became too expensive, they moved to Bentonville, following their daughter Jennie, who had recently graduated college and found work in Walmart's claims department. I'd met Americo because his front yard flowers had caught the attention of a city councilman who was so impressed by Americo's garden that he gave him a city award for residential landscaping. At his home, Americo's wife gave me a tour of the backyard vegetable garden and trees full of apples and pears while Jennie spoke of how she could see herself at Walmart for the entirety of her career, just as one of her colleagues recently celebrated her 30th anniversary.

"It's great because Walmart just keeps growing and growing," she said, extolling the retailer's move into drone deliveries and generous health care benefits. She was particularly excited, though, about the campus for the new home office and the "Walton family having thought about it all," she said. "It's not just exercise in the gym, it's nutrition, it's chefs teaching you how to cook, it's mental health, it's psychological health. It's incredible."

Cecilia too had found herself in the Walmart loop, working for executives at the company as a well regarded nanny.

The strange spectacle of an astro-turfed local art scene functioning as a corporate advertisement for the virtues of a new model city whose entire culture was the personal project of a single billionaire clan felt removed and distant from the idyll of the Torres backyard garden, where the family seemed neither entranced nor concerned by this arrangement.

For them, the museums and bike trails were just part of what the Waltons did to improve NWA. They liked their lives here in a Southern outpost that provided an affordable place to live, a slice of land with which they could grow their own food, and enough room in the house to host friends and family who traveled from El Salvador, Spain, or London to

**"It's great because Walmart just keeps growing and growing," she said, extolling the retailer's move into drone deliveries and generous health care benefits."**

see how high the Torreses had climbed the ladder of American success.

I think of the Torres family as I walk from the Rothko at Crystal Bridges and down to the museum's five miles of trails dotted with outdoor art. Before reaching the James Turrell skyspace, I come upon the sculpted bronze figures of George Segal's Three People on Four Benches. Two sculptures, both resembling women made of papier-mache, sit facing the forest with their backs to a similarly papier-mached-looking middle-aged man on an opposite bench, his arms crossed toward a ravine. Further on, in a small bubbling pond, hundreds of large silver orbs from Yayoi Kusama's 1996 work Narcissus Garden float back and forth along the smooth turquoise surface. The eyes of Segal's stern, lonely man are painted in such a way that it was unclear if they were shut, leaving open the possibility that the figure is simply tired and resting, or shutting out the rest of the world to become fully immersed in the troubles and pleasures of his own life, unbothered by the silent, silver orbs sparkling beneath the broad blue skies of Arkansas.

Landing back in my collapsing home city the next morning, I caught a glimpse of a different kind of glow, cast off the skyline of office towers. These remain largely vacant as landlords struggle to

persuade workers back to what's become 9.7 million square feet of empty offices across my metro area. In the shadow of those towers, my city's roughly 5,000 homeless congregated in sprawling encampments and tent alleys, though nowhere had become quite as bad as the area dominated by the largest open air drug market in the nation. And while the murder rate had seemingly stalled out this spring after breaking records for the past several years, it was little consolation; there were 53 children murdered with guns by May, leaving the city's youth homicide rate stagnant.

But maybe I was being too hard on my home of the past decade. After all, it's been nothing but love as of late for the city's public art scene, while marquee dining destinations continue to accumulate trophies at the James Beard Awards, including a nod as the host, once again, to the best restaurant in the nation. And the recently crowned Democratic nominee for mayor, all but assured to take over city hall, dominated a crowded field with a campaign promise to finally restore order and dignity to the neighborhoods suffering alongside those 30-foot murals and \$18 cho muang dumplings.

It was possible, in fact, that we were just a city of men as Augustine described: fallen, yes, but by no means unable to recover and rise to the heights of a place like Bentonville, where the Waltons have engineered something so complete and comprehensive in its design as to suggest divine creation. And should things fizzle out with our new mayor, perhaps a renewed faith in the possibility of a better tomorrow would bring my hometown a benefactor of its own. What else could we pray for, if only someone with enough virtue and money to turn this into a city of God. ■

*This article was originally published on August 16, 2023.*

## SCIENCE

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# Pinkwashing the Thought Police

A movement devoted to equal rights for gays has been overtaken by 'queers' championing a censorship regime

BY JAMES KIRCHICK

A hallmark of every dictatorial regime is an inability to withstand scrutiny. From the emperors of antiquity to the tyrants (both tinpot and tech-savvy) of today, what absolutist rulers throughout human history all have in common is an extremely low tolerance for criticism. No matter the nature of their regime—a Latin American junta, an East Bloc nomenklatura, or an African kleptocracy—among the very first actions that the aspiring authoritarian takes upon seizing power is to silence those who might point out his shortcomings.

“Authoritarian” is the word that first comes to mind upon reading the open letter addressed to the country’s largest social media platforms earlier this summer, calling on them to “Stop the Flow of Anti-Trans Hate & Malicious Disinformation About Trans Healthcare.” Organized by the Human Rights Campaign and GLAAD, two of America’s leading LGBTQ rights groups, the letter, which was signed by over 250 celebrities including Jamie Lee Curtis, Elliot Page, and Patrick Stewart, faults Facebook, Instagram, YouTube, TikTok, and Twitter for “a massive systemic failure to prohibit hate, harassment, and malicious anti-LGBTQ disinformation on your platforms [that] *must* be addressed.”

Like their effort earlier this year reproaching *The New York Times* over its coverage of transgender issues, this latest missive on the part of HRC and GLAAD is heavy on adjectives and short on facts. In a glaring tell, the word “dangerous” appears four times to describe

various types of constitutionally protected expression. So too does the term “hate speech,” which the Supreme Court, under both liberal and conservative majorities, has continuously refused to recognize as a legal category.

Examples of such “hate speech” that the signatories want banished from the internet include “targeted misgendering and deadnaming,” the latter being the practice of referring to a transgender person by their birth name rather than their chosen one. In a footnote, the letter links to an article declaring that the “relentless misgendering of Dr. Rachel Levine,” an assistant secretary for health and the first openly transgender Senate-confirmed government official, “is violence.” You know, violence, a category that now includes punching someone, stabbing them, and using the name on their birth certificate.

To be sure, deliberately misgendering and deadnaming are rude. But it’s difficult to see how banning such practices from the digital public square would not lead to banning whatever any other group of aggrieved people happens to consider offensive. Rep. Marjorie Taylor Greene is called all sorts of nasty names on the internet. Why should Levine, a public official who routinely uses her platform to push dubious policies regarding the provision of puberty blockers and hormones to gender dysphoric youth, be legally protected from insult but not the dishonorable woman from Georgia? The letter’s organizers unwittingly reveal this slippery slope with their insistence that tech companies “urgently take action to protect trans and LGBTQ users on your platforms (including protecting

us from *over*-enforcement and censorship).” In other words, free speech for me but not for thee.

To justify its call for a vast censorship regime, the letter asserts that online “disinformation and hate” have played “an outsize role in the sharp increase in real-world anti-transgender targeting and violence.” Yet it provides no facts to connect these two phenomena. And it undermines its own claim completely by linking to three of the very videos it claims are provoking violence against trans people—an act that, if we were to take the letter’s argument seriously, would itself constitute a punishable form of “violence.”

The greatest problem with the letter concerns “disinformation,” a deliberately elusive term the cynical purposes of which my colleague Jacob Siegel has exhaustively diagnosed, and which appears nine times throughout the text. By “disinformation,” the signatories appear to mean anything questioning the advisability of what they euphemistically term “medically necessary healthcare for transgender youth”—that is, sex changes for children. But like “fake news,” its MAGA equivalent, “disinformation” is in the eye of the beholder. Take the letter’s bald-faced assertion that “every leading medical and psychological association affirms the safety and necessity of gender affirming healthcare for trans people, including youth.” Britain’s National Health Service, Sweden’s Board of Health and Welfare, and the Finnish Health Authority—all of which have drastically limited the use of puberty blockers and cross-sex hormones on minors after conducting extensive reviews of their effects—would beg to differ.

Last month, a group of 18 medical experts from around the world published an open letter criticizing the U.S. Endocrine Society for its approach to youth gender transition, stating that while “the evidence for mental-health benefits of hormonal interventions for minors” is “of low or very low certainty ... the risks are significant and include sterility, life-long dependence on medication and the anguish of regret.” The troubling reality is that America’s ideologically captured medical and psychological associations find themselves increasingly isolated

## August Beach Reads

Nell Zink, *Avalon*

Nell Zink's latest novel, *Avalon*, her shortest and tightest so far, is a romantic book about the dialectic of enlightenment. If that sounds Germanically ponderous or just kind of theoretically abstract and out there, don't worry: *Avalon* also happens to be one of the best-paced and most note-perfect, sentence-for-sentence novels written in many years, and also one of the funniest. It has the flash of a fairy tale, the absurd zing of an early *Simpsons* episode, and the joy of Mozart.

A tale of a young California girl's emancipation (from poverty and the ruthless exploitation and manipulation of her step-family who run a tree farm and dabble in organized crime), unusually for the contemporary novel, liberation and self-knowledge both come about by her falling in love with a dorky older boy who likes to quote German philosophy. A diversion in every possible sense, and the best example of what artistic freedom can sound like on the page without slipping into self-indulgence, *Avalon* is a straight shot distillation of one of the most interesting minds in contemporary fiction.

—Marco Roth

among their European peers when it comes to pediatric gender medicine, a challenging set of circumstances for American progressives, who are normally urging us to become *more like* Europe.

Whatever one's views about the transgender issue and its improbable prominence in American life, pediatric gender medicine is an extremely complex subject. It deserves—indeed, requires—further research and debate, not the suppression of contrary perspectives. If the tech platforms acquiesced to the demands of HRC, GLAAD and their cowed celebrity “allies” (at least I hope that's why Patrick Stewart's agent

agreed to let his client's name be associated with something so patently foolish as this), reams of vital scientific data would be banned, as would the work of journalists from across the political spectrum and around the world. With HRC and GLAAD having failed in their high-profile effort to bully *The New York Times*, and HRC doubly humiliated that its declaration of a “national state of emergency for LGBTQ+ people” has fallen on deaf ears, these organizations are now flocking to the last refuge of the desperate: censorship. To deal with the “malicious lies and disinformation” about pediatric gender medicine, they demand, social media platforms must implement “specific mitigations ... akin to election and COVID-19 mitigations and rules.” From the people who told you that Hunter Biden's laptop was Russian disinformation and the lab leak theory was a racist lie, here's the latest update on “medically necessary healthcare for transgender youth.”

A telltale sign of the dishonest interlocutor is if they oppose your right to question them. Politicians who refuse interviews with the press, public health officials who demonize dissenters, activists who demand the muzzling of opposing opinions—such people are simply not to be trusted.

The censoriousness of today's LGBTQ+ leadership is a shameful betrayal of earlier generations of gay and lesbian activists and thinkers, who embraced free speech as a matter of principle—and basic survival. People like Frank Kameny, the first gay federal employee to challenge his firing on the grounds of his homosexuality in 1957, and who harnessed the First Amendment to launch a decadeslong fight for equality that culminated with him receiving a formal apology from the government in 2009. Norah Vincent, the iconoclastic lesbian writer who routinely slayed sacred cows, including those among her fellow gays. Jon Corvino, the American philosophy professor and author of *What's Wrong With Homosexuality*, who has never shied away from debating Christian fundamentalists who think he's going to hell. How else would a people who were among civilization's

most despised achieve full and equal citizenship in such a relatively short period of time, but for their embrace of the right to speak?

For a devastating example of what happens when someone who has never had to defend their beliefs before a skeptical inquirer is suddenly forced to contend with one, consider the recent testimony of HRC's president, Kelley Robinson, before the Senate Judiciary Committee this past June. Robinson appeared as a Democratic witness in support of the Equality Act, a long-stalled piece of legislation that would, among other measures, permit natal males to compete in women's sporting competitions if they identify as women. Following her testimony, Republican Sen. John Kennedy asked Robinson how many genders there are, a question to which Robinson refused to give a straight answer. A frustrated Kennedy then asked Robinson if “males have an advantage over females biologically in sports.” The whole exchange is brutal to behold:

Under HRC and GLAAD's new rules, simply posting this video would likely be prohibited as a form of “hate speech.”

Such an embarrassing spectacle—the leader of the nation's preeminent gay rights organization spouting transparent nonsense at a congressional hearing—would have been unthinkable before 2015. That was the year the Supreme Court legalized same-sex marriage nationwide, at which point the gay rights movement achieved its major aim and the professionals who had devoted their careers to it began departing for other pursuits. Alas, what was once a serious cause devoted to the attainment of equal rights for gay men and women has since been overtaken by “queers” who deny that the categories of men and women as most of us understand them even exist.

Freedom of speech was the most important tool of the gay movement, but it's proving to be a highly problematic obstacle for the queer one. And so, like the proverbial emperor of yore, its leaders admonish anyone who dares point out that they're not wearing any clothes. ■

*This article was originally published on August 13, 2023*

# The Jewish Case for Prison Reform

What the Lubavitcher Rebbe understood about the criminal justice system

BY YISRAEL ELIASHIV

**C**urrent American debates about crime and justice center around either-or propositions. Either we support the institutions of law and order embodied by police and prisons or we support the criminal justice overhauls aimed at reforming—in some cases abolishing—those institutions. Either we want to live in safe cities free from the threat of violence and theft, or we oppose inhumane prison conditions. We can sympathize with the victims of crimes or with the victims of a cruel system, but not both. Simply put, we are told that we have to choose between peace and justice.

On one side of the ledger are the scenes of out-of-control violence and disorder in cities like Oakland and Chicago. On the other is the constant stream of news stories and viral videos highlighting the abuses of the criminal justice system. This polarized vision, split along partisan lines, is a trap—the kind of false binary that our contemporary political culture specializes in producing, but it can be escaped by turning away from politics for a moment and considering the teachings of the Lubavitcher Rebbe, Menachem Schneerson. The Rebbe, as he is universally known to his followers in the Chabad movement, was both a passionate advocate for prison reform and a supporter of law and order.

In 1968, in the aftermath of national riots and an earlier episode of convulsive debates over crime and policing, New York City's then-Mayor John Lindsay visited the Rebbe in his study in Crown Heights, Brooklyn. There, writes Chabad.org's Dovid Margolin, the Rebbe

advised the mayor that “proper policing and maintaining safe streets would benefit not only potential victims, but also aid the would-be criminals themselves, so often not much older than children.”

Rather than forcing us to see criminals as human beings, whose well-being is ultimately tied to society as a whole, our current system tries to hide them from sight. But even that is no longer possible as the conditions in prisons like New York City's Rikers Island have gotten so bad that scandals related to the facility are now a recurring feature of local news. Indeed a CBS News feature from just last month detailed the findings of a federal monitor's report that found the hygienic conditions in Rikers are downright inhumane:

The 150 pictures in the report paint a stomach-turning picture of dirty toilets, wash basins, sinks and other personal hygiene facilities. [...] Inspectors found a cornucopia of live roaches, ants, water bugs, fruit flies, gnats, and mouse droppings.

Aside from filth, the violence, abuse, murders, and suicides at Rikers wreak havoc among the prisoners. While the prisoners have no choice, a significant portion of correctional officers abuse their sick days to avoid showing up to work in such conditions. In fact, the situation has devolved to the point where a potential federal takeover of Rikers is in the cards due to City Hall's failure to comply with a series of court orders aimed at improving the prisoners' conditions.

Yet, for all of the U.S. attorney's showboating about taking over Rikers

Island in order to clean up the city's mess, study after study has revealed that sanitary conditions and the treatment of prisoners are poor across the federal prison system, too. A recent John Hopkins Bloomberg School of Public Health analysis revealed that chronic health conditions such as Type 2 diabetes, asthma, HIV, and a host of mental illnesses are significantly undertreated in correctional facilities compared to the general population. Much like in Rikers Island, it's a common occurrence in federal prisons for toilets to either overflow or suffer from water shortages, forcing inmates to spend days with their refuse in their cells. These urgent yet easily solvable health and sanitary crises are compounded by the fact that a third of state and federal prisons are located within three miles of a Federal Superfund site. Superfund sites are polluted locations requiring a long-term response to clean up hazardous contaminants, and living in such close proximity can shave off up to 15 months of a person's life expectancy.

As bad as the hygienic and safety conditions are, they pale in comparison to the brutality and cruelty that convicts inflict on each other and on the guards, or that is directed at them by correctional officers.

In an “Inside Rikers” special report, ABC7 NY found that assaults against officers have increased by more than 23% over the last decade, while fights between inmates have more than quadrupled over the same period. Multiple studies over the previous 40 years have shown that between 20% and 25% of prisoners have reported being victims of physical violence from another inmate while incarcerated.

Guard-on-inmate violence might be even more frequent, though it's hard to get accurate numbers since it's common

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for guards to cover up for each other, falsify reports, or punish prisoners who want to complain with solitary confinement as a deterrent.

This climate of violence leads many first-time offenders to seek gang affiliation inside prison as a form of protection, which in turn increases the likelihood they will engage in violence and reoffend once released. It also highly increases the chance they will spend time in solitary confinement due to the violent behavior of their gang-related activities.

Solitary confinement is considered a form of torture, and its abusers can be tried for war crimes, if inflicted for 15 days or more. Yet, in the American prison system, some inmates spend months, years, or even decades, in solitary confinement. After being wrongfully convicted of killing a prison guard, Albert Woodfox spent some 43 years in solitary confinement—possibly the longest any American has been imprisoned in solitary—before his conviction was overturned on appeal. Nearly half of suicide attempts happen in solitary, and inmates are 12 times more likely to attempt suicide there than in the general prison population.

It might be argued that the very cruelty of the American prison system would at least discourage people from returning to such hellish conditions—but the evidence shows this is wrong.

In 2019, the U.S. Department of Justice released a special report which found a recidivism rate of 78% among violent crime offenders, 84% among drug offenders, and 87% among property crime offenders. Almost 44% of criminals return to prison within a year of release. 68% are rearrested within three years, 79% within six years, and 83% within nine years.

These statistics show we do not have a correctional facility that emphasizes correction. Only 5.1% of the global American population will spend any time in prison throughout their lives, but of those who will, most will end up there more than once.

The conclusion is clear: The U.S. penal system neither rehabilitates prisoners nor scares them out of reoffending.

**“Where our political culture falls short, Judaism has the answer.”**

Instead, it routinely subjects inmates to conditions of rampant depravation and violence that, in other contexts, we would consider torture.

Unfortunately, most of the solutions to the prison problem proposed by progressive criminal justice reform advocates threaten to make things even worse. So-called “decarceral” policies aimed at reducing the prison population often do so by simply allowing crimes to go unpunished. In New York City for instance, District Attorney Alvin Bragg, who campaigned for office as a criminal justice reformer, announced as his first public policy that his office would “not seek a carceral sentence” for a whole host of crimes. In the period since he took office on Jan 1, 2022, Bragg’s office downgraded 52% of felony cases to misdemeanors, “while also managing to lose half of the felony cases that do reach court,” according to an analysis from the *New York Post*. That approach did send fewer people into the prison system—the *Post* recorded a 29% drop in felony convictions leading to prison sentences in the period it examined compared to 2019—but major crimes in the city spiked by 22% last year.

Meanwhile, on the other side of the aisle, conservatives tend to simply ignore the issue, or insist that prisoners

deserve the appalling conditions as retribution for their crimes.

Thankfully, where our political culture falls short, Judaism has the answer.

A formerly incarcerated man shares his experience of how Aleph supported him on his journey through the prison system and beyond

During a 1976 Hasidic gathering in Brooklyn, the Lubavitcher Rebbe noted that out of all of the punishments and sentences considered in the Torah and books of Jewish law, prison is not mentioned once. Since the Torah is called a “Torah of Kindness,” he explained, any disciplinary action deemed necessary by the Torah is, by extension, an act of kindness.

The primary function of prescribed punishments, from fines all the way to the death penalty, is to act as a deterrent and preventive measure to ensure that criminals will not reoffend. However, the Torah is very clear that while these are necessary, they should not be seen as a permanent mark on someone’s record. Even concerning the worst corporal punishment, the Torah states that after the guilty party has been punished, “... behold, he is ‘your brother.’” That is a radical notion, a call to solidarity with the condemned that resonates with the vision of the progressive “restorative justice” movement.

Regarding the death penalty, the Torah clarifies that it is only inflicted so that the guilty party will pay for their crime in this world and will not be punished in the next. As a result, they will be granted life in the World to Come. It’s also why, according to Jewish Sages, such a judgment was only rendered once every seven years (some say 70) and performed in a way as to preserve dignity. The condemned were supposed to be given a potion that would render them unconscious so that they would not suffer.

From this we can learn a fundamental lesson about how to treat those who have broken the law: Once someone has paid for his crime, the Torah adjures us to look at him not as an ex-convict, as a criminal, as a felon, but rather as a brother—as a fellow citizen. Even a man who committed the worst of crimes should not lose his dignity; if

the death penalty is necessary, it is done not out of anger, retribution, or revenge, but because it's the right thing to do for the sake of both the guilty and society.

These were not mere abstract concerns for the Hasidic leader. In 1981, the Aleph Institute was founded at the Rebbe's directive, and today serves more than 5,000 Jews incarcerated in the U.S. penal system, helping them to ensure that they can carry out daily Jewish practices, obtain kosher food, properly celebrate holidays, and receive spiritual and emotional support both on the inside and after their release from prison. But the message was not restricted to Jewish prisoners. The Rebbe exhorted people to start organizations to help both Jewish and non-Jewish prisoners. He also emphasized lobbying for early-release programs in exchange for good behavior.

The stigma attached to being an ex-convict is one of the main barriers that former prisoners face when reentering society. It heavily affects their attitude post-release. If we can learn to see their humanity instead of imagining them still in prison uniform, it will go a long way to help former convicts reintegrate into society and become valuable members once again. As the Rebbe pointed out during that same 1976 gathering, it's not only that the person shouldn't lose their brotherly image in our eyes, but that it should also not negate the divine nature of a human being. We are obligated to uphold the belief that even the worst criminal was still created in the image of G-d.

According to the Rebbe, Judaism's vision of crime and punishment is encapsulated in the verse "man was born to toil." The meaning of the verse is that a man should not spend his day idly but should rather be productive. To accomplish this, however, an individual needs self-determination, and yet prison is the opposite of self-determination. How then can prisoners possibly fulfill their G-d-given purpose in such an environment?

The answer is simple: If a man is in prison, it should not be a punishment but an occasion to reflect on his

undesirable actions. He should be given the opportunity to learn, improve himself, and prepare for his release, at which point he can embrace an honest and peaceful new life. Instead of wasting his days in prison, he will look back on those days as having been filled with meaning.

Studies show that, alongside the previously mentioned stigma, the lack of education and employment opportunities are two of the most significant factors in recidivism. Conversely, prisoners participating in post-high school education programs or in learning a trade are 45% less likely to reoffend once out of prison, according to the Department of Justice. It affects not only their lives outside of prison but inside as well; participation in such programs leads to lower levels of inmate violence and fosters an entirely different relationship between prisoners.

The Rebbe finished his 1976 discourse by stating that for a man to rehabilitate, first and foremost, the prisoner must be able to retain a sense of his humanity and likeness to G-d. He is a human being who can, if he so chooses, be a reflection of G-dliness and goodness in this world. However, when a prisoner is denied his humanity and self-image, when he feels that he's subjugated and unable to raise his head, the prison system will inevitably create an even greater criminal.

By our current political standards, these proposals may seem naive or impractical. *Too invested in G-d and human goodness. Too religious.* But in fact they are far more practical than our current method of expecting to reduce criminality by treating people as sub-human, and far more reasonable than allowing criminals to prey on innocent people and then calling this "justice." What we are doing now has failed. It is time to try the Jewish way.

When not teaching in Yeshiva, Yisrael Eliashiv can be found on twitter at @shevereshtus, where he discusses culture, political issues, and the modern world as understood through the Hasidic lens. ■

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## Album of the Week

### Girl Ray, *Prestige*

Girl Ray are three British women—Poppy Hankin, Iris McConnell, and Sophie Moss—who have been making tightly built indie-pop since 2016, music that's too formed and propulsive to be described with a label like "twee." *Prestige*, their third album, marks their biggest sonic growth since they've started, filled with undeniable bops.

*Prestige* started off a little like disco did, as a nostalgia trip. Hankin was watching the TV show *Pose*, which moves through the '80s and '90s from the perspective of New York City's ball culture, trans sex workers, yuppies doing coke in Trump Tower, and so on. Hankin says in an interview that "the soundtrack, and the aesthetic, aside from it being a great TV show, just drew my attention more to that scene, and let me delve more into the roots of disco."

That led to a little world-building work, with Girl Ray developing the idea for an '80s discotheque called *Prestige* where they're the house band. Girl Ray's *Prestige* is perfect background music, the type of music you put on for working and gets so good that you can't help but stop for a minute here and there to listen more intensely. As disco itself teaches, repetition can be a strength.

—David Meir Grossman

## THE REST

→ Roughly **half of Americans approve of the Justice Department's indictment against Donald Trump for his attempts to stay in office after losing to Joe Biden in 2020**, according to a new Associated Press-NORC poll taken before Monday's charges in the Georgia case. Falling along party lines, the survey results show that 85% of Democrats but only 15% of Republicans supported the charges brought against the former president in the federal probe. It's likely that the ongoing support for Trump amongst his base will continue as the four cases against him move through the courts. The AP-NORC survey reported that while 62% of all Americans have an unfavorable view of Trump, 6 out of every 10 Republicans want him to continue his bid for the White House.

→ The **arrival of 6,500 Wagner Group mercenary troops in the Russian-allied nation of Belarus since June has raised some questions about the role its capital, Minsk, will play in the conflict between Moscow and Kyiv**. Supposedly, the Wagner forces are there simply to train Belarusian troops, but Polish and Ukrainian officials say that at least some of the fighters have been sent to the borders and could be preparing to stage covert attacks against Poland, Latvia, or Lithuania, according to new reporting by Jay Solomon in Semafor. Iranian-Belarusian cooperation is a similar concern, particularly the possible construction of an Iranian drone factory, which would provide Russia with another base from which to launch drone strikes against Ukrainian targets.

→ On Friday, the **offices of small Kansas newspaper *Marion County Record*, as well as the home of its owner, Joan Meyer, were raided by local police, who seized cell phones and computers that the paper says contained information about an investigation into Marion Police Chief Gideon Cody**. The newspaper had been investigating Cody prior to his May 30 installment in the role of chief, and Cody says the fact that the paper never published its findings vindicates whatever allegations it might have made against him. But the ostensible reason for the raid was related to private information shared with the paper about local restaurateur Kari Newell, who's apparently continued driving despite losing her license 15 years ago. The paper decided not to publish the information about Newell because it came from an anonymous source, but the paper did inform police it had received the information, without revealing Newell's name. The police did not respond but showed up the following week for the multiple raids. Clay Calvert, an emeritus professor at the University of Florida with expertise in freedom of the press, called it "an egregious and outrageous attack on small-town journalism."

→ **Quote of the Week: "Officials at the U.S. Department of Health and Human Services advised hundreds of employees in San Francisco to work remotely for the foreseeable future due to public safety concerns outside the Nancy Pelosi Federal Building on Seventh Street."** That's the lead on a new *San Francisco Chronicle* article covering the difficulties various federal agencies now have in getting workers safely into work at the 18-story tower in downtown San Fran, a building that stands amid one of the city's most active open-air drug markets. "In light of the conditions at the (Federal Building) we recommend employees ... maximize the use of telework for the foreseeable future," HHS Assistant Secretary for Administration Cheryl R. Campbell wrote in an Aug. 4 memo to agency department heads. The memo was released on the same day the Biden administration made a push for more federal workers to end remote work and get back into their offices.

## THE BIG STORY

**Former president Donald Trump was indicted by a Georgia grand jury Monday night alongside eighteen co-conspirators, including former New York mayor Rudy Giuliani, former White House chief of staff Mark Meadows, and former chairman of the Georgia Republican Party David Shafer. The 41 charges all stemmed from what prosecutors described as a plot to "unlawfully change the outcome of the [2020] election in favor of Trump." All of the defendants are charged with racketeering under Georgia's RICO statute, allowing the individual crimes of the entire group to be prosecuted on an individual basis but also as part of the larger racketeering charge. In the state of Georgia, a conviction on this count requires a five-year minimum prison sentence.**

Described by Trump as a "Witch Hunt!" on his Truth Social account, his fourth indictment in recent months was also criticized by several GOP leaders, including House Republican Conference Chairwoman Elise Stefanik (R-NY), who said the case was "blatant election interference by the far-left."

—Sean Cooper

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## COMMUNITY

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# King Von Was a Shooter

The line between life and art isn't always clear, especially in hip-hop. What responsibility does that impose on fans?

BY JAYSON BUFORD

**D**espite carefully insisting that his lyrics weren't a veracious account of gang violence, it is becoming increasingly clear that Chicago rapper King Von was, in fact, a shooter. Von, born Dayvon Bennett, was murdered in Atlanta in November 2020, but his legend remains widely talked about—both for its proximity to violence and for his wondrous lyrical gifts. It's a curious bundle of conflicts for a rapper to actually be a notorious criminal rather than an artist who may happen to specialize in lyrical depictions of, or fantasies about, crime. Rappers aren't congressmen; then again, and this can't be said enough times, they aren't supposed to be Frank Sheeran either.

I've been thinking about Von lately, especially after swallowing my pride and antagonism toward internet detectives by finally watching the YouTube documentary "King Von: Rap's First Serial Killer." Filmmaker Trap Lore Ross speaks on Von's life on the streets with a detective's eye—both figuratively and in the way that he seems eager to discuss Von's moral failings. The details in the documentary are convincingly harrowing, even though the practice of YouTubers playing detective can be dubious. Here, Ross has the goods.

With a disarming patience, the three-hour film goes back as early as 2012 to show Von to have been an eager and gleeful gang member, as well as a cold murderer, an abuser of women, and someone who tweeted out his crimes with an irreverence normally reserved for Phil Leotardo. We usually think of gang members as a product of their environments—an actualization of

the vicious violence and discrimination that plagues Black neighborhoods throughout America. While all that that is true in Von's case, the documentary also alleges that Von played his role without a conscience, and in a particularly vicious way.

Absurdly, Von often tweeted—in slang—about violent events that he was either responsible for or directly knew about. At one point, after the murder of a gang member named Lil James, he counted out the names of the rival gang members that he or his gang had killed. He murdered a woman like an SVU character; he escaped the charges like Gotti. (In fairness to Von, and I say that lightly, during one of the murders, he provided Chicago detectives with an alibi. For whatever reasons, the detectives let him go. Whether that alibi was legit is unclear.)

All of this is a lot to watch in one sitting. Many names are mentioned, and many tweets are shown on screen. This is a comprehensive, widescreen documentary for a person who lived life like a villain on the widescreen. To see Von in this documentary is to see a man consumed with a lifestyle that left his neighborhood ravaged; a pitiful lifestyle that left mothers without their sons, and kids without their fathers.

The scale of King Von's life is both niche and immensely large. The South Side of Chicago—particularly Englewood—is one of the most famous neighborhoods in an iconic American city. It's famous for its rap, and for its violence. Kanye West had been talking about the murder rate in Chicago long before Trump started using it as a proxy for his relentless racism. Its violence is both local and notorious, widely discussed and weirdly kept under

wraps, gleefully committed by its hardened residents, and fiercely protested against by its most committed and concerned citizens.

In 2017, after Lil Durk helped Von, his childhood friend, get settled for civilian life after a short jail sentence, Von became a shockingly spectacular rapper. Durk correctly saw the raw potential in Von; Von was able to answer Durk's evaluation with a foundational lyricism and studious work ethic. Songs like "War With Us" and "GTA" spoke unsettling truths about a mentality he was fed, and one that he incarnated. After Von's murder, he was immediately canonized by LeBron James, an athlete widely known as an American hero. But Von was also a gangster who spewed a heritage of violence. Those two facts are intertwined, and together are tantalizing—you genuinely can't love Von's music without knowing who he was.

Von's death was a sad event. He was murdered after an altercation outside a hookah lounge at only 26 years old. He was thriving, personally and creatively. Jail had been good for him. "Welcome to the O Block" was a nuanced affair; his production was more modern and soulful. The hooks were crisper. If the storytelling on his previous records was more complete, he was now becoming a mainstream star. His family was enjoying the fruits of his generational voice. The deafening gangsterism on "Levon James," his prior album, was a jolt in the rap world; other drill stars were more melodic, but he was perhaps the best pure rapper—both in his autobiographical purity and his lyrical proficiency.

*Grandson*, Von's second posthumous album, came out two weeks ago, with a picture of his son—a startlingly beautiful Black boy—on the cover. It shows Von as the intense rapper that he was—a ball of fire, and a voice that whistles through your speakers with a feverish pacing. The album is bogged down by the typical problems with posthumous work: These are obviously demos, and they could use some more intensity. But weed out some of the unfinished songs, and Von's people have done a decent job with the production. Sometimes, the album feels like Von calling in from heaven—or possibly hell—to discuss

his dreams, which are both profound and upsetting. “My past keep hauntin’ me,” he says, on “When I Die,” and you want to believe that is true. If Von was a murderer, and it sure looks like he was, then you hope that he begged for forgiveness, or that he would have ended up preaching to kids that another way of life was possible.

Violence is a miserable cycle of mere despair and fright. (It has been alleged that Von transitioned to murder after watching his friend get shot in front of him.) Hearing his bouncy flow on “Real

Oppy” with G-Herbo felt like the infamous Chris Farley skit from *Saturday Night Live*: I smiled and then felt the smile slowly wither away.

It’s not that I am afraid of, or allergic to listening to, the violence of Von’s music. But I don’t want to start celebrating aspects of Black American life that feel nihilistically grim. This kind of listening is like rubbernecking at a car crash. It promotes a deadly product and cycle being perpetuated and deified by everyone, including Trap Lore Ross.

Yet to me, Von wasn’t only a killer. He was also a very handsome young man—with full Black lips to match his charm. I selfishly don’t want to be reminded that he thought of himself as a savage. It reminds me of the quote from *No Country for Old Men*, on why the aging sheriff fears confronting the evil of the modern world: “A man would have to put his soul at hazard. He’d have to say: ‘OK, I’ll be a part of this world.’” ■

*This article was originally published on August 15, 2023.*

## COMMUNITY

# The Beer Baron of the Lower East Side

Dubbed ‘one of the Prohibition era’s most sinister underworld figures,’ Waxey Gordon spent decades as a thief, gangster, tax cheat, and bootlegger before dying in prison

BY ALLAN LEVINE

*Chronicled and mythologized in scholarly and popular history books, novels, films, and plays, New York’s Lower East Side in the late 19th and early 20th centuries was overcrowded, and teeming with peddlers, tailors, sweatshops, and barely livable tenement houses. By 1910, an estimated 540,000 Jews resided within the neighborhood’s 1.5 square miles. The poverty, hardships, and daily struggle to survive drove some Jewish immigrants to seek other ways to make a living, even get rich. Hence, the Lower East Side also had a vast collection of crooks, pimps, prostitutes, thieves, pickpockets, gangsters, fraudsters, forgers, arsonists, and hoodlums. Offered here is one of an ongoing series of portraits of some of these nefarious characters, who also left their mark on the Lower East Side’s historical legacy.*

*“Since his first act of lawlessness forty-six years ago, [Waxey Gordon’s]*

*contempt for authority manifested by progressively more serious criminality, has been like a malignant cancer, weakening the dignity and good order of the community.”*

—Judge Francis L. Valente,  
Dec. 13, 1951

**S**hort, stocky, thick, and muscular, Irving Wexler (or Isaac or Isidore Wechsler) — better known as “Waxey” Gordon—sporting his fashionable fedora and fine suits, epitomized the New York City and Chicago gangsters of the 1920s and ’30s. In a “profession” where many men died young in a hail of bullets or were sent to jail for half their lives, Gordon was a survivor. His criminal career endured for nearly 50 years, from 1905 to 1952. In that period, he had some close calls

and made more than a few enemies. He spent a total of 14 years in prison; the longest stretch was from 1933 to 1940; when he died in late June 1952, he was six months into a 25-year sentence. Still, his rise to the “rank of racket overlord,” as *The New York Times* described him, was not accidental; it owed to a sinister guile, persistent greed, and brazen corruption.

Born in January 1888, Wexler grew up on the Lower East Side near Forsythe and Chrystie streets, the son of Louis and Beila Wechsler, impoverished Jewish immigrants from Lvov (Lviv), then under the control of the Austro-Hungarian Empire (today in Ukraine). Louis was an expressman, or trucker. He and Beila had four children; Irving was the eldest. When Wexler was 10 years old, his mother died and his father later remarried. Irving did not get along with his stepmother. He was soon drawn to crime, as a pickpocket. He was so adept at it that he acquired the nickname “Waxey” (also spelled “Waxie” and “Waxy” in the press) because, as crime writer Carl Sifakis noted, “he could slide a victim’s wallet out of his pocket as though it were coated with wax.” The surname “Gordon” was merely one of his many aliases, as in “Harry Gordon.” He also passed himself off at various times as Harry Brown, Benjamin Lustig, Benjamin Lester, Harry Middleton, Louis Weschster, Harry Wechsler, and Harry Burns.

His first run-in with the police was when he was 17 years old: In September



1905, he was sent to the Elmira Reformatory on a charge of grand larceny. During the next few years, he was arrested several more times and spent more time in Elmira, as well as nearly two years in Holmesburg Prison in Pennsylvania following another grand larceny conviction in Philadelphia. The authorities believed his name was Harry Middleton.

When he returned to New York in late 1912 and moved into a tenement near the corner of Delancey and Forsythe streets, he joined Dopey Benny Fein's East Side gang. This was soon after Benny had assumed leadership of the gang following the murder of his predecessor, Big Jack Zelig. For a time, Gordon served as one of Benny's thugs, breaking arms and kneecaps (or worse) as required in his "work" for the Jewish labor unions. As Abe Shoenfeld, chief investigator for the New York Kehilla's Bureau of Social Morals, later noted, Gordon was "a gangster and a tough man ... He broke many a poor Jew's head and was always a bully in the mob."

In January 1914, Gordon was involved in a shootout near the Arlington Dance Hall on St. Marks Place in an altercation that pitted Benny's men against their chief rivals from Five Points led by Jack Sirocco and Chick Tricker. None of the gangsters was killed, but a 65-year-old court clerk named Frederick Strauss was shot and killed as he was caught in the crossfire. Witnesses placed Gordon (called Louis Wechster) at the crime scene and he, along with Benny and several other gang members, were arrested. Insufficient evidence, however, led to the release of Gordon, Benny, and the other men charged.

As was to be constant throughout his life, Gordon could not stay out of trouble or stay honest. In July 1915, he was arrested as he was spending a relaxing day swimming with a few friends at the beach near the foot of East 96th Street. The police charged him and three other men with having invaded a merchant exchange and wholesale five months earlier, holding the owner at gunpoint, and robbing him of cash and jewelry. For this crime, Gordon was sentenced to two-and-half years in Sing Sing prison. Following his release, he and eight

**"A bottle of Scotch whisky, which before 1920 cost a few dollars, now could run as high as \$16 for a quart."**

others were again put on trial for the Strauss murder. Based on information provided by Joseph "Jo the Greaser" Rosenzweig, who was serving a 10-year sentence in Sing Sing for murder, Gordon was now alleged to have been one of the gunmen who hit Strauss. Yet, again, Gordon's luck stood: After five hours, the jury acquitted him.

In early December 1913, Gordon married Leah Goldman and they had three children. Being a husband and father did not stop his life of crime, however. In 1917, he was arrested twice for committing assault and battery, though on both occasions the charges were dropped. While he peddled opium and other narcotics, which made him some money, the opportunity to acquire even more wealth soon presented itself.

Congress' ratification of the 18th Amendment to the U.S. Constitution early in 1918, and the subsequent ratification by a sufficient number of states, led the way for Prohibition to begin on Jan. 16, 1920. In May 1919, Congress had passed the Volstead Act, named after one of its authors, Republican Congressman Andrew Volstead of Minnesota (although Wayne Wheeler, the leader of the Anti-Saloon League, had drafted the bill) to enforce the act.

We now know that the so-called

"noble experiment" was an abject failure. For millions of Americans, especially those who lived in large urban centers like New York, Chicago, and Detroit, demand for liquor and beer was not curtailed; in fact, it increased, as did the prices. A bottle of Scotch whisky, which before 1920 cost a few dollars, now could run as high as \$16 for a quart. Champagne was even pricier, at anywhere from \$25 to \$40 a bottle. In Manhattan and elsewhere, the booze flowed at private clubs and speakeasies. Liquor was easily available from Canada, where it remained legal to manufacture and drink, as well as the West Indies and Europe.

The fortune to be made from pricey black market liquor during Prohibition was evident immediately, particularly to someone as cunning as Arnold Rothstein, a high-roller gambler born in New York City in 1882 to a middle-class Jewish family. (Rothstein was most famous for allegedly fixing the 1919 World Series by paying off the members of the Chicago White Sox baseball team, and made for himself more than \$250,000 by wagering on their opponents, the Cincinnati Reds.) Rothstein understood more than most of his underworld colleagues how much money there was to be made by supplying Americans with whiskey and beer. Among those who came under Rothstein's wing during the 1920s, and became gangster kingpins in their own right (especially following Rothstein's murder in 1928), were: Meyer Lansky (originally Maier Suchowljansky), who was born in 1902 in Grodno, then part of the Russian Empire, before immigrating to the U.S. and settling on the East Side with his parents in 1911; Benjamin "Bugsy" Siegel, who was born in 1906 in Williamsburg, Brooklyn, to struggling Jewish immigrant parents who had immigrated from Galicia in the Austro-Hungarian Empire; and Charles "Lucky" Luciano (originally Salvatore Lucania), an Italian immigrant who came with his family to New York in 1906 at the age of 8 and resided on the East Side. All three, as well as Rothstein, played pivotal roles in Waxey Gordon's career as a bootlegger and beer baron—as partners and bitter rivals.

In 1920, working with "Big Maxie"

## August Beach Reads

Patricia Highsmith, *The Tremor of Forgery*

Highsmith is haunting and suspenseful as ever in this tale, set during the Six-Day War, about a novelist in Tunisia who stumbles on a murder. Newly reissued in a Library of America volume (Crime Novels of the 1960s).

—David Mikics

Greenberg, most recently from St. Louis, Gordon decided that bringing in whiskey from Canada on boats across the Great Lakes or by cars in remote rural locations along the U.S.-Canadian border and then transporting it to speakeasies in New York and elsewhere was a sure moneymaker. For financing of this venture, Gordon and Greenberg approached Rothstein. Nicknamed “Mr. Big” and “The Big Bankroll,” Rothstein agreed to provide them with the \$175,000 they needed to acquire speedboats, but only if he became their partner, among other financial demands he made.

Based in offices at the Knickerbocker Hotel and Building on West 42nd Street, Gordon posed as a real estate investor. Business, to say the least, boomed. By 1925, he had made millions of dollars. His wife and children now lived in a 10-room apartment decorated with fine furniture on the Upper West Side with a monthly rent of \$6,000. He also owned a summer home in Bradley Beach, New Jersey, Gordon had expensive cars and wore \$225 suits (reportedly made by the same tailor who cut gangster Al Capone’s suits). Yet federal justice officials were watching him. Near the end of September 1925, agents raided Gordon’s offices and arrested 13 people, including Maxie Greenberg. The arrest warrant could not be served on Gordon because a week earlier he and Leah had boarded the White Star liner *Majestic* on a trip to Europe. According to later reports, the Wexlers/Gordons were occupying the ship’s most luxurious suite. Upon

his return to the U.S., Gordon was arrested as well.

The five-month investigation into Gordon and Greenberg’s smuggling operations was based on the seizure of one of their ocean steamers on its way from Lunenburg, Nova Scotia, to New York Harbor. Federal agents discovered 500 cases of liquor hidden amid the cargo of lumber the ship was transporting. The authorities’ star witness in the case was Hans Fuhman, a disgruntled former rum-runner who was not satisfied with his financial cut. He provided information about Gordon and Greenberg’s shipments. Another key witness was David Baum, a gunman and whiskey smuggler, who also had a dispute with Gordon and Greenberg.

Yet, the case against Gordon, Greenberg, and their men soon evaporated. Labeled a “squealer,” Baum was found murdered in his Packard limousine, which had been abandoned at 98th Street and First Avenue two days after the raid on the Manhattan offices. Next, in early February 1926, Fuhman, who was prepared to testify, was discovered dead in his room at the Hotel Aristo on Sixth Avenue and 44th Street. The medical examiner concluded that he committed suicide by shooting himself in the head. His wife, however, insisted that he had been murdered.

After these legal troubles had ended, Gordon decided to cease his smuggling operations and reinvent himself as a beer manufacturer. The Volstead Act stipulated that the only beer that could be legally sold during Prohibition was low-alcohol beer (0.5% alcohol) or “near beer,” as it was called. This provided Gordon, Greenberg, and another associate, Max Hassel, with a loophole they could exploit. With Gordon in charge, they set up breweries in New Jersey and eastern Pennsylvania. These plants did indeed produce the low-alcohol beer, which was shipped and sold. But using underground pipes, hoses and sewers, they devised a system in which real beer—“high-powered” beer as it was referred to during Prohibition—was manufactured and bottled in secret plants located not too far from the breweries. To ensure the real beer reached its final destinations

in Manhattan and other cities, Gordon entrusted Abner “Longy” Zwillman and his team of Jewish and Italian gangsters to guard the liquid merchandise.

To point out that Waxey made a lot of money from his illicit beer business is an understatement. It was later calculated by the Bureau of Internal Revenue (as the IRS was known until 1953) that in 1930 and 1931, at the outset of the Great Depression when unemployment soared, Gordon grossed a total of \$6.47 million, of which he netted \$4.55 million (about \$82.6 million today). In a poor decision that was soon to cause him serious legal problems, he declared that in 1930 he only earned \$6,456 and paid \$10.76 in income tax; in 1931, he claimed an income of \$35,000 and paid \$2,065 in tax. Gordon ignored at his own peril the fact that in the spring of 1931 the bureau had ensnared Al Capone on tax evasion charges. Capone was found guilty, received a 10-year prison sentence, and was fined \$50,000 (he died in prison in 1947 suffering from brain dementia caused by syphilis).

By the early 1930s, during the last few years of Prohibition—which was repealed in December 1933—Gordon and Lansky came to detest each other. The feud might have been related to Gordon’s belief that Lansky, Siegel, and Luciano had hijacked one of his liquor shipments. On one occasion, Gordon and Lansky had a physical altercation that Luciano had to break up. Lansky could have ordered a “hit” on Gordon, yet instead they came up with a clever scheme—or at least that is what Luciano supposedly related three decades later in a series of interviews he gave a few years before he died in January 1962. While Luciano did not have as big a problem with Gordon, his loyalties were with Lansky. Utilizing Lansky’s brother, Jake “the Hunchback,” as a go-between, the two men provided sensitive information to Internal Revenue agents about Gordon’s financial dealings. This information made its way to Thomas Dewey—the future New York state governor (1943-54) and Republican presidential candidate in the 1944 and 1948 elections—who in 1933 was a young federal attorney for the Southern District of New York. He had already been

involved in prosecuting the tax evasion case against Capone. Dewey would have been the only other person to know if Lansky and Luciano had sold out Gordon, though he never addressed the issue publicly.

By April 1933, Gordon knew that Dewey was coming for him, but he figured his lawyers would get the case dismissed, or he underestimated Dewey's resolve. On the afternoon of April 12, Gordon, Greenberg, and Hassel were meeting at a hotel in Elizabeth, New Jersey, south of Newark, when their enemies targeted them. The assassination order most likely was given by Dutch Schultz (Arthur Flegenheimer), a young German Jewish mobster. Schultz objected to Gordon's encroachment on his liquor and beer territory and was at the time feuding with one of Gordon's chief lieutenants, Charles Sherman (Charles Shapiro), who was later murdered. The attack at the hotel was the closest Waxey came to be killed throughout his long career as a gangster. Two gunmen found Greenberg and Hassel together and shot them dead. Hearing the commotion, Gordon escaped by leaping from a window.

Three weeks later, following a tip "from the underworld," federal agents found Gordon and two associates at a Catskill Mountain area hunting lodge, 12 miles from Liberty, New York. Led out of a cottage on the property, Waxey had a stubby beard. As news photographers at the scene snapped their cameras, he put his hands in front of his face. "Hey, if I knew you were going to take my picture," he said, "I'd have taken a shave."

By the time of his arrest, Dewey had indicted Gordon on income tax evasion for concealing income of approximately \$1.61 million for 1930 and 1931, though the final calculations were higher. Despite the fact that several witnesses who were scheduled to testify against Gordon mysteriously vanished or were found dead over the next several months, Dewey made a strong case that Gordon had cheated the government out of hundreds of thousands of dollars of tax payments (the final tally was \$1.8 million for the two years in question). "By his own admission [he is] a thief, a robber,

a pickpocket a professional criminal—a man so low that although he had a colossal income in those years (1930-31) he paid the government a pittance and left the support of the government to the honest people of the United States," stated Dewey. On Dec. 1, 1933, the jury took only 51 minutes to find Gordon guilty of tax evasion. He was given a 10-year prison sentence—a pronouncement that, according to the press, made Gordon's jaw drop—and fined a total of \$80,000.

Less than a week later, Gordon suffered another tragedy when his 19-year-old son Theodore was killed in a car accident. The boy was on his way to New York from the University of North Carolina in Chapel Hill to plead for a reduction in his father's sentence. At the funeral in the Mount Hebron Cemetery in Flushing, Queens, "tears streamed down Waxey Gordon's cheeks," *The New York Times* reported, as he recited the Kaddish, while the federal marshals who had accompanied him kept a watchful eye.

During the next few years, various appeals were made on Gordon's behalf, but all were rejected. Moreover, as he served his time in prison, New York state launched a case against him for payment of an additional \$625,630 in state taxes. After more than seven years, Gordon, who had behaved himself in prison, was released in late November 1940. He still owed the federal government more than \$1 million, which he claimed he did not have. The government, in its wisdom, began charging him \$6 a week—a payment rate that would have taken him 5,128 years to pay off the amount he owed.

Soon after Gordon was released, he declared that he was once again Irving Wexler and that he was retiring his criminal persona as Waxey Gordon. Given his sordid past, that was far from true. In need of cash, he did what he knew best: try to make money illegally.

Early in 1943, he pled guilty of having conspired with a partner to setting up a black market for sugar that was rationed during WWII. He was forced to serve at least another year in prison for that scheme. A few years later in November 1947, he was caught by undercover

detectives attempting to sell stolen watches and jewelry. He only escaped justice in this case when the jewelry company that had been robbed could not positively identify the watches and other items.

His worst transgression occurred in 1951. Agents of the federal bureau of narcotics had been surveilling him and three other men for about eight months. In August, he and his partners were arrested with heroin in their possession and charged with trafficking the drug. At 63 years old, Gordon had no desire to return to prison. He urged the lead detective, John Cottone, to put him out of his misery. "Please kill me John—shoot me," pleaded Gordon. "I'm an old man and I'm through. Don't take me in for junk. How else can I live? Let me run, John, and then you shoot me."

The detective, of course, refused and Gordon ended up in court one last time. It was determined that going back to 1909, this was his fourth felony and therefore under the Baumes Law he was to receive the maximum sentence under the law. Judge Francis L. Valente did exactly that. Calling Gordon a "malignant cancer," he declared that he was an "anti-social creature ... who should be isolated in prison for the remainder of his natural life." He sentenced him to 25 years. But Waxey was not well. Six months into his life sentence, he was transported to Alcatraz where he was scheduled to testify in a federal narcotics trial in San Francisco. On June 24, he died from a massive heart attack in the prison's hospital.

Waxey Gordon was indeed "one the prohibition era's most sinister underworld figures," as *The New York Times* dubbed him. He was also part of the generation of Jews born in the Lower East Side during the late 19th century that moved beyond the immigrant neighborhood to seek other nefarious opportunities. His criminality—as Judge Valente noted—became "progressively more serious."

A career criminal, he knew no other way to live his life. ■

*This article was originally published on August 15.*

# Passing Down My Family's Sephardic Recipes

Looking for something to cook with my kids, I decided to try lahm b'ajeen, something I always enjoyed making with my own father. But first I needed some help from a cousin—and an expert on Syrian cooking.

BY JAMIE BETESH CARTER

**W**hen I was growing up, the Sephardic flavors from my dad's Syrian background dominated the food that both my parents cooked. While my mom grew up in an Ashkenazi household, she learned many of the Sephardic recipes from my father's mother before they got married. The food we ate at home was unique compared to my American friends. Foods like *kibbeh hamdah* and *mujedra* were common weeknight staples. New foods were often introduced by my father shoving a fork near my mouth while saying, "Nu, taste it already." He'd only tell me what it was *after* I tasted it. I guess that was his way of exposing me to the flavors and foods he treasured so much.

Sephardic food was the food that designed and defined me. I went to American schools, spoke English, had friends from all different backgrounds, but at home our food was mostly Middle Eastern. I don't think I became aware of just how different our food was until I began having dinner at friends' houses and I was served dishes like macaroni and cheese with a side of corn, or pasta with butter. In the third grade, I was tasked with teaching my classmates how to make or do something, and my Sephardic father encouraged me to teach my friends how to make *bourekas*, a Middle Eastern baked pastry. I loved our traditional cuisine so much that I didn't

get embarrassed by rolling out phyllo dough, while other kids simply taught the class how to play "Mary Had a Little Lamb" on the recorder.

Fast forward 30 years and I'm now a mom with two young children. Sadly, my father passed away three years ago, taking many of his unwritten recipes with him. Since our foods were so unusual, you couldn't really find them in many restaurants or stores. So, unless I learned how to make these beloved dishes, I'd have to find something else to eat. The longer I let go of these recipes, the more I felt I was disconnecting from my culture. And I desperately want my kids to know the flavors and food traditions of our Sephardic background.

I'm constantly thinking about easy, healthy, likable foods to make for our children. I love following food influencers who make simple, appetizing food that can be made while two little kids are hungry and tired. I try to cook Shabbat dinner every so often, incorporating some of the Sephardic dishes and flavors I love so much. But recently, even with these new additions to my dinner repertoire, I've realized that as time goes by, my homemade dinners look less and less like the dinners I grew up with, and more like the bland dinners I'd have at friends' houses. My kids' diet has hints of Middle Eastern culture, but overall it looks more American than I'd like. While I pride myself on exposing my kids to the cuisine of *other* cultures, I

find that I don't expose them to my own as much as I want to.

I've been asking myself, "Why am I not incorporating more of the food I treasure?" Part of the answer is that I simply don't know how to make them, because in our family, recipes weren't documented. Here, I'm not alone. "Most Syrian recipes were not written down," Poopa Dweck, author of *Aromas of Aleppo: The Legendary Cuisine of Syrian Jews*, told me recently. "They existed only in the minds of older cooks." And now that my father has passed away, it's more difficult for me to cook the food he used to make; it often pains me not to be able to ask him exactly how much salt to use, or what he thinks of my creations.

In the past few months, I've been asking myself how I can combine the traditional, flavorful cuisine of my childhood with simple, kid-friendly recipes that wouldn't completely overwhelm me. This means more to me than just making sure my children are well fed. I'm constantly trying to teach them who they are, and where they came from, and food was one way I could do that. Expanding their palates and taste buds as toddlers could open up their minds, and help them experience the world in new ways.

The first recipe that came to mind was *lahm b'ajeen*—literally "meat in dough," it is sometimes spelled *laham b'ajeen* and known in other parts of the Middle East as *lahmajoun*—these are miniature minced meat pies made

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## August Beach Reads

### Azar Gat, *War in Human Civilization*

Gat, an Israeli military historian, sets himself the modest task of seeking the origin and cause of violent conflict in human history. Relying primarily on evolutionary science, but also on a vast array of research culled from diverse social science disciplines, he succeeds in cutting through an overwhelming amount of popular horseshit. War may not be inevitable in every case, but it is impossible to read this book and walk away still holding onto any Rousseau-ite illusions about our essentially good and peaceful nature.

—Park MacDougald

with tamarind. They can be mistaken for mini pizza pies, although they have a zestier flavor. My kids love pizza: It's our fun treat when I don't feel like cooking. While my son, daughter, husband, and I don't all favor the same food, pizza is the unifier. Plus, the kids both love ground meat. It finally dawned on me: Instead of making pizza with my kids, why don't I make *lahm b'ajeen*? My kids would love this dish, and would be so excited to cook it with me.

I knew this was a kid-friendly dish, because I loved it myself when I was a kid. Growing up, we ate *lahm b'ajeen* on holidays, or as appetizers known as *mazza* before bigger family meals. I've never been a huge meat-eater, but as a child I would scarf down four or five *lahm b'ajeen* pies. The tangy, acidic flavor was addicting.

Dweck told me why. "*Lahm b'ajeen* has a distinct flavor from Aleppo, Syria, because the tamarind is very unique to that city," she said. "All other countries in the Middle East used pomegranate instead of tamarind, but Aleppo was the hub of the trade route, so they had access to these diverse flavors, spices, and cloves that others didn't."

I have vivid memories of helping my

father and aunt make *lahm b'ajeen*, but couldn't remember the recipe myself. So when I decided to try making *lahm b'ajeen* with my kids, the first thing I did was call my cousin Esther. There is no shortage of cooks in my family, but I know Esther has young children as well, and does what I aspire to do: She incorporates cooking into her family life, and honors the food we grew up with weekly, not just for special occasions.

Esther and I met with our families, and together she walked us through how to make this cherished dish. She adapted her recipe from Dweck's *Aromas of Aleppo*, the holy grail of Syrian cookbooks, and naturally, tamarind, the secret to Syrian cooking, was the key ingredient. I was embarrassed to admit I'd never used tamarind in my cooking, and while I owned Dweck's cookbook, I only admired the recipes and photos, never trying my hand at them. Speaking with Dweck made me realize I could, and should, try.

My kids had a blast cooking with cousin Esther and her family. And watching my son and daughter chow down on their own *lahm b'ajeen* fed my soul more than ever before. Most of all, they were proud of themselves for cooking a delicious recipe from scratch. I was surprised that Esther didn't tweak the original recipe much to make it kid-friendly. But when I spoke to Dweck, it all made sense. "While writing my book, I kept saying that I want my 10-year-old daughter to be able to prepare the recipes, so nothing is too complicated," she said. "And one day I came home and my daughter and her friend were making *sambusak*, so I guess I succeeded."

While Dweck is insistent on not making major flavor changes to recipes to accommodate kids, she does suggest making tweaks for different health or dietary needs. Chickpea flour could be a replacement for those unable to eat gluten, safflower oil could replace vegetable oil, and Dweck even suggested mushrooms instead of beef as a topping for those who don't eat meat.

"When a kid grows up with Syrian cuisine, their palates expand and become sophisticated," said Dweck. "In any cuisine, the sooner you introduce children to a spectrum of flavors and

textures, the more welcoming their palates become. And this goes beyond food—they become more open to trying new things, and exploring new ideas."

I hold Dweck's words close to my heart. Cooking *lahm b'ajeen* with our cousins and speaking with Dweck took away some of the fear and apprehension I had around reclaiming my family's recipes. "We should all encourage our kids to experiment in the kitchen," said Dweck. "Because once we bring in the idea of 'perfect,' they run away."

It felt surreal to me, to be cooking this dish I missed so much, with my own children.

Watching my son lick his fingers once he was done assured me that we could bring *lahm b'ajeen* into our dinner repertoire on a regular basis. They loved the new flavors, but most of all I think my children loved being in the kitchen with me. As we made this dish together, I told them stories about how when I would make this dish with my father, we'd both eat two or three just to see if they tasted right, before they were even served. After the first, we were sure we got it right, but needed one or two more, just to be really sure. I always tell my children what an amazing chef their grandfather was, and cooking this dish together helps keeps those memories alive in a way I was never able to before. They were proud that they were able to make my family recipe, and continue to ask what other family recipes we can make together.

I know I won't always make my family's recipes the exact way I remember them, and I know my children won't like everything I introduce them to, but I'm confident that we'll learn more about our culture, and where we come from, while we are trying. ■

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## HISTORY

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# Laham b'ajeen

Miniature Tamarind Minced Meat Pies

BY POOPA DWECK

## INGREDIENTS

### DOUGH

- 4 cups all-purpose flour**
- 1 teaspoon kosher salt**
- 2 ½ teaspoons active dry yeast, dissolved in 1/4 cup warm water**
- 2 tablespoons vegetable oil**

### TOPPING

- 2 pounds ground beef**
- 3 onions, finely chopped and squeezed of excess liquid**
- 1 6-ounce can tomato paste**  
**Juice of 2 lemons (about 6 tablespoons)**
- 2 cups ouc (tamarind concentrate), homemade or store-bought**
- 1 tablespoon ground allspice**
- 1 tablespoon kosher salt**
- ½ cup vegetable oil**  
**Pine nuts for garnish (optional)**

## PREPARATION

### TO MAKE THE LAHAM B'AJEEN

#### Step 1

To make the dough, combine the flour and salt in a large mixing bowl. Add the dissolved yeast and mix well. Add the vegetable oil and mix again. Gradually add 1 cup of warm water, kneading until a soft dough is formed.

#### Step 2

Cover with a clean towel and let rest in place warmer than room temperature for 1 hour.

#### Step 3

Preheat the oven to 350 degrees.

#### Step 4

To make the topping, combine the beef, onion, tomato paste, lemon juice, ouc, allspice, and salt. Mix well.

#### Step 5

Retrieve the dough and separate into 4 pieces. On a slightly floured surface, roll each piece of dough until it is as thin as possible, without tearing it. Using a cookie cutter, or anything similar, cut dough into small rounds, 3 to 4 inches in diameter.

#### Step 6

Place the rounds on greased baking sheets that have been brushed generously with vegetable oil. Spread a heaping tablespoon of meat filling on each round, pressing it in firmly.

#### Step 7

Bake the pies for 15 to 20 minutes, or until the crust is golden brown. Garnish with pine nuts, if desired.

**Yield:** 4 dozen meat pies

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