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Supreme Court Rules on Junk Science Case

By John Thomas

FRYE RULE ABANDONED AFTER 70 YEARS

The U.S. Supreme Court recently decided *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, the "junk science" case which has agitated and divided the scientific community. Although the decision went against Merrell Dow, and allowed in scientific evidence rejected by the lower courts, the decision is by no means a defeat for good science in the courtroom.

Daubert involved claims by two minors that they were born with serious birth defects because their mother had taken Bendectin, a morning-sickness drug made by Merrell Dow. Merrell Dow asked the trial court for a summary judgment, claiming there was no evidence that Bendectin caused birth defects, and that the *Dauberts* could not come up with any good evidence that it did. Merrell Dow's expert testified that none of the published studies of Bendectin — more than 30, involving more than 130,000 patients — found the drug capable of causing birth defects.

The *Dauberts* presented experts who based their conclusions on in vitro and in vivo animal studies supposedly showing a link between Bendectin and birth defects. They also offered a statistical re-analysis of the epidemiological studies, which attempted to show that a very weak causal link might have been obscured by the standard methods used in the earlier studies.

The trial court applied the rule in *Frye v. U.S.* that scientific evidence should be admitted only if the principle on which it is based is sufficiently established to be generally accepted in the relevant field. The trial court and the Court of Appeals thought the *Dauberts'* evidence did not meet this test because it was never peer-reviewed or published.

The *Dauberts* appealed, claiming that the *Frye* general-acceptance rule was repealed when Congress enacted the Federal Rules of Evidence in 1975. The *Dauberts* argued that under Rule 702, any witness "... qualified as an expert by knowledge, skill, experience and training or education ..." could give his opinion on a scientific issue, without any requirement as to whether or not the witness's theory or practice was generally accepted by other scientists (or just by scientists, period), or had been published in professional journals. This free-wheeling interpretation of the Federal Rules troubled many scientists and judges, who felt it would allow any charlatan or crackpot with a diploma to pitch his case to the jury. Indeed, in some state and federal courts which have not followed *Frye*, exactly that has happened. Some of the ugly examples are collected in Peter Huber's recent book, *Galileo's Revenge: Junk Science in the Courtroom*.

Still Not "Anything Goes"

The Supreme Court, in an opinion by Justice Blackmun, held that *Frye v. U.S.* was indeed replaced by the Federal Rules of Evidence, and that the "general acceptance" test was no longer the sole standard for the admissibility of scientific evidence. It sent the case back to the district court for trial on the merits under the new standards. Although the Federal Rules of Evidence only apply in federal courts, many state courts, including Texas, have recently codified their evidence law in practically identical language, so the decision will have an impact beyond the federal circuits.

The decision was not, however, necessarily a defeat for those who believe court judgments should be aligned with the scientific consensus. The Supreme Court rejected an "anything goes" approach to expert scientific testimony. Rule 104 requires the trial judge to determine at the outset whether the expert is proposing to testify to (1) scientific knowledge that (2) will assist the trier of fact to "... understand or determine a fact in issue." The Court wrote: "This entails a preliminary assessment of whether the reasoning or methodology underlying the testimony is scientifically valid and of whether that reasoning or methodology properly can be applied to the facts in issue." Justice Blackmun set out some "general observations" to assist trial judges in determining what is reliable scientific knowledge:

- Is the theory behind the proposed testimony testable? Judges should find out if they are dealing with a potentially falsifiable theory or not. Scientific theories are falsifiable.
- Has the theory been subjected to peer review and publication? Submission to the scrutiny of the scientific community is a component of good science, in part because it makes it more likely that errors will be detected.
- In the case of particular techniques, do we know the actual or potential rate of error? (Here the Court mentions the example of the now-discredited "science" of spectrographic voice identification.) That is, even if the theory is sound in principle, can it be applied reliably in practice?
- Finally, has the theory or technique become generally accepted? General acceptance will not be the only criterion for reliability, but it can be an important factor.

This is a flexible approach to admitting scientific evidence. How is it likely to work in practice? Most likely, as well as lawyers and judges want it to work. If both sides are wide-awake, it will probably work well; if the lawyer opposing admission of dubious evidence doesn't understand the basics of scientific practice, and the trial judge doesn't want to think carefully about the issues, then fringe scientists will slip through now and then. It will be up to the lawyers to educate both judges and jurors as to what constitutes good science.

Although it's nice to have a bright-line rule like the *Frye* test, we should remember that *Frye* often failed to screen out bogus theories which had become generally accepted in practice, but which had never been subjected to real scientific scrutiny, such as the paraffin test for handgun use, or the voice-print tests. After a few years, maybe we'll even be glad to cite *Daubert v. Merrell Dow* instead of *Frye*.

John Thomas is a practicing attorney and a Director Emeritus of the North Texas Skeptics.

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Healthy Skepticism

By **Tim Gorski, M.D**

WHICH CAME FIRST: THE CHICANERY OR THE EGG?

Health fraud doesn't always look like quackery. Sometimes its promoters even stay fairly close to the facts, though often selectively chosen and/or poetically interpreted. Such was the case, before the FDA put a stop to it, with the marketing of various brands of margarine on the basis of their having "NO CHOLESTEROL." This is strictly true, as margarine is of plant derivation and no plant products contain cholesterol. But so what? Eating Brand X margarine isn't going to lower one's serum cholesterol level, which is obviously going to be the expectation of anyone buying the stuff because it's labeled "NO CHOLESTEROL." Something similar is going on now with a number of manufacturers of ovulation predictor kits who have gone directly to the public to market their products.

Over-the-counter ovulation predictor kits are all based on the detection, by similar methods, of a hormone called Luteinizing Hormone, or LH. LH is a hormone produced by the pituitary gland in low levels during most of a woman's menstrual cycle. But approximately 36 to 40 hours before a developing egg is released from a woman's ovary, LH levels spike upwards in what is called the "LH surge." By detecting this surge in women who are cycling normally, it's possible to predict the time of ovulation fairly accurately.

Why is it important to know when ovulation is occurring? Advertisements in women's magazines say it's because a woman can only get pregnant on one day a month. One of the ovulation test kit manufacturers, Quidel of San Diego, which makes Conceive, says it's "... because timing is everything," a phrase that they've trademarked. "Think of us as your partners in family planning" says a brochure put out by the company, which maintains a toll-free telephone number for users of Conceive. Other manufacturers make similar arguments.

No Stopwatch Required

But in reality, most healthy couples don't need to know when ovulation is happening in order to get pregnant. "Timing" may be everything in the orchestration of all of the physiologic events involved with conception, but there's never been any evidence offered that would support the idea that normal couples need to concern themselves with timing intercourse so as to get pregnant.

This isn't surprising, because although a woman's ovaries only produce an egg once a month, which can only be successfully fertilized for a day or so, spermatozoa are known to survive in the female reproductive tract for 3-4 days and possibly longer, particularly in the mucus of the cervix, the entrance to the womb at the top of the vagina. Therefore, a couple having intercourse as little as twice a week or so around the time of ovulation almost certainly have as much chance of getting pregnant as if they bought an ovulation predictor kit and relied on it to tell them when to have sex. Moreover, it appears that some 80-90% of all fertilized eggs are aborted spontaneously, so that the timing of intercourse probably has very little to do with most couples' becoming pregnant.

"Timing is everything," it turns out, when it comes to actually using one of these kits. Typically, they advise women to test their urine starting 2-3 days before the expected time of ovulation. *So it's assumed that a woman can easily figure out, within a few days, when she's going to ovulate, without the need for the predictor kit!* What's not usually said is that ovulation almost always occurs just 14 days prior to the onset of menstrual flow. So a woman with fairly predictable cycle lengths can reliably predict the day of ovulation by simple arithmetic.

To complicate matters, a woman who's ovulating may not detect an LH surge with one of these kits. Some manufacturers' instructions advise that a first morning urine be tested daily. In fact, mid-morning urine is best, and the reliability with which the LH surge is detected can be further increased by testing an afternoon specimen. Even then, it's not 100%. Timing indeed! It's also a fact that disorders in which women don't ovulate normally are often characterized by chronically high LH levels, so ovulation predictor kits can show a positive result under conditions when ovulation will not occur.

In sum, ovulation predictor kits are not necessary or even useful aids for most couples attempting (or trying to avoid!) pregnancy. Neither do they reliably indicate the presence or absence of ovulation. So what are these products good for?

In cases where ovulation is known or expected to occur and artificial insemination is to be performed, it's very important to do this as close as possible to the time of ovulation. This is because such inseminations involve placing spermatozoa directly into the womb. There, it is thought, their survivability is diminished as compared to the cervix where they ordinarily would form a reservoir. If donor sperm is being used, the importance of doing the insemination close to ovulation is even greater because these specimens have usually been frozen and thawed. Similar concerns are present when a husband's sperm is being used which is known to be of poor quality. In these situations, having advance warning of ovulation by detecting the LH surge is an immense help.

Ovulation predictor kits have an important, if somewhat limited role in the medical management of infertility problems. But the public is being misled about their usefulness in "family planning" as a means of assuring successful pregnancy. If "timing is everything" in the sense that companies like Quidel intend for it to be taken, there wouldn't be 4-5 billion people on earth, or so many teen pregnancies.

This information is provided by the D/FW Council Against Health Fraud. For more information, or to report suspected health fraud, please contact the Council at Box 202577, Arlington, TX 76006, or call metro 817-792-2000. Dr. Gorski is a

practicing physician, chairman of the D/FW Council Against Health Fraud and a North Texas Skeptics Technical Advisor.

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Little Green Men from Afar

By L. Sprague de Camp

[Editor's note: The following was excerpted from a speech given at the June public meeting of the North Texas Skeptics. Copyright 1976 by L. Sprague de Camp — copying or other use not allowed without written permission from the author.]

In 1950, when the flying-saucer craze was enjoying its first boom, Francis F. Broman, an instructor in general science at the University of Denver, staged an experiment to test his students' judgment of evidence. He presented to his class a self-styled flying-saucer expert. Broman told his students to judge this man's tale by five criteria: that the report be first-hand; that the teller show no obvious bias or prejudice; that he be a trained observer; that the data be available for checking; and that the teller be clearly identified.

The class met on March 8th. Students invited friends, so the classroom was crowded with strange and eager faces. The speaker was one Silas Newton.

He had, Newton said, learned from governmental officials that three unidentified flying objects, containing a total of 34 extra terrestrials, had crashed, killing all their occupants. These were little blond, beardless men, around three and a half feet tall. They became green only in later versions of the story.

A fourth saucer landed unharmed, and the little men got out. But they fled when officials approached them, and their vehicle vanished.

Broman's class unanimously flunked Newton's story on all five criteria. He had, for instance, shown a bias against the U.S. Air Force. The tale, however, appeared in the Denver newspapers. Reporters flocked to interview Newton, who, it appeared, was promoting an alleged magnetic method of prospecting for oil. Newton repeated his story with embellishments. The vehicles, he said, were powered by magnetic lines of force, and those that crashed had run into something he called a "magnetic fault." This is pseudoscientific gobbledygook, signifying nothing. Also, he said, the government was trying to suppress all news of this visitation.

Even if Broman's students did not believe the story, many others did. Newton sold several articles about his saucerians. His friend Frank Scully, a theatrical journalist living in Hollywood, California, published a book, *Behind the Flying Saucers*. This puffed Newton's claims and denounced the government for suppressing the truth about the saucerians.

Such circular logic is commonly used by pseudo-scientists. You start by assuming what you wish to prove. If you assume that saucers have landed, why haven't they been exposed to view? Obviously, because the government has censored the news, and the fact that the government has squelched this information proves that the saucers exist, QED.

Once launched, the tale of the shy saucerians has grown with retelling, until the pigmy visitors are firmly established in American folklore. Newton's tale has generated the usual imitations and elaboration.

A few years ago, for instance, a pair of enterprising Texans, [Marshall Applewhite](#) and Bonnie Lu Nettles, traveled about calling themselves Bo and Peep, or simply "The Two." They collected a gaggle of followers by promising to carry them all off in UFOs to a happier life on some other world. All The Two wanted was for their disciples to abandon all family ties and give The Two all their money.

The story of The Two seems like a reply, with modern embellishments, of the Millerite agitation of 1843. William Miller, an upstate New York farmer, became convinced by his biblical studies that the world was about to end. When a shower of meteors and a passing comet aroused excitement, Miller gathered a following, who sold or gave away all their property in anticipation of the End. Their logic is hard to follow, since after the End nobody would have any use for property anyway.

On the appointed night, the Millerites gathered in white robes on hilltops, the more easily to be caught up to Heaven with the rest of the righteous. Needless to say, nothing happened, and the dupes were obliged to go back to scratching a living as best they could.

In the history of cultism, one is always experiencing a feeling of *deja vu*. Cultists' beliefs have been confuted countless times but bob up again as lively as ever. The idea that the earth was once devastated by a comet began in the seventeenth century with a Cambridge professor, William Whiston. It was revived in the eighteenth by Count Gian Rinaldo Carli. It was revived again in the nineteenth by Ignatius Donnelly, who also made popular cults out of earlier scholarly speculations about the lost Atlantis and the idea that Bacon wrote Shakespeare. In our own time, the cometary-collision hypothesis was revived with stunning success by Immanuel Velikovsky.

The Newton flying-saucer episode and its sequels form one thread in the long and tangled web of pseudoscientific belief. Beginning a decade ago, Erich von Däniken, whose distinctions include an involvement with the law in his native Switzerland, has popularized the notion that no mere human beings could have built the Pyramids of Egypt, the statues of Easter Island, or other monuments of pre-industrial engineering. They must therefore have been made by extraterrestrial visitors. The fact that von Däniken's books are solid masses of misstatements, errors, and wild guesses presented as facts, unsupported by anything remotely resembling scientific data, has not stopped them from earning their author a much better living than he ever made as a mere Swiss bank employee.



The idea of enlighteners from afar was not new when von Däniken took it up. It formed part of the teachings of Helena Petrovna Blavatsky, the founder of Theosophy, and her successors. Madame Blavatsky was a big, fat Russian adventuress who, when she launched her cult in the 1870s, had already led a colorful career. She had lived in Europe, Egypt, and the United States. She had been a circus bareback rider, a professional pianist, a businesswoman, and a spiritualist medium. She had also been the mistress of, among others, a Slovenian singer, a Russian baron, and an English businessman.

In 1878 she moved to India, where her organization took final form. In 1885, she left India for good, after exposure of some of her magical tricks by a pair of disgruntled accomplices. Three years later, she published her chef d'oeuvre, *The Secret Doctrine*, in which her credo took permanent if wildly confused shape. This work, in six volumes, is a mass of plagiarism and fakery, based upon contemporary scientific, pseudoscientific, mythological, and occult works, cribbed without credit and used in a blundering way that showed only skin-deep acquaintance with the topics discussed.

Without going into the gaudy Theosophical cosmos of multiple planes of existence and chains of planets, following each other in cycles from plane to plane, we are told that life on earth has evolved through seven cycles or Rounds. Man develops through seven Root Races, each comprising seven sub-races.

The First Root Race, we learn was a kind of invisible astral jellyfish, dwelling in the polar Imperishable Sacred Land. The Second Root Race, a little more substantial, lived in the Arctic continent of Hyperborea (derived, like Atlantis, from Greek myths and speculations). The Third Root Race were the gigantic, apelike, hermaphroditic, egg-laying Lemurians, with four arms and eyes in the backs of their heads. Edgar Rice Burroughs probably used Madame Blavatsky's Lemurians as models for his Martian green men, from whom the little green men's color might be derived.

The downfall of the Lemurians came with their discovery of sex. Madame Blavatsky took a dim view of sex, at least after she got too old to be interested in it herself. Lemuria, like Hyperborea before it, broke up by the subsidence of its parts, while Atlantis took shape. The Fourth Root Race was the wholly human Atlanteans; we are the Fifth; the Sixth and Seventh are yet to come.

After Madame Blavatsky died in 1891, her successors clothed her skeletal account of lost continents and prehistoric races with a substantial body of detail. Her associate A. P. Sinnett, in *The Growth of the Soul* (1895) wrote:

From Venus, as all students of esoteric teaching will be aware, the guardians of our infant humanity in the later third and early fourth race of this world period descended to stimulate in our family the growth of the monistic principle. ... (p. 277)

Not even Madame Blavatsky originated the idea of the enlighteners from afar. The concept belongs to a class of myths and

legends of culture heroes, who taught mankind what it needed to know in order to thrive. In Greece, the culture hero was Prometheus, who stole fire from Heaven and gave it to mankind against the orders of Zeus. In Egypt, he was Osiris. Among the North American Indians, he was often called the Coyote.

In the naive old days when the earth was flat, the culture hero used to come down from Heaven. Astronomy, by showing that Heaven was mostly empty space, scotched this idea. Then the discovery that the planets were worlds provided a substitute. The idea that such worlds might be inhabited was broached in the second century by the Syrian satirist, Loukianos or Lucian of Samosata. In his True History, Lucian noted how a boatload of adventurers, snatched up into the heavens by a whirlwind, got involved in a war between the king of the sun and the king of the moon over the colonization of Venus.

Voltaire, in his Micromegas (1752), brought to earth an 8-mile-high visitor from Sirius and a slightly smaller native of Saturn. Because of their size, these beings have a hard time deciding whether there is intelligent life on earth. Some of us have trouble deciding that, too.

The reason for this persistent desire to credit the early advances of mankind to superior beings — angels, demigods, or extraterrestrials — is simple. The vast majority never have a new idea that is at once original, practicable, and a significant contribution to human progress. For this majority, to admit that some human beings do have such ideas is to admit that such people are more intelligent than they. Nobody likes to confess that he is stupider than someone else.

This is especially true now, when the world is high on an equality kick. It is fashionable in some circles to believe that all men are in fact created literally equal. If they are not, it is unfair and undemocratic, and we should pretend that they are. To think otherwise is called elitism, and you know what a wicked thing that is said to be. ...

So the enlighteners from afar, whether green or some other color, will be with us for some time to come. No explanation of how the little brown men of the Nile Valley actually built the Pyramids will banish these exotic pedagogues, because belief in them panders to human vanity. Most people want reassurance, consolation, and flattery more than they want scientific facts.

The story of pseudoscientific cultism, of which the enlighteners in UFOs form but one small part, is depressing to believers in human rationality; but as George Washington once said, we must take men as they are and not as we wish they were. Some cultists' ideas, such as Cyrus Teed's doctrine of the 1890s, that the earth is a hollow sphere with us on the inside, or the more recent charge that fluoridation of drinking water is a Communist conspiracy by those notorious Red plotters Dwight Eisenhower, John Foster Dulles, and Earl Warren, are so absurd that they beguile few followers and soon fade away. Others attract huge followings and persist for generations. During the last century, hundreds of thousands of such credophiles (as I call them) have believed, despite clear evidence to the contrary. ... All this is no reason for not doing what we can. If we can save even a few from the lure of the higher nonsense, our efforts will be worth while.

To close on a lighter note, I dabble in light verse and have composed a jingle called The Little Green Men, as follows:

Ah, little green fellows from Venus
Or some other planet afar;
From Mars or Calypso or, maybe,
A world of an alien star!

According to best-selling authors —
Blavatsky to von Däniken —
They taught us the skills that were needed
To make super-apes into men.

They guided our faltering footsteps
from savagery into the dawns
Of burgeoning civilization,
With cities and writing and bronze.

By them were the Pyramids builded;
They reared the first temples in Hind;

Drew lines at Peruvian Nazca
To uplift the poor Amerind.

With all of these wonders they gave us,
it's sad these divine astronauts
Revealed not the answers to questions
That foil our most rational thoughts.

Such puzzles as riches and paupers,
The problems of peace and of war,
Relations between the two sexes,
Or crime and chastisement therefor.

So when we feel dim and defeated
By problems immune to attack,
Let's send out a prayer electronic:
"O little green fellows, come back!"

L. Sprague de Camp is a CSICOP Fellow and a prolific author of science-fiction novels and non-fiction books. He resides in Plano with his wife and frequent co-author, Catherine Cook de Camp.

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The third eye

By Pat Reeder

With the hot July sun beating down upon our brains, it's no surprise that this month has brought forth a bumper crop of half-baked ideas. So, putting on our old newspaperman's hat (stolen from an old newspaperman) to protect our fragile gray matter, let us set off around the world in pursuit of strange beliefs and inexplicable behavior!

First stop: Kenya, where the Associated Press reports that the government has its hands full trying to stop a rash of murders and mutilations tied to witch hunts. Imagine seeing these stories in your local Police Blotter column: a sword- and arrow-wielding mob abducts eight elderly men and women accused of casting evil spells on their community, breaks their bones, slashes them with machetes, and sets them on fire ... four sons hack their parents to death, claiming the couple bewitched them ... police find a freshly severed leg, a well-coifed woman's head and a mutilated corpse at a man's house, then have to prevent the neighbors from lynching him for practicing witchcraft. The death toll from such incidents is around 50, so far.

And to what do we owe this outbreak of insane brutality? A bad economy! That's right, after several decades of growth, the economy of Kenya has spent three years in a deep recession. Psychologists say that Kenyans are unaccustomed to hard times, and the stress is causing them to look for scapegoats for their problems and to revert to primitive beliefs in magic and witchcraft. But if you're thinking we are so sophisticated that it couldn't happen here, consider how we react to a recession: we pay a numerologist to tell us our lucky lottery numbers. If the economy gets worse, you might want to be careful not to twitch your nose in front of the neighbors.

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As long as we're in Africa, why not take a side trip to Turkey for a visit to Mt. Ararat? We might as well, since nobody else has bothered to visit there, least of all the man who claimed he discovered Noah's Ark. Perhaps I should start at the beginning with this one ...

Last February, CBS (the network that brought us *The Fire Next Time*) again outdid itself, journalistically speaking, by

devoting two full hours to a special called *The Incredible Discovery of Noah's Ark*. This program included an account by a man named George Jammal, who claimed to have visited Mt. Ararat and seen the Ark with his own eyes. He even brought back a piece of wood to prove it! And who needs more proof than that?! Certainly not CBS.

Naturally, the special raised protests from the Committee for the Scientific Examination of Religion, who said the special was "riddled with biased statements and errors of fact." But it turned out to be worse than that. It was an outright hoax.

As *Time* Magazine later revealed, Jammal had not only NOT found Noah's Ark, he'd never even visited Mt. Ararat! Gerald Larue, a professor emeritus of biblical history and archeology at the University of Southern California, admitted that he helped Jammal, a sometimes actor and acquaintance, cook up the whole story. He did it to expose the shoddy and/or nonexistent research methods of the program's producer, Sun International Pictures of Utah, who had produced a previous TV special on Noah's Ark that enraged Larue.

By the way, if the name Sun International sounds familiar, it's probably because you've heard it connected to all sorts of cheap-jack pseudo-documentaries in the *Chariots Of The Gods* mold. They were the kings of the "four wallers" during the 1970s (a "four-waller" is showbiz jargon for a movie whose producer foregoes the usual distribution channels, rents the "four walls" of the theaters outright, saturates TV and radio with ads, shows his picture eight times a day for two weeks, and pockets all the profits before bad word of mouth kills business). Eventually, audiences caught on to this hype technique, and the market for four-wallers dwindled. Fortunately, the number of TV channels exploded, providing an exciting new outlet for unresearched documentaries. Thus it was that CBS, the former "jewel of the networks" and home of Edward R. Murrow, handed over two full hours of prime time to a piece of hokum cooked up by people who make their living as press agents for Bigfoot.

Anyway, Prof. Larue said he was amazed to discover that when his partner, Jammal, gave the producers a chunk of wood and claimed it was from Noah's Ark, they accepted his word for it completely on faith. He said, "They didn't test the wood. They didn't even check on Jammal. They just bought into the story." For all they knew, the piece of wood could've been a Louisville Slugger. Dave Balsinger, the film's chief researcher and field producer, said, "We couldn't test the wood in time for our deadline, but we were very thorough in checking Jammal out." So thorough that they didn't discover he's a part time actor who'd never been within a thousand miles of Mt. Ararat in his life?

In response to *Time's* exposé, CBS issued a brief statement saying (I think we all know what's coming ... let's say it all together, shall we?): "The program was an entertainment special, not a news documentary. We certainly were not aware of any alleged hoax." Very good, class! You've learned this lesson well!

Incidentally, in May, CBS aired the Sun-produced *Ancient Secrets of the Bible II*, but the network claims that no other programs from Sun currently are scheduled. I guess if Sun International wants to continue faking documentary footage for a living, they'll have to go to work for NBC.

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Speaking of NBC, *Tonight Show* host Jay Leno recently tried to find out who would win next fall's late night talk show wars by phoning a psychic hotline. First, he tried the one endorsed by LaToya Jackson. They began charging him \$3.99 a minute and immediately put him on hold. An on-screen tally showed the amount of money spent so far as Jay sat helplessly on hold, listening to recorded music (thankfully, not LaToya).

When he was \$7.10 in the hole and still on hold, he hung up and called the Psychic Friends hotline, endorsed by Dionne Warwick. This time, he got through to a "genuine psychic." Even though he told her up front that he was Jay Leno, and he wanted to know how his show would do in the fall, it took her about five minutes to realize that she was talking to Jay Leno. "You're Jay Leno?!" she shrieked, after he'd told her who he was for about the third time. She then predicted that the famously happily-married Leno would have an affair with Dolly Parton. Jay hung up about \$19 in the hole, having performed a valuable public service for America. We salute him! And we'll be watching the *National Enquirer* for news about him and Dolly.

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There's a new book which I'm dying to read, but it's yet to hit the stores at press time. Nevertheless, *Playboy*/Prodigy book critic Digby Diehl has provided me with a long and enticing review. The book is *The Elvis Sightings* by Peter Eicher (Avon paperback, \$4.98).

According to Digby, Eicher hit the road around America to track down the sources of those endless Elvis sighting tales and to conduct a serious investigation into them. Here's a sample of the stories he's unearthed (pardon the expression): Louise Welling of Kalamazoo, Michigan, spotted Elvis several times around town. She told Eicher that she discovered Elvis used to check into hotels under the name John Burrows. So she did some detective work and found that a Kalamazoo office building was owned by a "John Burrows!" She talked a security guard into taking her to Burrows' office ... and it was The King! She recognized his eyes.

Putting all these stories together, Eicher has finally solved the mystery of what happened to Elvis: He faked his death, put a wax dummy of himself in his coffin, and escaped in a second hearse (ah, the old "second hearse theory!"). He is now working as a secret government agent (perhaps even a double-naught spy!).

After all, what could be more logical? Remember when Elvis met President Nixon in 1970, and Nixon gave him a "Special Assistant" badge from the Bureau of Narcotics? Eicher claims that Elvis has been living undercover all these years, catching drug kingpins.

Digby's review is in all likelihood about a thousand times more intelligent than the book. To quote Digby, "The serious tone of this book and the pathetic 'facts' offered to prove that Elvis is still alive would be hilarious, if the underlying obsession were not so sad" (of course, this will not stop insensitive Neanderthals like me from laughing uproariously at it). But as Digby goes on to point out, Elvis sightings are comparable to sightings of UFOs, the Virgin Mary, and JFK, and are related to the recent rash of child abuse fantasies ("remembering" abuse that never occurred) which destroyed the lives of the McMartins. The fact is, these tales don't so much call for an investigative reporter as they require the serious study of psychiatrists.

Incidentally, as I write this, news arrives that Ft. Worth record producer, Major Bill Smith, has filed a \$50,000 lawsuit against Elvis' estate for harming his business by claiming that Elvis is dead. Smith says he talks to Elvis regularly, and the Elvis estate is trying to interfere with sales of his book about how Elvis faked his death. Despite much ridicule, Major Bill says he is hanging in there, because he's the only man on earth that Elvis trusts.

No word on how many space aliens Elvis trusts.

...

Speaking of which, on July 5, UFO proponents from around the country picketed the White House, demanding that President Clinton order the release of 20,000 pages of UFO-related information gathered since World War II. The event was dubbed "Operation Right To Know," and it included speeches, free litter-ature, and a concert. These folks are convinced that the government is engaged in a huge conspiracy to suppress information about extraterrestrial visitors which has somehow never leaked out through nine presidencies (tell that one to Richard Nixon!).

I want to be fair, so I'll give you their views in their own words. Ed Komarek, a farmer and UFO advocate from Georgia, said, "We are not trying to get people to believe in UFOs, but only to be informed." Sounds reasonable. Now here's Elaine Douglass, an organizer for "Operation Right To Know": "We are calling on the President to tell the public the truth ... the truth being that UFOs are extraterrestrial aircraft and that the government is well aware of it." Thank goodness we now all know what the truth is!

The event came off with no major incidents. Still, it is nearly August, and President Clinton has yet to release any of that mountain of evidence that UFOs exist. Proof that the conspiracy continues!!!

Someone should have told them that if they wanted to get Clinton's attention, they should've booked Elvis for their concert.

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Up a tree: a skeptical cartoon

By Laura Ainsworth

