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Roy Cohn's America: Conservatism, Sexual Politics, and Memory in the 21st Century

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Abstract

Roy Cohn was and remains a controversial figure known for his staunch anti-subversive practices during the Second Red Scare, his involvement with some of New York's shadiest characters in business and politics as their legal representation, and for his sexuality and death due to AIDS complications. These facets of Cohn's life have defined how he is remembered in the collective American memory, which in this context refers to how the nation at large has decided to process and recall our history. The objective of this project is to examine the histories of American conservatism and the gay rights movement and the ways in which they are converging under the Trump Administration. Using Cohn as the focus, I want to link these two oppositional histories and anchor them in the current political moment in America. The way in which we remember Cohn is reflective of how we remember much of post-WWII history, so understanding his legacy is key to understanding where our country is today. Thus, this project intends to answer the questions, what do Roy Cohn and the country's collective memory of him represent about the last 70 years of American history, and how can we use that to make sense of today?

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When I look back on the process of creating this project, I am both honored and humbled by all of the amazing people who played some role in its development and mine. Thanking them here is the absolute least I can do.

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I would like to thank Dr. Joseph Crespino not only for serving as a fantastic member of my committee but for discussing my project at least once a week in his "Right-Wing America" course last spring. It was all too easy to feel as though I was the only one who thought this was a good idea, but Dr. Crespino's shout outs were the best reminders that I had something worthwhile to say.

I would also like to thank Dr. Alison Parker who was a visiting professor at Emory back in 2018. I enrolled in her once-a-week seminar course on a whim and it entirely changed my life. If Dr. Parker had not suggested I do a research project on the Lavender Scare and look into McCarthy's chief counsel, I don't know where I would be. Certainly not here, writing this out now.

In 1967, four wise men said, "I get by with a little help from my friends." The context here is entirely different but the sentiment remains. I'm indebted to a number of friends who I'm incredibly fortunate to know: my primary reader, Benjamin Wiener, to whom I still owe a kidney; Samantha Jaloza and Rachel Macnow who both let me spout facts about Cohn ad nauseam and are still my friends today; and Nadia Paylor who never doubted me, even when I often doubted myself. As I believe most people are, I am so thankful for my family and their support not only in my dogged pursuit of this project but in my life decisions, as bizarre as they may be sometimes. And to Mom and Dad especially: thank you both for watching *Where's My Roy Cohn* and saying you get it. That meant more to me than you know.

Last but not least, I'd like to thank Roy himself. I met him at the weirdest time in my life and in trying to tell his story, I've begun to tell my own. He was a terrible human being but to this day, he remains my favorite (sorry, Mom and Dad).

Table of Contents

Introduction.....	8
Chapter 1: The Development & Expansion of Post-War Conservatism.....	12
Chapter 2: The Memorialization of the Gay Rights Movement & the AIDS Epidemic.....	44
Chapter 3: The Trump Administration, 2016-2020.....	75
Conclusion.....	106
Appendix.....	108
Bibliography.....	109

Introduction

When Roy Cohn died in 1986, no one could have predicted that his influence would still be felt reverberating through the year 2020. Yet, with the ascension of Donald Trump to the office of the United States presidency, so too resurfaced oft-forgotten parts of American history with Cohn chief among them. The late McCarthy aide serves as a bridge not only between the past and today, but likewise between the developments of conservatism and sexual politics in the post-World War II era. Because these two histories are so dissonant, they are often discussed as separate entities rather than in conversation with one another. As such, the existing historiographies approach and analyze them separately.

Conservatism is colloquially assumed to be a cohesive political movement sharing a defined code of ideologies. However, the modern conservative movement is a wide-spanning spectrum of right-wing beliefs, including the preservation of Christian family values, opposition to social change, promotion of pro-business and pro-capitalist policies, and, above all, resistance to a large and involved federal government. In the immediate post-war years, conservatives were the most fervent anti-communists and the sentiment united many branches of the movement. Many scholars have noted the development of an uneasy but persistent coalition between the wide variety of different subgroups existing alongside one another within the conservative movement; in his book *Creating Conservatism*, Michael J. Lee “highlights the process by which conservatives of many different stripes have generated the resources for partnership despite sustained disagreement since World War II.”¹ Another major facet of modern conservatism is the racial dynamic, as scholars like Lawrence Grossberg have tracked the history of modern conservatism directly to the history of Reconstruction following the Civil War. Grossberg argues

¹ Michael J. Lee, *Creating Conservatism: Postwar Words That Made an American Movement* (East Lansing, Michigan: Michigan State University Press, 2014), 6.

that to Southern conservatives, “Reconstruction was the North intentionally humiliating the South, and just as importantly, an attempt by the federal government to impose its way of thinking and living upon the South through the appropriation of powers that rightfully belong to the states.”² Through this line of thought, the small government ideology at the heart of American conservatism has grown directly from the experience of the slave-owning Confederate states. While the role race plays in the development of modern conservatism is undeniably important and complex, it falls outside the purview of this project and as such, will not be a focus.

Similar to that of the conservative movement, the history of the gay rights movement — falling under the ever-expanding tent of sexual politics— reveals a lack of cohesion amongst organizations with different objectives and methods. In her exhaustive history of the modern movement titled *The Gay Revolution*, historian Lillian Faderman covers the developments of these groups as well as their process of unifying. The modern movement began largely in reaction to President Eisenhower’s Executive Order 10450 which permitted discrimination against homosexuals employed by the federal government. The institutionalizing of workplace prejudice alongside the increase in entrapment methods by police forces in major cities and the development of medical practices targeting homosexuals galvanized members of the community to demand civil rights. Faderman also discusses the formation of an innumerable amount of activist groups, all with different agendas and approaches to the fight for equal rights. Unlike the conservative movement, however, the various branches of the gay rights movement were brought together in large part by the onslaught of the AIDS epidemic in the 1980s. While initially, the movement compartmentalized identities and focused on advocating for the rights of cisgender

² Lawrence Grossberg, *Under the Cover of Chaos: Trump and the Battle for the American Right* (London: Pluto Press, 2018), 52.

gay men and lesbian women, the community has expanded to accept an incredible breadth of sexualities and orientations since the first decade of AIDS. As such, the LGBTQIA+ community now features a wide variety of perspectives all united in their shared fight for survival and the expansion of civil rights, and it only continues to grow.

The concepts of “conservatism” and “sexual politics” are far too complex and shifting to discuss even just one in its totality in this thesis. As such, this project is focused on the aspects of conservatism and sexual politics that pertain to Roy Cohn and his resurgence in the American political and cultural imagination. Specifically, this project focuses on the sociopolitical components of conservatism (thus neglecting the economic ideologies); on the history of cisgender homosexual men from the 1950s through to the 1990s as well as the development of transgender rights in the decades since; and on the domestic social and political policies and beliefs of President Donald Trump. Although these two histories are often seen as diametrically opposed, Roy Cohn’s story shows how political conservatism has been entangled with sexual politics from the post-war era through today.

Roy Cohn was a lawyer active between 1950 and his disbarment in 1986. Known in life for his role as Senator Joseph McCarthy’s chief counsel during the Second Red Scare and as a Republican Party powerbroker in the years after, Cohn’s legacy is now never recalled without referencing his death from AIDS complications. While Cohn was an outspoken homophobe all throughout his life, he has since been memorialized in various pieces of AIDS memorabilia. In his third and most recent reincarnation, Cohn’s biography has been refitted to prominently feature his time as President Trump’s personal lawyer and mentor. Many Americans, apt to understand an aggressive and erratic leader, have begun looking to Cohn to learn how the Donald Trump of today came to be. The summation of American’s collective memory of Roy Cohn’s

life and legacy is not one story but something like a mosaic. It weaves together prominent and disparate figures whom he influenced, including Phyllis Schlafly, Ronald Reagan, and Donald Trump; and yet, it has also been reclaimed by the sexual subculture they disdained. The inclusion of Cohn as a character in the play *Angels in America* helped to memorialize him in the development of the gay rights movement and the AIDS epidemic narrative. Thus, examining Cohn's involvement in those two histories has become something of a road map in navigating the country's climate today with the immediate collision of conservative politics with a largely liberal society under the Trump Administration.

On March 2, 2017, upon finding out that then-Attorney General Jeff Sessions had recused himself from the ongoing Russia Investigation, President Donald Trump called out, "Where's my Roy Cohn?" thus ushering his long-dead mentor into the modern age. Roy Cohn is representative of and involved in two historically oppositional movements from the right and the left of the political spectrum. As they come into conflict today under the Trump Administration, Cohn's influence and history have become tools for understanding the current political moment in America. In tracing the histories of both conservatism and the gay rights movement through Roy Cohn's personal narrative, I intend in this thesis to seek clarity about some of the most important underlying conflicts in our social and political spheres today.

Chapter 1: The Development & Expansion of Post-War Conservatism

In 2008, conservative writer Jonah Goldberg noted how the movement “remains unsettled” and that there is still disagreement over what the proper definition of the term *conservatism* is.³ Although conservatism is often presented as a coherent political faction, ideologies deemed “conservative” vary widely, creating a spectrum of entwined beliefs rather than a set of hard and fast credences.⁴ As a result, the entity of the movement is too expansive to focus on in full. However, in the modern era, there are “at least three broad themes of conservative thought [that] continue to resonate in modern political debates: resistance to utopian thinking... respect for authority and power... [and the defense of] particular practices and institutions.”⁵ This chapter looks at three fundamentals that fall under these banners that continue to unite many conservatives: the desire to maintain a hierarchical social order, the perpetuation of an image of strength, and the preservation of conservative political power. Each of these grew out of the anti-Communist fervor that was dominant in the immediate post-war era in the U.S. and became a central facet of modern American conservatism. At the heart of the anti-Communist fight was Roy Cohn whose political methodologies paralleled major developments in conservative politics.⁶ Specifically, his practices have mirrored that of conservatives from

³ Michael J. Lee, *Creating Conservatism: Postwar Words That Made an American Movement* (East Lansing, Michigan: Michigan State University Press, 2014), 6.

⁴ This chapter relies heavily on the terms *conservative* and *conservatism*. In the context of this thesis, these terms broadly refer to the right-wing political ideology and its followers and are markedly different from Republican and Republicanism. For that reason, the term *Republican* stands to represent the party at large and the term *conservative* will pertain to the collection of reactionary subgroups that exist within the party.

This thesis also makes arguments through the perspective of fusionist conservatism, a term defined by Michael J. Lee on page 9 in his book *Creating Conservatism* as a perspective which “fused conservatives by creating a common argumentative repertoire, a storehouse of powerful narratives, concepts, and ideals conservatives used to settle disagreements and identify common enemies.”

⁵ Jeremy A. Rabkin, “Conservatism” in *The Oxford Companion to American Politics*, ed. David Coates (Oxford: Oxford University Press, 2012).

⁶ Nicholas von Hoffman, *Citizen Cohn* (New York: Doubleday, 1988), 210.

Reporter Murray Marder once noted that “anti-Communist was serious to Roy Cohn; to McCarthy it was a device, a game.”

McCarthyism in the immediate post-war years through the development of the Religious Right, the prominence of Ronald Reagan as a figure of masculine strength, and the evolution of politics into something of a game to be won, notably represented by contemporary conservatives. The objective of these developments in the conservative movement was the consolidation of power into the fewest number of hands who were willing to both dominate and diminish any oppositional forces and preserve an idealized America.

One of the more iconic stories told about Roy Cohn, and the one that first tied him to the national conservative movement, is that of how he secured the death sentence for the Rosenbergs, the couple convicted in 1951 of spying on behalf of the Soviet Union. Cohn, then an Assistant U.S. Attorney, served on the prosecution team. The judge overseeing the case was Irving Kaufman of the United States District Court for the Southern District of New York, who happened to be one of the many men established in New York's legal, political, and social scenes from whom Cohn had sought their favor. According to Cohn, Kaufman would repeatedly call the younger lawyer about which strings Roy could pull in order for Kaufman to preside over the case. In the time between Cohn suggesting Kaufman for the position and Kaufman being granted it, Cohn recalled that "for the rest of the day [he] got no peace. It was every ten minutes... the calls didn't stop."⁷ Finally, Kaufman was named as the judge in a case still controversial today. Kaufman's promotion was mutually beneficial, as Cohn humbly remembers that he "was sure [the prosecution would] get a conviction no matter who the judge was, but still it was nice to be able to put this contract through."⁸ Toward the end of the trial, as Kaufman was trying to reach a

⁷ Sidney Zion, *The Autobiography of Roy Cohn* (New Jersey: Lyle Stuart Inc.), 67.

⁸ *Ibid.*

verdict, he would allegedly call Cohn from outside his synagogue. As a result of these *ex parte* calls, which Cohn attests was standard legal practice prior to the Watergate scandal, a 23-year-old who had just barely been hired as an assistant attorney wielded enough power to convince an established and respected federal judge to send two individuals to their deaths.⁹

In the years following the Rosenberg's executions, more information about the trial began coming to light and it soon became clear that Cohn not only influenced the decision but the entire Rosenberg trial itself. The only testimony that directly implicated the Rosenbergs in an act of espionage was that of Ethel's brother David Greenglass who claimed to have witnessed his sister transcribing notes containing atomic secrets to wire to the Soviet Union.¹⁰ Greenglass's testimony was damning enough to send both Ethel and her husband Julius to the electric chair, and yet in 2003, Greenglass freely admitted to journalist Sam Roberts that "he had been urged to lie by prosecutors, among them Roy Cohn."¹¹ Cohn's role in the Rosenberg trial highlights the no-holds-barred approach to fighting against communism and for conservatism. At the root of anti-communism was the fear of and drive to fight against the subversive, or the "other" figure who did not fit the mold of the status quo. As such, the anti-communist fervor at the heart of the McCarthy Era became the foundation on which post-war American conservatism was built.

Following the end of World War II, the United States' relationship with the Soviet Union began to deteriorate and as a result, fear of the USSR's communist system began to grow. While American aversion to Communism was not new, the sophistication of WWII helped instill a new

⁹ Ibid., 68.

¹⁰ "The Espionage Trial of Ethel and Julius Rosenberg Begins," This Day In History, *History*, last updated March 4, 2020, <https://www.history.com/this-day-in-history/the-rosenberg-trial-begins>.

¹¹ Associated Press in New York, "David Greenglass, Spy Who Sent Sister Ethel Rosenberg to Electric Chair, Dies," *Guardian*, October 14, 2014, <https://www.theguardian.com/world/2014/oct/15/david-greenglass-spy-who-sent-sister-ethel-rosenberg-to-electric-chair-dies>.

kind of paranoia as a major influence on international relations; whereas the primary concern during the First Red Scare of the early 20th century had been of an external Communist attack, Americans now feared that subversives had infiltrated society and were determined to bring the U.S. down from the inside. It was this mentality that led to Executive Order 9835, or the “Loyalty Order,” which established a loyalty program intended to weed out any Communists working at the federal level. To many, this was the start of McCarthyism as a practice, as the budding Second Red Scare created an environment ripe for the fear-mongering and paranoid mentalities McCarthy would soon offer. Prior to 1950, Senator Joseph McCarthy was a fairly irrelevant politician from Wisconsin. That changed in the February of that year when he announced in a now infamous speech in Wheeling, West Virginia that he had a list of 205 Communists working within the U.S. State Department.¹² Anti-communist fervor began to spread further and faster and McCarthy’s speech seemingly confirmed one of the strongest post-war era fears: America had been subverted by communism.

Anti-Communism, as it developed in the post-WWII period, became a bedrock foundation of conservatism. It functioned as an ideology both directly opposed to Communism as well as to anything that could be interpreted as *subversive*. As stated, the underlying fear of Communism during the Second Red Scare stemmed from a belief that there were individuals living in the U.S., presenting as everyday citizens while secretly helping facilitate America’s downfall. This belief hinges on the presence of subversives, or individuals who bear any marking of opposition to the existence of America. In the 1950s, the fear of subversives was so strong that McCarthy and his Permanent Subcommittee on Investigations were successful despite doing little—if any—research. The subcommittee’s flimsy accusations resulted in the termination,

¹² “‘Enemies from Within’: Senator Joseph R. McCarthy’s Accusations of Disloyalty,” History Matters, George Mason University, last modified March 22, 2018, <http://historymatters.gmu.edu/d/6456/>.

imprisonment, and ostracization of thousands of Americans.¹³ The misguided allegations also led to the construction of concepts such as a “Fifth Amendment Communist,” or an individual who is labelled as a criminal because they called on their Fifth Amendment rights to defend themselves or someone else against accusations, and “fellow travelers” who themselves were not Communists but were sympathetic to the party.¹⁴ These labels validated the Subcommittee and enabled them to accuse even more individuals on the basis of complacency or loose association. Ironically, fear of subversion is also what set off McCarthy’s fall from grace: in 1953, the Army drafted G. David Schine, a member of the Subcommittee whose role was as inconsequential as it was scandalous.¹⁵ His drafting provoked Roy Cohn, then serving as McCarthy’s chief legal counsel. Cohn, supported by McCarthy, began harassing Army officials, requesting that Schine receive either a commission or preferential treatment.¹⁶ When both were denied, McCarthy made multiple allegations accusing the Army of subversive activity, leading to the Army-McCarthy Hearings in which the galling lack of research done by the subcommittee was apparent.¹⁷ McCarthy’s conduct during the hearings led to his censure in the Senate and, ultimately, his downfall.

¹³ von Hoffman, 232.

¹⁴ Roy Cohn, “A Struggle to the Death with the Communists” (speech, Executives’ Club, Chicago, IL, September 10, 1954).

¹⁵ von Hoffman, 188-90; Ted Morgan, *Reds: McCarthyism in Twentieth-Century America* (New York: Random House, 2003), 443-4.

It has been documented, many times over, that Cohn and Schine were romantically linked during the McCarthy years.

¹⁶ Morgan, 455-6.

¹⁷ “McCarthy-Welch Exchange: ‘Have You Left No Sense of Decency?’” Top 100 Speeches, American Rhetoric, last updated January 3, 2018, <https://www.americanrhetoric.com/speeches/welch-mccarthy.html>.

Towards the end of the Army-McCarthy Hearings in 1954, Army lawyer Joseph Welch was making a strong case and McCarthy was pulling at threads. The Subcommittee knew that one of the lawyers on Welch’s team had previously been affiliated with the National Lawyers Guild, an organization that had been labeled subversive due to the Communist sympathies of some of the members. Using this in the hearings though was perceived to be a dirty hit that was irrelevant to the subject at hand. In his desperation, however, McCarthy stated this fact, prompting the famous line: “Have you no sense of decency, sir?” from Welch. It is this action that revealed McCarthy wasn’t as invincible as he and many Americans believed him to be. It later brought down McCarthy as it cost him the public’s support and led to his censure in the Senate.

The practices of McCarthyism have metastasized into a larger set of ideological beliefs and practices that can be labeled as paranoid politics. Donald A. Ritchie, an associate historian in the Senate Historical Office, notes in his review of the Army-McCarthy transcripts that they “start out reasonably enough, but soon descend into paranoia, conspiracy theory, and merciless badgering of witnesses.”¹⁸ We see these tactics throughout the history of modern conservatism, memorably in the mid-1980s as the powerful Religious Right stoked nation-wide fear of the growing AIDS epidemic, and in 2003 when fear in the wake of the terrorist attacks on September 11, 2001, allowed Bush administration officials to raise alarm about weapons of mass destruction and rush to war in Iraq.¹⁹ More recently, President Trump attempted to badger a witness in the middle of her testimony against him during the House of Representatives’ impeachment hearings: in November 2019, as Ambassador Marie Yovanovitch testified that the State Department did not defend or protect her in the midst of a smear campaign following a tweet from the president, House Intelligence Committee Chairman Adam Schiff interrupted to share that President Trump was attempting to continue his campaign against Yovanovitch in the middle of her hearing.²⁰ Moreover, President Trump’s frequent labeling of oppositional or even slightly unfavorable news coverage as “fake” touches on the primal fear of being deceived by organizations and voices we thought we could trust, and props up the theory of a subversive “deep state” working to undermine American values.²¹ The line connecting the two is far from

¹⁸ Donald A. Ritchie, “Are You Now or Have You Ever Been? Opening the Records of the McCarthy Investigations,” *Journal of Government Information* 30, no. 4 (Winter 2004): 465.

¹⁹ Kevin M. Kruse and Julian E. Zelizer, *Fault Lines: A History of the United States Since 1974* (New York: W. W. Norton & Company, 2019), 262, 264-5, 268; J.D. Maddox, “The Day I Realized I Would Never Find Weapons of Mass Destruction in Iraq,” *New York Times*, January 29, 2020, <https://www.nytimes.com/2020/01/29/magazine/iraq-weapons-mass-destruction.html>.

²⁰ *Impeachment of Donald John Trump: Hearings by the House Permanent Select Committee on Intelligence, House Committee on Oversight, and House Committee on Foreign Affairs*, Impeachment Inquiry: Ambassador Marie “Masha” Yovanovitch, Investigative Committees, day 2, 116th Cong., 1st sess., November 15, 2019, 45.

²¹ Heidi Kitrosser, “Accountability in the Deep State,” *UCLA Law Review* 65, no. 6 (Fall 2018): 1532–50.

direct, but there is a bridge between McCarthy's politics and that today of Donald Trump and it rests on the back of Roy Cohn. As McCarthy's right-hand man, Cohn adopted and internalized the paranoid politics that defined the immediate post-war years and imparted them on his protegee who carries on the legacy as president today.

Roy Cohn's code of conduct was defined early in his life by the mentors he sought out.²² For the most part, the characteristics and mannerisms Cohn adopted were those he admired most in the men around him, aside from his father. Although Cohn's father Albert, a New York Supreme Court appellate judge, was a fitting figure for Roy to look up to, the two's personalities clashed too much for them to ever share a true bond. It seems fitting then that Cohn acquired his devotion to loyalty by recognizing his father's lack of it: when the elder Cohn had been up for appointment to the appellate division, his friend Ed Flynn—the Secretary of State of New York tasked with filling the vacancy—betrayed him and decided to choose someone inferior despite Cohn being the obvious choice. In response, Al Cohn called on Francis Martin, the presiding judge of the appellate division, to help him circumvent Flynn's efforts. Cohn and Martin succeeded in their scheme. Then, once Cohn was in place on the court, Martin called on Al to vote against his personal convictions to sway the split court in Martin's favor. The elder Cohn declined and as a result, lost the trust of a loyal colleague and friend. In his autobiography, Cohn recalled that the two experiences “were my first lessons in the lack of loyalty in politics.”²³ In response to this, Cohn made loyalty the central pillar of his relationships, often demanding it

²² von Hoffman, 77.

²³ Sidney Zion, *The Autobiography of Roy Cohn* (New Jersey: Lyle Stuart Inc.), 22.

from those around him; at some point during his time as McCarthy's chief counsel, "an oath of loyalty to Cohn was signed by the staff of the McCarthy Subcommittee."²⁴

Loyalty to Cohn meant protection, and protection was the ideal required to fight back against slippery subversives. Throughout his life, Cohn believed that everyone was out to get him. Following the verdict in the Rosenberg case, "Roy came down with a case of the jitters: he became convinced the Communists were after him."²⁵ He alleged that his D.C. office had been bugged, despite an FBI search concluding otherwise. Cohn also believed that Attorney General Robert F. Kennedy was targeting him as he spent the 1960s tied up in different lawsuits brought by the federal government at Kennedy's and U.S. Attorney for the Southern District of New York Robert Morgenthau's requests. This accusation did have some truth to it, as it was well documented that "during the 1960s, the Justice Department under Robert Kennedy tried to 'get' Cohn, but could not put together a plausible case. Cohn was indicted four times and weathered several judicial reprimands for unethical conduct... he was, however, unanimously acquitted on each charge..."²⁶ However, despite Cohn's paranoia, Kennedy's attacks had nothing to do with subversion: by the 1960s, it had long been public knowledge that Kennedy housed a vendetta against Cohn due to McCarthy's choice of Cohn over Kennedy as the Subcommittee's chief counsel.²⁷

²⁴ New York Law Society, "Roy Cohn Fact Sheet," box 89, folder 50, pg. 6, National Lawyers Guild Records, Tamiment Library and Robert F. Wagner Labor Archives at New York University. von Hoffman also discusses how all of the staff members on McCarthy's committee had signed loyalty oaths to McCarthy and Cohn, but it was Cohn who had created and required them.

²⁵ von Hoffman, 103.

²⁶ Encyclopedia Entry, "Roy Cohn," box 4, pg. 461, Victor Rabinowitz Papers, Tamiment Library and Robert F. Wagner Labor Archives at New York University; Norma Abrams and Sidney Kline, "Cohn Tells Court He's a Victim of Liars & Plotters," April 9, 1964.

²⁷ von Hoffman, 182.

Perhaps there was some reasoning for Cohn's fears; he was an allegedly gay man employed by the federal government set on persecuting homosexuals employed by the federal government, at a time when homosexuality was still nationally recognized as a crime. Cohn was rightfully precautious about being found out even at the end of his life: in a *60 Minutes* interview with Mike Wallace in 1985, Cohn was adamant to the point of anger in defending himself against AIDS accusations.²⁸ When Wallace asked Cohn point-blank if he had the disease, Cohn sharply retorted: "Is there that much public curiosity as to whether I have AIDS?" He continued on to incorrectly state his doctors had publicly announced he was dying of liver cancer, requested that anyone still curious reach out to his doctors for answers, and alleged that AIDS patients are logged in the same database as cancer patients to explain away his National Institutes of Health categorization; in other words, he rambled false claims to muddy the waters just as he had alongside McCarthy. For Cohn, hiding his sexuality was a natural reflex after devoting himself wholeheartedly to anti-Communist beliefs so for long.²⁹ To this day, Cohn is remembered for his strategy of "attack, counterattack, and never apologize," a skill he honed during his time with McCarthy and used for the rest of his life.³⁰

While the fever of anti-communism began to dissipate following McCarthy's censure at the end of 1954, the fear of subversives that he and Cohn had cultivated remained. In the immediate post-war years, at a time when security and stability were no longer certain, there was

²⁸ Sam Gilford, "Roy Cohen [sic] 2 Nick 1," video recording of *60 Minutes* episode originally aired in 1985, July 7, 2016, https://www.youtube.com/watch?v=OLF_tbiEB2I&t=75s.

²⁹ von Hoffman, 210.

³⁰ Robert O'Harrow Jr. and Shawn Boburg, "The Man Who Showed Donald Trump How to Exploit Power and Instill Fear," *Washington Post*, June 17, 2016, https://www.washingtonpost.com/investigations/former-mccarthy-aide-showed-trump-how-to-exploit-power-and-draw-attention/2016/06/16/e9f44f20-2bf3-11e6-9b37-42985f6a265c_story.html.

a growing desire to preserve “the way things were” prior to World War II. As such, the 1950s saw an entrenchment in rigid societal norms and conservatism became a mentality of the past, advocating stagnation for the sake of security and the preservation of privilege.³¹ But as historian Corey Robin explains in his book, *The Reactionary Mind*, “modernity has seen too much flux to sustain a belief in hereditary status. The watermarks of privilege and privation are no longer visible to the naked eye; they must be identified again and again, through struggle and contest.”³² In the relative calm of the latter half of the 1950s, the want for change began to grow. The 1960s exploded with societal shifts headed by a dissatisfied, liberal youth who wanted more —more civil rights, more social mobility, more independence in general. Thus began the counterculture, an age of unrest in which conservatives faced their greatest opposition.

To many conservatives, those trying to fight for greater equality in the 1960s were really advocating for an overthrow of American society, calling once more on the fear of subversives. By and large, “the modern right wing... [felt] dispossessed: America [had] been largely taken away from them and their kind, though they are determined to try to repossess it and to prevent the final destructive act of subversion.”³³ Thus, the most apparent trait of post-war conservatism became the constant struggle to maintain the pre-existing social order. Even when conservatives were not in politically dominant, they were united in the desire to maintain, among other things, the heteronormative gender hierarchy in American society. Few individuals were as fervent or devoted to the cause than Phyllis Schlafly. A constitutional lawyer, prolific author, and the CEO

³¹ Jasper B. Shannon, “Conservatism,” *The Annals of the American Academy of Political and Social Science* 344 (Winter 1962), 14; David Farber, *The Rise and Fall of Modern American Conservatism: A Short History* (New Jersey: Princeton University Press, 2010), 3.

³² Corey Robin, *The Reactionary Mind: Conservatism from Edmund Burke to Donald Trump*, 2cd ed., (Oxford: Oxford University Press, 2017), 232.

³³ Richard Hofstadter, “The Paranoid Style in American Politics,” *Harpers* (Winter 1964), <https://harpers.org/archive/1964/11/the-paranoid-style-in-american-politics/>.

of the Eagle Forum, Schlafly was, in many regards, the quintessential modern woman; had she not vehemently opposed them or spent the most famous years of her career dedicated towards bringing about their downfall, Schlafly would have made a model feminist.³⁴ Schlafly is most often remembered for her opposition to the Equal Rights Amendment, “a proposed amendment to the U.S. constitution designed to guarantee equal legal rights for all American citizens regardless of sex.”³⁵ Approved for ratification in 1972, the ERA has still yet to be added to the Constitution, largely because of Schlafly and her conservative advocacy.

Mischaracterization, akin to McCarthy’s false accusations of individuals brought before his subcommittee, was a defining characteristic of Schlafly’s practices. With her quaffed hair and soap box smile, Schlafly mischaracterized herself as much as the objectives of her political opponents: despite presenting herself as the ideal 1950s housewife, she embodied Roy Cohn’s pit-bull lawyer tactic of “attack attack attack.”³⁶ As many women in the 1960s and 70s began to push for expanded rights, salaries, and autonomy over their bodies, Schlafly found ways to undermine not only key feminist ideals, but the status of women in America overall. At a time when women fought for the freedom to choose whether they wanted a career, a family, or both; when women marched for the protection of legal abortions and increased legislature protecting survivors of domestic violence; when women wanted to but could not be recognized as equal members of society, Schlafly believed that “American women never had it so good. Why should

³⁴ Farber, 120: “Schlafly represented all aspects of conservatism in the early 1960s.”

³⁵ “Home Page,” Equal Rights Amendment, <https://www.equalrightsamendment.org/>.

³⁶ Farber, 132.

Farber writes that as the Civil Rights Movement swelled to its height in the mid 1960s, Schlafly was “indifferent or opposed to all aspects of the [Movement], which she perceived to be divisive, disorderly, and socialistic if not completely communistic.” This tactic of discrediting the Civil Rights Movement and its leaders by using the labels of communism was common among many conservatives.

we lower ourselves to ‘equal rights’ when we already have the status of special privilege?”³⁷ Her argument rested on the belief that equality for women in the ways which feminists called for it would undermine the traditional family structure and with it, the morality of America.

The idealized structure conservatives sought to protect in the 1970s was that which had existed for the white upper-middle class in the 1950s, when Americans tried to return to “normal” following the end of the war. From this came the *nuclear family* which referred to “nuclear as in a unit built around the nucleus of the father and mother, but the name also resonates with the politics of the Cold War. The family was on the front line of an existential conflict between communism and capitalism.”³⁸ The nuclear family—which became shorthand for heteronormative, racially homogeneous, monogamous marriages resulting in multiple children—served as a microcosm for the conservative socio-political structure with a patriarch functioning as the head of the governing body with a wife and children existing as subservient citizens inside their own home. This structure made conservatives nostalgic for a mythical “better time” prior to liberal movements. While there has never been a stagnant period in American history, the 1960s were an era of constant change and by controlling the family, conservatives felt they too could return to a position of control over the government and society.³⁹ However, control over the family by and large meant control of women, an argument from which Schlafly used as a starting point to appeal to as many conservatives as possible. The

³⁷ Phyllis Schlafly, “What’s Wrong with ‘Equal Rights’ for Women?” *Phyllis Schlafly Report* 5, no. 7 (February 1972), quoted in Farber, 144.

³⁸ Timothy Stanley, “The Changing Face of the American Family,” *History Today* 62, no. 11 (Winter 2012), 11. Stanley goes further to explain, “[the nuclear family] was forged by the unique economic and political circumstances of the 1950s, was undermined by social revolution in the 1960s and was revived as an ideal in the 1970s by a conservative movement with a deceptively rosy view of the past.”

³⁹ *Ibid.*, 14.

Stanley notes that “by 1960 the average family had 30 percent more purchasing power than it had had in 1950. The nuclear unit was the engine of America's growth and the main beneficiary of its economic greatness.”

burden of family —of making it, maintaining it, and defending it against all odds in the face of liberating social developments— has always fallen on women. Even as men within the conservative movement saw the strength of women in preserving this tradition, they still refused to see them as equal contributing members to society; the structure conservative women worked so hard to preserve was the same one that continued to resign them to a subordinate role in society.⁴⁰ Regardless of partisan affiliation or ideological belief, data reveals a critical shift in the national workforce in the post-war years: in 1950, only 26% of married women under 45 worked but by 1985, that number more than doubled to 67%.⁴¹ Stanley notes that “the growing expectation —and need— for women to enter the [labor] market had a dramatic impact upon gender roles, child-rearing and patterns of cohabitation. Life for the Seventies woman was more independent and more complex.”⁴²

The conservative women’s movement did little to recognize this shift despite the fact that many of its members —Schlafly included— were a part of the statistics. The much larger conservative movement, with these women at the forefront, enabled and strengthened the patriarchy out of a fear of the drastic changes that their liberal counterparts were called for; rather than face an overthrow that undermined the comforts of life they currently enjoyed, conservatives called for further entrenchment in their rigid gender structures. While this set conservative women at a disadvantage, it left no space for individuals like Cohn. In order to continue his fight for conservatism following the McCarthy Era, Cohn continued to further suppress his sexuality. Whether Cohn’s attempts to repress his homosexuality allowed him to attain his reputation as a conservative pit-bull lawyer or if he became increasingly aggressive due

⁴⁰ Farber, 127.

⁴¹ Stanley, 13.

⁴² Ibid.

to his years of suppression is indeterminable; what is clear is that Cohn managed to remain relevant in the conservative movement after the end of the McCarthy Era in the 1950s through the tumultuous 1960s.

Roy Cohn's sexuality was—and remains—one of the most frequently discussed facets of his life. His relationship with homosexuality has been scrutinized through a number of analytical lenses, including how he fit into the nuclear family structure. Cohn believed the reason why so many speculated about his sexuality was because of “this set of facts: [he was a] bachelor, unmarried, middle aged... all the stories go back to the McCarthy-Schine days. Schine was a bachelor, too. [They] were both bachelors... so was McCarthy.”⁴³ Thus, the barometer for acceptance into heteronormative society according to Cohn and those around him was marriage. Rosalind Sokolsky's husband was an early mentor to Cohn and as such, they became friends of the family and knew the Cohns's dynamic well. It was her opinion that Cohn's mother Dora ruined all of her son's chances at happiness.⁴⁴ The stories Sokolsky would tell about Dora Cohn and her son instantly call to mind the Bates family in Alfred Hitchcock's 1960 thriller *Psycho*. According to Sokolsky, Dora “kept [Cohn] from getting married. She just held on to him, you know, and that was the sad part of his life...”⁴⁵ The way in which Mrs. Sokolsky tells the story of Cohn and his mother—with alluding phrases like *you know* sprinkled in—implies that the way in which Dora treated Cohn is the reason why he was romantically linked to other men. Although ludicrous, this logic was very much in tune with Phyllis Schlafly's beliefs on how liberalism affected members of a nuclear family. Religious Right groups like Schlafly's Eagle

⁴³ Gilford, “Roy Cohen [sic] 2 Nick 1,” 9:12.

⁴⁴ von Hoffman, 255.

⁴⁵ Ibid.

Forum often promoted antiquated psychiatric beliefs, such as that “all male homosexuality was a mental disease caused by ‘close-binding’ mothers.”⁴⁶ The American Psychiatric Association removed homosexuality from its manual of mental illnesses in 1973, but societal stigma — evident in Mrs. Sokolsky’s recollection of the relationship— stayed with Cohn through the rest of his life.

In 1953, Cohn and G. David Schine traveled to Europe on official duty for the McCarthy Subcommittee on Investigations to look into the State Department’s Information Program to seek out books by Communist authors. The trip was intended as a crusade to show the wide-spanning severity of the Communist problem, as well as to promote how hard the McCarthy committee was working on combating the issue. But it is regarded in hindsight, both by historians and by Cohn himself, as a “public relations disaster.”⁴⁷ Many sources have provided evidence that Cohn and Schine were romantically involved, and were particularly bad at hiding it on this trip.⁴⁸ Following their return to the U.S. the two were known to jet set around with one another, often flying to Washington for the work week and back to Manhattan to party on the weekends. When the Army drafted Schine and made it clear they intended to send him overseas, Cohn reportedly said, “We’ll wreck the Army... The Army will be ruined.”⁴⁹ The next year saw the Army-McCarthy Hearings, spearheaded almost entirely by Cohn.

Despite his public display of devotion to Schine, Cohn was always bothered by the rumors that the two were involved, going so far as to defend his friend’s honor in his autobiography: Cohn argued to his readers that there was no way Schine was a homosexual since

⁴⁶ Lillian Faderman, *The Gay Revolution: The Story of the Struggle* (New York: Simon & Schuster, 2015), 280.

⁴⁷ Zion, 91; Morgan, 443.

⁴⁸ Morgan, 444.

⁴⁹ *Ibid.*, 468.

he “married a Miss Universe and is the father of seven children.”⁵⁰ On the same page, he mentions that while he does not regret much of what he has done in his life “there is one thing I’d do different. I sure as hell wouldn’t have taken that trip with my friend G. David Schine in the spring of 1953.”⁵¹ In these consecutive moments of loyalty and paranoia, it is clear that Cohn recognized that their European vacation, taken at the height of the McCarthy Era, launched the lifelong speculation of his sexuality. Maybe more interesting is the fact that although Cohn regretted the trip they took, he never felt the same about his relationship with G. David Schine.

In the wake of the Cold War, the growing Civil Rights movement, and the assassinations of three major public figures, America was in the midst of an identity crisis at the start of the 1970s. While liberals sought a more progressive society with expanded civil rights and equality for marginalized groups, conservatives desired a return to familiarity much in the way they had after the upheaval brought on by World War II. As the right began to reorganize in the years following the Watergate scandal, they relied on the family structure they sought to protect as a blueprint for their political structure. Just as a family should be, the government needed to be led by a strong patriarch. In 1964, Americans got their first glimpse of one as former actor Ronald Reagan delivered his “Time for Choosing” speech on behalf of Republican presidential candidate Barry Goldwater.⁵² By the end of 1980, Reagan had been elected president himself following a campaign focused on strengthening America by returning it to its former glory or, as Reagan would often say on the campaign trail, make it great again.⁵³

⁵⁰ Zion, 91.

⁵¹ Ibid., 90-1.

⁵² Mara Olivia and Mark Shanahan, eds., *The Trump Presidency: From Campaign Trail to World Stage* (Switzerland: Palgrave Macmillan, 2019), 61.

⁵³ *Get Me Roger Stone*, directed by Daniel DiMauro, Dylan Bank, and Morgan Pehme (Netflix, 2017), 19:53, <https://www.netflix.com/watch/80114666>.

Historians Kevin Kruse and Julian Zelizer argue that the tumult of the 1970s created a much needed space for the right to return to prominence in American politics and society, and that “after a decade of work laying the foundations for change, the conservative constellations that came to be known as the New Right and the Religious Right coalesced in Ronald Reagan’s 1980 presidential campaign.”⁵⁴ Prior to the 1970s, Christian conservatives had, for the most part, operated under an unwritten doctrine of not getting involved in politics. However, as seen with Phyllis Schlafly, many religious members on the Right were so perturbed by the calls for the equal rights of women and homosexuals that they saw no other option to negate this shift than to enter politics themselves.⁵⁵ Figures like Jerry Falwell of the Moral Majority and James Dobson of Focus on the Family used their organizations to formalize their stances on family-related topics such as sex education in schools, abortion, and the ERA. Overall, the movement reflected the idealized structure of politics and society exemplified by the nuclear family structure largely, in part, because it was male-dominated.⁵⁶ While there were prominent women in the movement, such as Anita Bryant and Beverly LaHaye, they too promoted the preservation of the patriarchy. Although Schlafly argued on behalf of something similar in the 1970s, the 1980s saw more clearly how the submission of women to authoritative men was a defining characteristic of the growing conservative movement. One of the best examples were the right-wing delegates to the 1980 White House Conference on Families who “believed that women's best hope of liberation was found in marriage, where their compassionate instinct for motherhood formed a perfect

The film features a clip from a Reagan campaign speech right under the Statue of Liberty in which the future president says, “Let us pledge to each other, with this great lady looking on, that we can, and so help us God, we will make America great again.”

⁵⁴ Kruse and Zelizer, 104.

⁵⁵ Ibid., 87.

⁵⁶ Judith Stacey, "The New Conservative Feminism," *Feminist Studies* 9, no. 3 (Autumn 1983): 559-83.

union with her husband's authority.”⁵⁷ By the dawning of the 1980 Presidential Election, Americans who had grown frustrated or disillusioned by the liberal movements found their way to conservatism, and the years leading up to the 1980s saw what is sometimes referred to as the Fourth Great Awakening, or a new religious revival led by the Religious Right.⁵⁸ While it is outside the scope of this project to explore exactly how and why conservatism turned in this direction, it is worth noting that throughout the 1970s, evangelical Christians grew increasingly active in politics and the values they sought to protect aligned with that of many conservative ideologies. This ideological refocusing was supported by the New Right’s innovative funding and communication tactics: the establishment of foundations, think tanks, and the direct-mail campaign were essential to the spread of conservative beliefs in a budding technological age, and helped to energize members all along the spectrum of right-wing ideology behind Ronald Reagan.⁵⁹

Despite going down in history as an icon of the movement, Ronald Reagan was not a life-long conservative; at the start of his political consciousness, he was an ardent New Dealer because many of President Franklin Roosevelt’s policies benefited his working-class Illinois community.⁶⁰ However, when he left Illinois for Hollywood, his new environment prompted him to adopt two fundamental conservative ideologies: anti-Communist sentiment and the desire for lower taxes. As an actor during the Second Red Scare, Reagan testified before the House Un-American Activities Committee (HUAC) against the numbers of Communists within his industry

⁵⁷ Stanley, 15.

⁵⁸ Randall Balmer, review of *The Fourth Great Awakening and the Future of Egalitarianism* by Robert William Fogel, *The Journal of Interdisciplinary History* 33, no. 2 (Autumn 2002): 322-25; Ronald Reagan, “‘Evil Empire’ Speech,” (speech, National Association of Evangelicals, Orlando, FL, March 8, 1983).

⁵⁹ Kruse and Zelizer, 96.

⁶⁰ Farber, 164.

and grew frustrated that more action was not taken to rid Hollywood of these individuals.⁶¹

Although Reagan never became a major household name as an actor, he gained enough notoriety with the 1942 film *King's Row* to witness his income—and therefore his taxes— increase.⁶²

When he left his career in Hollywood in 1954, Reagan became increasingly involved with conservative movement in California. It seemed as though the more involved he became, the more willing the Old Right establishment was willing to accept him in. Soon, Ronald Reagan was a former actor, current political pundit, and future president.

Reagan was crucial to the development of post-war conservatism and his legacy is still discussed today: in 2008, then-president of the Heritage Foundation, Edwin J. Feulner, stated that “Reagan was politically successful ‘because he spoke powerfully to the American people about conservative principles— which he would not compromise!’”⁶³ This impression was drawn from the way that Reagan presented himself on the public stage as it played into the hierarchical structure of the nuclear family, which appealed to his conservative base. He presented himself as a strong yet compassionate father figure, devoted to both protecting the country as well as preventing it from progressing too fast.⁶⁴ Three speeches delivered throughout Reagan’s presidency—one given during the 1980 presidential election campaign, one from his first term, and one towards the end of his second term— highlight why Reagan was idolized as a representative of the conservative movement’s devotion to the patriarchy, and the significance of this imagery to the movement.

⁶¹ Ibid., 167.

⁶² Ibid., 168.

⁶³ George H. Nash, “Ronald Reagan’s Legacy and American Conservatism,” in *The Enduring Reagan*, ed. Charles W. Dunn (Kentucky: University Press of Kentucky, 2009), 55.

⁶⁴ Ronald Reagan, “A Strategy for Peace in the Eighties” (televised address, October 19, 1980).

In a televised address delivered on October 19, 1980 titled “A Strategy for Peace in the Eighties,” then-Governor Reagan used the word “strength” a total of eighteen times, and “strong” another fourteen. The strength in question is that which America exerted abroad through both military action and humanitarian aid, and Reagan’s argument was that he could better empower America through these two channels than Carter did. In the speech, Reagan claims that Americans “must build peace upon strength. There is no other way. And the cold, hard fact of the matter is that our economic, military, and strategic strength under President Carter is eroding. Only if *we* are strong will peace be strong.”⁶⁵ Here, Reagan explicitly addresses the unspoken anxiety that accompanied the conservative fear of subversion. The American narrative sets forth an image of America as the predominant force in the world. To be perceived as weak goes against the belief Americans hold about the country, and Reagan’s comments instilled doubt in Carter’s strength as a leader while simultaneously promoting his own potential. Reagan goes on to correlate religion with politics through a reference to those in Scripture who fight for peace through their actions, not just their words. He builds on this, arguing that a strong presence abroad is essential to lesser-developed regions, as though America was a Christian missionary spreading the gospel of democracy.⁶⁶ Reagan spoke similarly in his 1983 address to the National Association of Evangelicals. Although known as the “Evil Empire” speech that was intended to provoke a fearful defense against the Soviet Union, Reagan spent nearly two thirds of the speech speaking directly to the moral concerns of his audience: at one point, he echoed Baptist minister and televangelist Pat Robertson almost directly, stating that while it seemed as though many Americans had turned to secularism and “sometimes their voices are louder than ours... they are

⁶⁵ Ibid.

⁶⁶ Ibid.

not yet a majority.”⁶⁷ Capitalizing off of this energy, Reagan emboldened his audience by once again attributing American strength at home and abroad with the spiritual awakening that had occurred on the Right. The comfort Reagan provided by speaking against the liberal secularism at home and defending the country’s honor abroad helped to bring a wide array of Americans under both his charm and that of revamped conservatism.

Arguably Reagan’s most iconic speech is the 1987 “Remarks on East-West Relations at the Brandenburg Gate in West Berlin,” known colloquially as the “Tear Down This Wall” speech. Delivered in between a failed arms reduction meeting in 1986 and the one which resulted in the Intermediate-Range Nuclear Forces Treaty in December 1987, Reagan’s speech was a deliberate show of strength.⁶⁸ Unlike in the 1980 television address, Reagan does not say the words “strength” or “strong” more than a handful of times. Yet, there were lines that exhibited a powerful and almost incorruptible parental presence, such as his claim that in the Soviet Union, we see failure, technological backwardness, declining standards of health, even want of the most basic kind— too little food. Even today, the Soviet Union still cannot feed itself. After these four decades, then, there stands before the entire world one great and inescapable conclusion: Freedom leads to prosperity. Freedom replaces the ancient hatreds among the nations with comity and peace. Freedom is the victor.⁶⁹

It is in moments like the delivery of this speech that Reagan’s past as an actor feels relevant again; the cinematic quality of the demand, “Mr. Gorbachev, open this gate! Mr. Gorbachev, tear

⁶⁷ Kruse and Zelizer, 95.

Robertson is quoted in *Fault Lines*: “We have enough votes to run the country... and when the people say, ‘we’ve had enough,’ we’re going to take over the country.”

⁶⁸ *The Eighties*, season 1, episode 4, executive produced by Tom Hanks, Gary Goetzman, and Mark Herzog, aired April 21, 2016, on CNN.

⁶⁹ Ronald Reagan, “Berlin Wall Speech” (speech given in front of the Berlin Wall, West Germany, June 12, 1987).

down this wall!” still evokes a sense of patriotism over three decades later.⁷⁰ It also serves as a reminder of how contrived Reagan’s image of strength was: beginning at the very start of his presidency, Reagan and his “troika” of advisors worked to control the president’s image by setting forth a “line of the day” that dictated what Reagan said and did for at least twelve hours.⁷¹ This played off of Reagan’s strength as a performer, and it was not something any president had done before.

While he was a naturally strong and charismatic leader who succeeded in passing popular defense spending and government deregulation policies on top of tax cuts that benefited the economy, Reagan gave these three specific speeches at points in time when his favorability and approval ratings were notably low. His 1980 address tailed his suppression of student protests as governor of California, the Evil Empire speech came as Reagan ignored the rising panic of the AIDS epidemic, and he revived his foreign policy legacy in 1987 after news of the Iran-Contra Affair had broken, respectively. Yet after each speech, Reagan managed to not only regain but retain the American public’s support.⁷² His resounding messages of America’s strength were often correlated with his own powerful leadership. Although the content of Reagan’s speeches still advocated for the aggressive anti-subversive beliefs fashioned during the McCarthy Era, the new packaging of the conservative ideologies was more palatable to the American people following the unrest of the 1960s. In contrast to Roy Cohn’s abrasive, fear-based tactics to fight Communists and other subversives, Reagan presented the battle against Soviet communism as a patriotic defense of traditional American structures which appealed to the widening audience of conservative voters.

⁷⁰ Ibid.

⁷¹ Kruse and Zelizer, 180.

⁷² Farber, 206.

Roy Cohn never managed to finish his autobiography. He began scribbling down all of the stories swirling inside his head on yellow legal pads but as his disease worsened, the onerous of completing his narrative fell to the journalist Sidney Zion. Zion uses the introduction to *The Autobiography of Roy Cohn* to explain that he would meet with Cohn to listen to endless stories and the resulting book was “Roy Cohn’s words, his life. Organized by [Zion’s] hand but in [Roy’s] voice.”⁷³

Over the course of his life, Cohn kept countless journalists as friends, like Zion, who always wrote favorably about Cohn regardless of if their political affiliation would naturally make him their enemy. He was obsessed with retaining a certain image, both in national and local Manhattan publications. He learned early in his professional career “that publicity could be power,” and after that realization “he was soon successfully courting another older man and a very powerful one in journalism— the Hearst newspaper star gossip columnist Walter Winchell.”⁷⁴ Cohn was close with another big-name columnist, George Sokolsky, who Cohn often referred to as his mentor. Sokolsky—or Sok, as Cohn always called him— was a close friend of the Director of the Federal Bureau of Investigation, J. Edgar Hoover, whom Cohn would eventually seek the favor of as well. It was through his connection to Hoover that Cohn would disseminate stories to the press: those who worked at the FBI would often gossip about well-known figures, then “Hoover would go over it and it would be fed to Roy... [then] Roy would spend near to three to four hours every day with the columnists, feeding them stuff.”⁷⁵ While it was Cohn’s nature to court the favor of established men of the press, politics, and legal

⁷³ Zion, 11.

⁷⁴ von Hoffman, 77.

⁷⁵ Ibid., 333.

communities to protect his public image, he also genuinely believed them to be his friends and cared for them deeply. If his autobiography is to be trusted, they frequently felt that way, too.⁷⁶ In any case, Cohn's methodology of devout loyalty and favor trading guaranteed that even his worst qualities—including, but not limited to, his “contempt for people, [and] his contempt for the law”—were portrayed as strengths in the press.⁷⁷ Like his friend Ronald Reagan, Cohn was a master of presenting an image of masculine strength and, just as the president had saved his reputation repeatedly with rousing speeches to reaffirm his toughness, Cohn saved his own through co-opting journalists and commanding his public appearance. Though he had a reputation for villainy, Roy Cohn rarely saw a bad story in his lifetime.

Sidney Zion, already an outcast in the world of journalism for revealing David Ellsberg as the author of the Pentagon Papers, was harshly judged by other liberal journalists for working with Cohn on this project. Zion writes that he responded to his critics with a quote from H. L. Mencken: “What a dull world it would be for us honest men if it weren't for its sinners.”⁷⁸ Even though journalists began to write all of the bad press they could dream of following Cohn's death, Zion never did.

While the preservation of a gendered social hierarchy and the desire to present an image of masculine strength are paramount to the structure of the conservative ideology, they only became possible through conservatives' struggle for power. In asserting dominance through a cultivated image and undermining those who threaten their comfortable hierarchical structures, conservatives work towards amassing a broad scope of power with little intention of being

⁷⁶ Zion, 244 and 263.

⁷⁷ Michelle Goldberg, “Roy Cohn Is How We Got Trump,” *New York Times*, September 20, 2019, <https://www.nytimes.com/2019/09/20/opinion/roy-cohn-trump.html>.

⁷⁸ Zion, 11.

flexible enough to relinquish power to anyone else; as Robin bluntly states, “conservatism is about power besieged and power protected.”⁷⁹ Thus, the acquisition of political power has almost become a game to post-war conservatives, albeit one rooted in paranoia of becoming an ineffectual minority. Although Roy Cohn’s aggressive fear-mongering may not have garnered as much support for conservatism from the American population as Reagan’s rousing patriotism did, it was Cohn’s attack-dog approach and win-by-whatever-means-necessary mentality that conservatives have used to regain and strengthen their political power in the 21st Century. At face value, President George W. Bush and political consultant Roger Stone appear to hail from two completely different worlds; in fact, their worlds have been in opposition with one another since the publication of Stone’s book, *The Bush Crime Family*, which alleges to uncover decades of corruption within the Bush family. Regardless of their personal conflicts, however, the two men’s politics reveal an incredible amount about the mentality that continues to drive conservatism forward.

Unlike leading conservative figures like Ronald Reagan, who had devoted years to educating himself on conservative history and theory, and Phyllis Schlafly, whose politics stemmed from an all-encompassing desire to protect the familial structure she knew, George W. Bush “had never gone through [the] process of refining his political and ideological beliefs.”⁸⁰ Although the 1990s saw a Democrat in the White House, President Bill Clinton had claimed to be a “new” Democrat who was “was respectful of the conservative political hurricane that had blown across great swatches of the United States.”⁸¹ In other words, conservatism had grown too popular during Reagan’s administration for a liberal to run against, so even the Democratic Party

⁷⁹ Robin, 33.

⁸⁰ Farber, 229.

⁸¹ *Ibid.*, 211.

began to play into conservative ideals. As such, Bush's brand of conservatism was largely a constructed image intended to appeal to an electorate that still idolized the conservatism of the 1980s as a means of returning back to the Reagan years. The younger Bush appeared to draw the majority of his beliefs from conservatives before him and around him—notably, conservative war hawks like Vice President Dick Cheney and Secretary of Defense Donald Rumsfeld—rather than from his own held convictions. Following the terrorist attacks on September 11, 2001, the Bush Administration became deeply concerned with how to conduct foreign policy in the Middle East. By 2003, Cheney and Rumsfeld had turned the country's attention to Iraq where they “wanted to take out Saddam Hussein and establish a new government.”⁸² Although faced with varying shades of advice regarding how to conduct involvement and attacks in Iraq, “President Bush never saw any need to sort out the differences that underlay his different advisers' motives and understandings; he simply embraced them all.”⁸³ Bush tended to rely on other conservatives to form his presidential policies as many of his personal objectives went against the cultivated conservative platform, such as the creation of No Child Left Behind (NCLB). As governor of Texas, Bush had campaigned on reforming the state's school system by providing increased funds for schools with below average test scores.⁸⁴ When he reached the White House, he continued to make children's education a priority, despite it requiring a huge government presence in America's schools.⁸⁵ Although NCLB already seemed unconservative in theory, the failed execution of it at the national level was even more antithetical to the movement: Bush cut the program's funding a month after it passed with bipartisan support, meaning that “NCLB was

⁸² Farber, 248.

⁸³ Ibid.

Kruse and Zelizer, 258.

⁸⁴ Farber, 225.

⁸⁵ A fundamental conservative goal is to decrease government presence as much as possible.

an unfunded mandate imposed on local schools by the federal government without providing school districts with any serious funding.”⁸⁶ Bush’s reliance on his conservative advisers to structure his foreign policy coupled with one of his primary domestic policies appearing contradictory to the conservative cause led to conservatives “to explain away the 2008 [presidential election] defeat [by] arguing that Bush had never been a true conservative.”⁸⁷

Although he was slowly losing the support of social and political conservatives, Bush’s faith continued to appeal to members of the Religious Right. After becoming a devout Christian later in life, Bush brought a strong sense of religiosity to the White House, enacting mandates that reflected the interests of Reagan’s Religious Right supporters.⁸⁸ During his time in office, “Bush often rejected scientific experts’ and committed his presidency to the conservative religious values in which he and many of his most ardent supporters believe.”⁸⁹ However, he was never as far to the right of the spectrum in mentality as Pat Buchanan: the former Republican consultant who unsuccessfully ran for president three times went against W. Bush’s father in 1992, claiming President H. W. Bush was too liberal to defeat the Clintons.⁹⁰ While President W. Bush and Pat Buchanan are not often mentioned in the same breath for this reason, one thing that connects the two men is that they both tried to play the game of politics and lost; whereas Buchanan never garnered enough support for his near-fringe ideologies, W. Bush had the electoral support but lost the movement: he had adopted the conservative economic policy of deregulation introduced by President Jimmy Carter and expanded upon by Reagan. The once

⁸⁶ Kruse and Zelizer, 248.

⁸⁷ Farber, 256.

⁸⁸ *Ibid.*, 244.

In his first year in office, Bush blocked federal funding for stem cell research. Later, he called for the passing of a Constitutional amendment banning same-sex marriage and demanded that Creationism be taught alongside evolution in science courses.

⁸⁹ Farber, 240.

⁹⁰ Farber, 230.

prosperous method began to fail, and the ire of conservatives fell on the Bush Administration. This created an opening in the campaign conversation for Senator Barack Obama to capitalize on his calls for hope and change, advocating for overhauling the “laissez-faire economics” that had been in place since the 1970s.⁹¹ Further, Bush’s doctrine of “compassionate conservatism” never got the traction he hoped it would because “as Myron Magnet, a proponent of compassionate conservatism, admits: ‘At its core is concern for the poor— not a traditional Republican preoccupation.’”⁹² While Bush was not initially perceived as a strong leader, his handling of 9/11 prompted a surge of support for the president and his administration’s take on conservatism. However, by 2008, Bush’s disjointed approach to conservatism left the movement in disarray.⁹³

For Roger Stone, in contrast, the game of politics has always been much less official than it was for Bush and Buchanan. In the 2017 documentary *Get Me Roger Stone*, Stone tells the story of how his elementary school hosted a mock election in 1960. Stone stood at the end of the cafeteria line and informed his fellow classmates that Richard Nixon was for holding school on Saturdays, scaring them into thinking that this was a real possibility despite the nature of the election. Although the town was a Republican stronghold, Kennedy managed to win in an overwhelming landslide. Stone retorts, ““for the first time ever, I understood the value of disinformation. Of course, I’ve never practiced it since then.””⁹⁴ Told proudly to his documentary filmmakers, the anecdote highlights how eclectic and devious of a figure Stone has been since he entered the political sphere in 1972.

⁹¹ Farber, 254-5.

⁹² Bruce Pilbeam, “The Tragedy of Compassionate Conservatism,” *Journal of American Studies* 44, no. 2 (2010): 252.

⁹³ Farber, 256.

Farber states that “some conservatives tried to explain away the 2008 defeat [which ushered in a Democratic president as well as a House and Senate majority], arguing that Bush had not been a true conservative.”

⁹⁴ *Get Me Roger Stone*, 8:23.

Although the exact nature of his role has become muddied due to an on-going duel of egos with the current president, Stone was more than influential in shaping Donald Trump's 2016 campaign: Trump himself states that Stone had been encouraging him to run for public office since they were introduced by Roy Cohn in 1980.⁹⁵ Stone has always been very transparent about how he uses his "dirty tricks" to influence politics in the ways he sees fit and in an interview with the Huffington Post prior to the 2016 election, he was very explicit in how he saw Donald Trump winning the race. He argued,

fifteen seasons of *The Apprentice* not only makes him a smooth television performer but think of the way he looked in the show: high-backed chair, perfectly lit, great makeup, great hair, decisive, making decisions, running the show. He looks presidential. Do you think voters, non-sophisticates, make a difference between entertainment and politics?⁹⁶

Following his conviction for lying under oath and obstructing justice in November 2019, *The Atlantic* did a retrospective of Stone's role in modern American politics and found that he "seems to have played a role in every major conservative moment in the past half century."⁹⁷

From hiring a spy to watch a political opponent on behalf of Nixon's Committee to Re-Elect the President to helping Cohn produce unsubstantiated claims against Geraldine Ferraro who ran on Walter Mondale's Democratic ticket against Reagan in 1984, Stone has promoted and protected conservatism at every stage of his career.⁹⁸ Moreover, his flamboyant persona and egregious

⁹⁵ Olivia Paschal and Madeleine Carlisle, "A Brief History of Roger Stone," *Atlantic*, November 15, 2019, <https://www.theatlantic.com/politics/archive/2019/11/roger-stones-long-history-in-trump-world/581293/>.

⁹⁶ *Get Me Roger Stone*, 4:43.

⁹⁷ Paschal and Carlisle.

⁹⁸ Stephanie Mansfield, "The Rise And Gall of Roger Stone," *Washington Post*, June 16, 1986, <https://www.washingtonpost.com/archive/lifestyle/1986/06/16/the-rise-and-gall-of-roger-stone/d8ce308b-7055-4666-860e-378833f46e17/>.

claims have kept the politics of the campaigns he has consulted for in the news. Somehow, unlike Bush, Roger Stone has succeeded in the game of politics.

Like Stone, Roy Cohn worked best in the shadows. He is most often remembered for his no holds barred approach to winning in politics and against the law. According to writer Sam Roberts, Cohn used to say, “I don’t care what the law is. I want to know who the judge is.”⁹⁹ He used his connections to influence elections at every level and managed to secure not guilty verdicts for his mob boss clients. However, Cohn’s greatest role was in shaping the trajectory of post-war conservatism from behind the curtain. From his time as McCarthy’s right-hand man to his oft-overlooked friendship with Ronald and Nancy Reagan, Cohn was whispering in the ears of conservative leaders for decades. While Cohn’s impact on American politics was traceable from 1947 onward, it was not until the second half of his career that he exerted his most direct influence on conservatism as it exists today. In 1973, the U.S. Justice Department sued real estate developers Fred and Donald Trump for discriminating against black applicants attempting to rent apartments in Trump properties.¹⁰⁰ After a chance meeting at Le Club, Cohn advised Trump to “tell [the Justice Department] to go to hell and fight the thing in court and let them prove you discriminated,” thus beginning a decade long partnership.¹⁰¹ Under Cohn’s counsel, the Trumps countersued the government in a bogus defamation suit. Although that was almost immediately thrown out and the Trumps settled in the initial case, Cohn arranged a deal in which they did not have to admit guilt. This allowed both mentor and mentee to promote the result as a

⁹⁹ Marie Brenner, “How Donald Trump and Roy Cohn’s Ruthless Symbiosis Changed America,” *Vanity Fair*, June 28, 2017, <https://www.vanityfair.com/news/2017/06/donald-trump-roy-cohn-relationship>.

¹⁰⁰ Jonathan Mahler and Steve Eder, “‘No Vacancies’ for Blacks: How Donald Trump Got His Start, and Was First Accused of Bias,” *New York Times*, August 27, 2016, <https://www.nytimes.com/2016/08/28/us/politics/donald-trump-housing-race.html>.

¹⁰¹ Brenner.

win for Trump Management.¹⁰² Between 1973 and 1984, Trump and Cohn would work together on a number of high profile cases but Cohn's influence on Trump was far expanded far past just legal advice.

As one of the original facilitators for the paranoid politics that began during the McCarthy era and pulsed beneath the development of conservatism in the post-war period, Cohn imparted decades of history on his protege as well as the tools Trump would need to exploit the most paranoid members of American society. Conservatism in the post-war years has largely become focused on the preservation of an idealized American society, one heralded as the model to return to. Roger Stone, another Cohn mentee who served as one of Trump's advisers has said that

pro-Americanism... is a common thread for McCarthy, Goldwater, Nixon, [and] Reagan. The heir to that tradition is Donald Trump. When you combine that with the bare-knuckled tactics of Roy Cohn—or a Roger Stone—that is how you win elections. So Roy has an impact on Donald's understanding of how to deal with the media— attack, attack, attack, never defend.¹⁰³

While it is figures like Ronald Reagan, Roger Stone, and Donald Trump that are remembered for carrying ideals of conservatism through the last 70 years of American history, it was Roy Cohn whose legacy still embodies the ideologies of paranoia, loyalty, and image.

As he accepted the presidential nomination at the Republican National Convention in 2016, Donald Trump made a promise to the American people: "We will make America safe

¹⁰² Ibid.

¹⁰³ Ibid

again. We will make America strong again. And we will make American great again.”¹⁰⁴ The structure of this chapter was constructed without this speech in mind, but the parallel between the three major conservative ideologies and now-President Trump’s campaign promise is telling. In claiming “we will make America safe again,” Trump drew upon Phyllis Schlafly and her compatriots of the Religious Right who argued that deviating from the heteronormative social hierarchy and the accepted nuclear family structure would promote cultural decay.¹⁰⁵ In arguing “we will make America strong again,” Trump refers back to the legacy left by Ronald Reagan who sought to assert the dominance of conservatism at home and abroad through his paternalistic speeches. And in stating “we will make America great again,” Trump calls forth not only a sentiment peddled by Reagan during his 1980 presidential campaign, but the notion of preserving an idealized society through a return to conservative politics. All of these facets of conservatism carry an extended history of their own with them and fit like puzzle pieces into the grander picture of *conservatism*. The connection they have to one another is through their connection to Roy Cohn. Cohn promoted the maintenance of a heteronormative society, exuded an image of strength, and played the game of politics to win. While the history of conservatism is too wide spanning to analyze as a single entity, Cohn’s legacy offers a roadmap to help trace certain branches of conservative history from the immediate post-war era through to today.

¹⁰⁴ *Get Me Roger Stone*, 0:52.

¹⁰⁵ Farber, 121.

Chapter 2: The Memorialization of the Gay Rights Movement & the AIDS Epidemic

In 1973, the American Psychiatric Association removed homosexuality from its list of illnesses in the Diagnostic and Statistical Manual of Mental Illnesses (DSM-II). Yet it was not until the 2003 Supreme Court ruling in *Lawrence v. Texas* that sodomy laws —or, laws that largely targeted sexual activity between members of the same sex— were declared unconstitutional, effectively decriminalizing homosexuality in the United States. Progress for the Gay Rights Movement has been and continues to be incremental, creating a rich if albeit painful history in its wake. Although the origins of the movement began far before the end of World War II many of the more significant events —such as the Stonewall Riot and landmark cases like the aforementioned *Lawrence v. Texas*— have occurred in the post-war era. These events altered the demographics of those who participated in the Gay Rights Movement, creating space for more identities to be recognized. For the purpose of this thesis, however, the history of the Gay Rights Movement has been reduced to focus on the group most heavily affected by the AIDS epidemic in the 1980s. Paradoxically, confining this chapter’s analytical scope to the differing objectives of cisgender homosexual men in the early years of the modern movement and during the first decade of the AIDS epidemic reveal the inclusive nature of AIDS memorialization and the movement at large. The history of the Gay Rights Movement between the 1950s and 70s, the early years of the AIDS epidemic in the 80s, and creative responses to the two in the following years come together to help establish a societal foil to the simultaneous development of conservative politics with Roy Cohn serving as the primary bridge between the two.¹⁰⁶

¹⁰⁶ In this chapter, I tend to favor the terms *homosexual* when referring to an individual or a small number of individuals; *the gay community* when talking about the LGBTQ+ community as it existed in the late 20th century but with the aforementioned focus on cisgender homosexual men; and the *Gay Rights Movement* when referring to instances of the community’s mobilization in the fight for civil rights. Lillian Faderman does a fantastic job of mapping out the changing terminology between the earliest years of the movement through to today and the terms I use are based on her rationale and usage in *The Gay Revolution*.

In 1953, Roy Cohn was hired to serve as chief counsel for Senator Joseph McCarthy's Permanent Subcommittee on Investigations. At the time, dominant national politics were consumed with anti-communist fervor, and mainstream heterosexual white Americans were scared of those who deviated from the status quo. Although there has been a long history of antipathy toward homosexuals in America, the climate in the immediate post-war years, laden with fear of "the subversive," was especially ripe for homophobia. The first wave of institutionalized discrimination against homosexuals began in 1947 as federal agencies began to weed out "security risks." As historian David K. Johnson explains, "in the troika of sinners routinely listed as security risks—the alcoholic, the loquacious, and the pervert—only the pervert was always a security risk... it was the only one of the three to be illegal... [and as such] although 'security risk' covered a variety of offenses, it often function as a euphemism for homosexual."¹⁰⁷ By 1953, fear of homosexuality had become so widespread that President Eisenhower's Executive Order 10450—an order that permitted the discrimination against any known or suspected homosexuals by the federal government—was implemented without commentary or controversy. The Lavender Scare had begun.

In 1954, Roy Cohn was a federal employee working as the chief counsel for the McCarthy Subcommittee when he had his first homosexual experience.¹⁰⁸ One of the great ironies of the Lavender Scare was how by the end of his tenure with McCarthy, Cohn was a homosexual who had not only remained untouched by the sweeping panic but facilitated its spread.¹⁰⁹ The Army-McCarthy Hearings are often taught in school as a seminal lesson, meant to

¹⁰⁷ David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2006), 8.

¹⁰⁸ *Where's My Roy Cohn*, directed by Matt Tyrnauer (Sony Pictures Classics, 2019), 18:35.

¹⁰⁹ Johnson, 5.

Accusations could be as vague and sweeping as suspecting someone of homosexuality and that would be enough to have them removed from their position. Just as a common question asked by the McCarthy Subcommittee was "Are

show students what happens in America when demagogues grow too powerful. But in truth, the Army-McCarthy Hearings only occurred because Roy Cohn's boyish crush grew too large; when the Army threatened to send Subcommittee member G. David Schine overseas, Cohn threatened to wreck the Army.¹¹⁰ In early 1954, McCarthy and Cohn leveled largely fabricated accusations against the Army when they denied Schine the special treatment Cohn demanded. The Army then took the Subcommittee to court where, for thirty-six days, the Army's legal team threw repeated homophobic jabs at Cohn and Schine. The hearings, ultimately nothing more than prehistoric reality television, came to a close. By the end of the year, McCarthy had been censured and Schine moved into the private sector.¹¹¹ He was never deployed.

In 1955, Roy Cohn returned to New York never having felt the full effects of the Lavender Scare. As Senators moved to censure McCarthy, they also called for Cohn's termination as a federal employee. Before he could be removed, though, Cohn resigned from the Subcommittee. Although Cohn had not been fired as so many others like him had, his sexuality had been on display for the entire country to see as the docuseries *Visible: Out on Television* revealed that "the first time the word 'homosexual' was said on American TV... happened during the televised Army-McCarthy hearings of 1954."¹¹² Just as the accusations he and

you now or have you ever been a member of the Communist Party?" many federally employed homosexuals were told "Information has come to the attention of the Civil Service Commission that you are a homosexual. What comment do you care to make?"

¹¹⁰ Ted Morgan, *Reds: McCarthyism in Twentieth-Century America* (New York: Random House, 2003), 468.

¹¹¹ "Mr. Cohn Resigns," *New York Times*, editorial, July 21, 1954, <https://www.nytimes.com/1954/07/21/archives/mr-cohn-resigns.html>.

Anne M. Butler and Wendy Wolff, *United States Senate Election, Expulsion and Censure Cases, 1793-1990* (Washington: U.S. G.P.O., 1995), 404-407.

Bart Barnes, "G. David Schine Dies At 68," *Washington Post*, June 21, 1996, <https://www.washingtonpost.com/archive/local/1996/06/21/g-david-schine-dies-at-68/a3cde328-d2f7-4ef7-8756-3154a1fd1d13/>.

¹¹² Carla Hay, "10 Fascinating Things 'Visible' Taught Us About Queer TV History," *Logo.NewNowNext*, February 4, 2020, <http://www.newnownext.com/visible-apple-tv-docuseries/02/2020/>.

McCarthy leveled at individuals stayed with them all their lives, the charge of homosexuality stayed with Cohn for the rest of his.

To better understand why individuals like Cohn so opposed homosexuality, it is essential to first understand the larger history of the Gay Rights Movement. In the immediate post-war era, homosexuality was still both a crime and a diagnosable illness in the United States and as a result, there were a number of discriminatory practices that were upheld by the legal system and law enforcement. Particularly in the 1950s and 60s, vice squads entrapped and charged homosexuals under vag-lewd codes “which covered vagrancy as well as lewd and lascivious conduct.”¹¹³ New medical centers and practices attempting to “cure” homosexuality began to crop up across the country, and many homosexuals were either sent to them or self-enrolled in treatment programs due to stigmas and societal pressures. However, it quickly became clear that the methods —such as shock therapy and lobotomies— did not work to “reverse” an individual’s homosexuality. More often than not, conversion methods just harmed the patient in the process.¹¹⁴ The treatment homosexuals endured ignited the gay community in a way they had never been before. Many were moved to join a variety of action groups, but the different groups often also had differing objectives and methods to achieve their respective goals. As a result, the Gay Rights Movement prior to the 1980s was fractured, not unlike their conservative counterparts. The primary division was over defining the ultimate goal of a movement for equality: older activists and their groups, such as Frank Kameny and the Mattachine Society of Washington, saw equality as full integration into the existing society. However, the younger and

¹¹³ Lillian Faderman, *The Gay Revolution: The Story of the Struggle* (New York: Simon & Schuster, 2015), 6.

¹¹⁴ Faderman, 11-12.

more militant cohort had no desire to assimilate into a heteronormative society that had for so long targeted and marginalized them.¹¹⁵ Instead, groups like Gay Activists Alliance sought equal protection under the law that would allow them to remain on the fringes of society, but safely.

In response to the fear of homosexuality as a sign of subversive natures, President Eisenhower signed Executive Order 10450 in 1953, broadening what constituted as *disloyal* under Truman's 1947 Loyalty Order to include the charge of "sexual perversion" as a mark of disloyalty to the United States.¹¹⁶ Although government departments had been quietly removing anyone deemed a "security risk" since 1947, the new EO explicitly permitted the firing of over 10,000 federal employees at all levels for being known or suspected homosexuals.¹¹⁷ After McCarthy's Wheeling, West Virginia speech set off a national frenzy, Deputy Undersecretary John Peurifoy denied the employment of communists by the State Department. However, he revealed that in their search for the 205 communists that McCarthy sought, department officials had found and fired a number of potential security risks, including 91 people believed to be homosexuals.¹¹⁸ This struck fear into the general public as many subscribed to a convoluted theory that all homosexuals, by nature, were subversive because they were hiding their true identities and were thereby susceptible to Soviet influence.¹¹⁹ The resulting effects of the Lavender Scare —particularly blatant employment discrimination— affected homosexuals in

¹¹⁵ Faderman, 214-215

¹¹⁶ Truman's loyalty order was the colloquial name for Executive Order 9835 which established a loyalty program to remove any Communist working for the U.S. Government.

¹¹⁷ Dwight D. Eisenhower, Executive Order 10450, "Security Requirements for Government Employment," *Code of Federal Regulations*, title 3 (1953, comp.): 936.

¹¹⁸ Johnson, 17.

¹¹⁹ Faderman, 21.

Dr. Arthur Miller who wrote the Miller Act, announced on the House floor in 1950 that "Germany had a complete list of all the homosexuals in the State Department, Department of Commerce, and the Department of Defense. They knew who to contact when they came over here on espionage missions... And the Russians have the same list of homosexuals! They know who to contact when they come over here, too!"

virtually all professions, not just those employed by the federal government. Many professionals, with teachers being the clearest example, were either removed or subjected to harassment for simply doing their jobs. The combination of vag-lewd entrapment, workplace discrimination, criminalization of consensual same-sex sexual activity, and the DSM-II classification of homosexuality as an illness created the perfect storm to inspire a wave of repression, but also activism to counter its force.

Throughout the history of the Gay Rights Movement, every individual organization has fought above all for the expansion of civil rights for homosexuals. One of the first groups to achieve this goal was the Mattachine Society, named after “a secret medieval French society of unmarried men who wore masks during their rituals as forms of social protest.”¹²⁰ Founded in California in 1950 by Harry Hay, a former Communist and closeted married man, the Mattachine meetings largely consisted of gay men who wanted were tired of mistreatment and wanted to take action. The group argued they were an oppressed cultural minority, an identity member of the group recognized but had never before felt comfortable proclaiming.¹²¹ In 1952, after a growth in membership, the organization challenged a vag-lewd charge against one of its founding members. While the case was ultimately dismissed, the defendant, Dale Jennings, “had actually admitted to a court to being a homosexual —and still he went free. It was the first time in California history that an admitted homosexual was exonerated after being charged as ‘vag-lewd.’”¹²² The Mattachine had publicized the case with leaflets exclaiming that “‘NOW Is The Time To Fight... The issue is CIVIL RIGHTS.’” According to historian Lillian Faderman,

¹²⁰ Michael Bronski, “The Real Harry Hay,” *Boston Phoenix*, October 31, 2002, https://web.archive.org/web/20090530123601/http://bostonphoenix.com/boston/news_features/other_stories/documents/02511115.htm.

¹²¹ Faderman, 57.

¹²² Faderman, 65.

“almost nobody ever before had dared to suggest that homosexuality might have anything to do with ‘civil rights.’”¹²³ Soon, branches of the Mattachine Society began to form across the country, with one of the most notable being Dr. Frank Kameny’s in Washington D.C. Kameny had been an astronomer with the U.S. Army Map Service before he was fired in 1957 for being a homosexual.¹²⁴ He appealed his firing and, although he was not successful like Jennings had been, Kameny’s was “the first civil rights claim based on sexual orientation to be brought to the Supreme Court.”¹²⁵ Thought to be a militant activist at the time, Kameny began to appear more as a father figure for the movement with the rise of the new generation.

The Mattachine Society was among the first groups formed with a desire to coalesce all homosexuals into a much larger identity group and claim their equality in American society. Despite early victories, however, members began to break away due to ideological differences. While those who had been a part of the early years of the organization lived by the notion that “we are the same, no different from anyone else. Our only difference is an unimportant one to heterosexual society, unless we make it important!” younger homosexuals were the ones who headed the 1969 Stonewall Riot. In New York City, vice squads often tried to shut down gay bars for a number of reasons, often resulting in nothing more than a small number of arrests and a reminder to the gay community of the power institutions still wielded over them.¹²⁶ However, in the early hours of June 28, 1969, the patrons of the Stonewall Inn in New York’s Greenwich Village resisted the show of force and fought back against their oppressors. Strides had been made in overturning discriminatory laws and practices —such as activist Dick Leitsch’s sip-in in

¹²³ Ibid., 64.

¹²⁴ Johnson, 209; Vern L. Bullough, *Before Stonewall* (New York: Harrington Park Press, 2002), 208.

¹²⁵ Gillian Gaynair, “DC pride festival honors gay rights pioneer Kameny,” *Seattle Times*, June 8, 2009, https://web.archive.org/web/20121019000306/http://seattletimes.com/html/nationworld/2009312960_apuscapitalpride.html.

¹²⁶ Faderman, 172.

1963 which prompted the New York Court of Appeals to rule “that even homosexuals must be served in drinking establishments”¹²⁷— but progress had felt too slow for too long. Faderman argues that

surely gay people would not have rioted that night if they hadn’t watched for almost the entire decades as oppressed minorities angrily demanded to be treated like human beings and American citizens. Righteous ire stoked, irate gay rhetoric formulated, they understood the time had come for them to make demands just as other minorities had, and in the same way.¹²⁸

The Stonewall generation was no longer willing to accept that there was nothing different between themselves and heterosexuals in the normative society; the difference was they had been systematically marginalized because their sexual preferences differed from the status quo despite efforts to integrate. Equality no longer meant acquiescing to heteronormative expectations because heteronormative society had made no space for homosexuals.

The changing of the guard happened quickly within the movement: in 1965, Kameny “had lectured about the importance of ‘packaging a good image’ of the homosexual... [and] Leitsch lectured the older man [that] ‘the homosexual’s concerns are wider... the homosexual freedom movement is an attack on conformity.’”¹²⁹ But in the months following the riot in 1969, Leitsch —then executive director of the New York Mattachine— appeared to be falling behind in the times and not doing enough to fight for homosexual rights. The torch was passed to the Gay Liberation Front (GLF) and the Gay Activists Alliance (GAA). Consisting largely of

¹²⁷ Ibid.

¹²⁸ Ibid., 180.

¹²⁹ Ibid., 191.

twenty-somethings with a penchant for radicalism in all forms, the GLF burned out quickly.¹³⁰ Many left to form GAA, which promised to fight “to claim a place at the American table as a bona fide family member, whether the rest of the family liked it or not.”¹³¹ To those from the GLF, this sounded like assimilationist rhetoric. But the GAA tried to integrate some GLF sentiment, and they ultimately prided themselves on their “rhetoric of anger” and confrontation politics as a means of making their demand for equal rights heard.¹³² GAA’s flair for theatrics and comedy garnered recognition for the movement while also helping to enact local legislative change.¹³³ Despite the fact that these groups and their leaders were all working towards the eventual goal of “equality” in some form, they also spent an inordinate amount of time fighting against one another rather than the society that continued to oppress them.

In a CBS News broadcast report in 1980, reporter Harry Reasoner stated that “the right of homosexuals to organize like any other minority seeking to further its own interests is no longer in question. The question is, ‘what will those interests be?’”¹³⁴ The movement had grown so disjointed by then that it was unclear which voice—if any—was going to be the predominant one in the new decade.

Although the community was fractured by ideological differences, the Gay Rights Movement brought about a sexual liberation for members of the community. By the end of the 1970s in the movement’s epicenter of San Francisco, the average gay man reported having had

¹³⁰ Ibid., 214.

¹³¹ Ibid., 215.

¹³² Ibid.

¹³³ Ibid., 223.

¹³⁴ *The Eighties*, season 1, episode 3, executive produced by Tom Hanks, Gary Goetzman, and Mark Herzog, aired April 14, 2016, on CNN.

500 or more different sexual encounters.¹³⁵ As a man who “needed to have sex every day — every day and preferably with someone new,” Roy Cohn could not have been far off from this count.¹³⁶ According to Sidney Zion, Cohn lived “in a closet with neon lights;” while he spent his life denying claims that he was a homosexual, Cohn was not known to be subtle about his love life.¹³⁷ He would always have young, attractive men with him and would often introduce them as his law firm’s “office managers.”¹³⁸ The nature of Cohn’s relationships with the men in his orbit was, like everything in his life, transactional. In exchange for companionship, Cohn would repay his lovers with favors: money, employment, fame from newspaper coverage, and the ability to attend events in otherwise unattainable social circles. This often meant parties at exclusive Manhattan clubs like Studio 51 and Le Club, but just as frequently meant Republican Party fundraisers and White House events.¹³⁹ One of the more notable loves of Roy Cohn’s life was Peter Fraser, a New Zealand expat who had come to America simply to see the world. How Peter ended up in Cohn’s world remains a mystery, but what is known is that the two complimented each other well: Cohn helped Peter land the role as the face of Estée Lauder’s Aramis fragrance, and Peter remained unwaveringly loyal to Cohn until the very end.¹⁴⁰ In an undated picture provided to Nicholas von Hoffman by Peter himself, the Reagans appear pleased to be shaking hands with Roy Cohn’s boyfriend as the lawyer looks on with his back to the camera. The President, seen with his hand in Peter’s, is laughing while Mrs. Reagan looks on, seemingly

¹³⁵ Ibid., 3:00.

¹³⁶ *Where’s My Roy Cohn*, 53:31. Spoken by Cohn’s cousin, Gary Marcus.

¹³⁷ Sidney Zion, *The Autobiography of Roy Cohn* (New Jersey: Lyle Stuart Inc.), 12.

¹³⁸ David L. Marcus, “Roy Cohn’s Last Days,” *Vanity Fair*, August 1987, <https://archive.vanityfair.com/article/1987/8/roy-cohns-last-days>; Jeffrey Toobin, “The Dirty Trickster,” *New Yorker*, May 23, 2008, <https://www.newyorker.com/magazine/2008/06/02/the-dirty-trickster>.

¹³⁹ Nicholas von Hoffman, *Citizen Cohn* (New York: Doubleday, 1988), 12; *Where’s My Roy Cohn*, 1:07:25.

¹⁴⁰ *Bully Coward Victim: The Roy Cohn Story*, directed by Ivy Meeropol (HBO, 2020).

enamored with their guest.¹⁴¹ Although this scene suggests that the Reagans accepted Cohn and his sexuality, they only did so in private. In the public eye, the Reagans managed to keep their distance from him; when Cohn died in 1986, neither the President nor Mrs. Reagan attended his funeral.¹⁴²

It was the hypocrisy between Cohn's private life and his public denial of his homosexuality that made his reputation suffer posthumously. When journalist Ken Auletta interviewed Cohn in 1978, he made a point of telling Cohn the number of people who asked Auletta: "Do you know that Roy is a homosexual?"¹⁴³ As Auletta's tapes show, Cohn takes a long pause before launching into an explanation as to why homosexuality is not combatable with his aggressiveness. "But," Auletta recalls, smiling, "he didn't say he was; he didn't say he wasn't. But he squirmed. Which gave me a great amount of pleasure because, in a way, I was doing to him in this personal interview what he had done to people in the McCarthy hearings."¹⁴⁴ Many members of the gay community resented how he facilitated the Lavender Scare but proceeded to actively participate in the sexual renaissance the Gay Rights Movement ushered in: actor Ron Vawter, who played Cohn in the one man play, *Roy Cohn/Jack Smith*, argued that "Roy Cohn was a first class louse. I've got friends whose lives have been damaged by the way he chose to be, and I don't forgive him."¹⁴⁵ And, to this day, Cohn's cousin Gary Marcus holds to the belief that "if he had just come out and said, 'look, I'm homosexual. I have

¹⁴¹ von Hoffman, unnumbered.

See Appendix, image 1.

¹⁴² Ibid., 26.

¹⁴³ *Where's My Roy Cohn* 48:37.

¹⁴⁴ Ibid.

¹⁴⁵ Jessica Hagedorn and Ron Vawter, "Ron Vawter," *BOMB*, no. 41 (Fall 1992): 48, www.jstor.org/stable/40424525.

AIDS. We need to do something, not just for me but for the community,' he would have been a hero. Instead, he was a hypocrite."¹⁴⁶

Regardless of how history remembers his public persona, those who knew Roy intimately still remember him fondly. Peter Fraser was holding Roy's hand when he died. He had come to America from a farm in New Zealand, knowing little of the history his boyfriend was a part of. To Peter, Cohn was the man who bought horses, llamas, and a number of dogs to live at his Greenwich cottage to help Peter feel more at home in America. Peter recalled, "'people would ask me how could I be associated with somebody who did all these awful things... Few people loved me and I certainly loved him. And that's what's important.'"¹⁴⁷

Between the 1950s and 1970s, the different factions within gay community were disjointed at best and incompatible at worst. The community had a strength in numbers, although many members were still "in the closet," a metaphor meaning they had not revealed their sexual identity. And many individuals, like Cohn, who participated in homosexual activity, still denied they were not straight. With all of the different approaches to expressions of sexuality, it seemed as though no one could agree on what "equality" meant to the community at large. As it was, the movement—like any of its size—needed a unifying force. And they got it. Up until 1981, the movement remained largely divided into their preferred organizations, but with the discovery and rapid spread of AIDS (acquired immune deficiency syndrome), everything changed. The different sides of the equality debate finally had to come together and decide on one objective for the entire movement. As cultural critic and author Dave Peck explains, "by 1991, you had the

¹⁴⁶ *Where's My Roy Cohn*, 1:27:40.

¹⁴⁷ von Hoffman, 11.

question: what are we fighting for now? Are we fighting for our own little community on the outside where we get to do our own thing? Or are we fighting to be American just like other Americans?”¹⁴⁸ Just as the fear of the subversive had made strange bedfellows within the conservative movement, the fear of annihilation by a mysterious disease forced once disparate members of the gay community to coalesce and fight together. Suddenly, “this was the story of gay rights groups around the country: no matter their initial goals, the biggest enemy in the 1980s was AIDS, and before they could fight any other war, they had to fight that one.”¹⁴⁹

The first cases of an unknown disease were reported in early June 1981 in a paper by Dr. Michael Gottlieb. The patients in question were five gay men who had all been suddenly stricken with an incredibly rare opportunistic disease known as pneumocystis carinii pneumonia (PCP). Gottlieb had treated the men between October 1980 and May 1981 and “by the time Dr. Gottlieb wrote the report, two had already died.”¹⁵⁰ The article went on to note how although the men had all previously been healthy, their immune systems now appeared to be compromised. The publication of the article was largely passed over by much of the mainstream press, but it sent a jolt of fear through the gay community.¹⁵¹ When asked about it, activist Cleve Jones remembered, “I was quite struck by it. I actually clipped it out and put it on my bulletin board and wrote over it, *just when things were looking up*.”¹⁵² As the number of cases increased, it

¹⁴⁸ Isaac Butler and Dan Kois, *The World Only Spins Forward: The Ascent of Angels in America* (New York: Bloomsbury USA, 2018), 402.

¹⁴⁹ Faderman, 421.

For the purpose of this thesis, I am exclusively focusing on how AIDS affected the gay community. AIDS had an incredible impact on other communities and groups across America, most significantly amongst intravenous drug users and hemophiliacs. These groups suffered discrimination during the 1980s as well, but their narratives fall outside of the purview of this chapter.

¹⁵⁰ Faderman, 415.

¹⁵¹ Many sources I have worked with for this chapter have referred to the mainstream news outlets as the straight press as the press tended to ignore both issues and achievements of the community unless the story was dramatic or drastic. I have decided to use the two terms (mainstream and straight) interchangeably depending on each usage’s context.

¹⁵² *The Eighties*, 4:41.

appeared as though only young homosexual men were coming down with PCP as well as a rare skin cancer called Kaposi's sarcoma (KS). KS often appeared in the form of dark purple lesions across the skin, essentially marking which men were infected. The two opportunistic illnesses — a form of pneumonia that was only seen when the immune system fully failed and a cancer typically only seen in elderly European men— seemed to occur particularly close to the patient's death.¹⁵³ With so many things about the disease still unknown, all of the major health institutes refrained from naming it.¹⁵⁴ As a result, the press began referring to it in early reports as GRID, or gay-related immune deficiency. This name as well as the mainstream media's sporadic coverage of the budding epidemic inspired a new surge of homophobia across the country. By the mid-1980s, the Religious Right had risen to prominence both in American society and politics, and they used their platform to preach their belief that GRID was God's punishment for those living an abhorrent life of sin. According to Jerry Falwell, leader of the Moral Majority, ““We reap it in our flesh when we violate the laws of God,”” a not-so-subtle attack on those suffering from KS.¹⁵⁵ Paleoconservative politician and pundit Pat Buchanan wrote at the time that homosexuals “have declared war upon nature, and now nature is exacting an awful retribution.”¹⁵⁶

As it was, the conservative reaction was largely dominated by the Religious Right's family value ideologies which is what lead President Reagan to preach to the College of

¹⁵³ *Ibid.*, 5:52.

James Curran was the leader of the HIV/AIDS task force at the Centers for Disease Control in 1981. He said, “all of us who saw patients in those days shared a sense of desperation as we saw more and more people become affected. And there'd simply be no hope once they became ill.”

¹⁵⁴ The institute most involved in the early years of the epidemic were Centers for Disease Control (CDC), the National Institutes of Health (NIH), and the U.S. Department of Human and Health Services (DHHS).

¹⁵⁵ *The Eighties*, 20:22.

¹⁵⁶ Randy Shilts, *And the Band Played* (New York: St. Martin's Press, 1987), 311.

Paleoconservatives, simply put, are conservatives who idolized traditional values above all other conservative ideologies.

Physicians of Philadelphia that ““when it comes to preventing AIDS, don’t medicine and morality teach the same lessons?”” which was met with a collective booing from the future doctors.¹⁵⁷ While grappling with the disease was hard on its own, all of the issues were compounded by the lack of action by the Reagan Administration. Despite the outbreak beginning in 1981, President Reagan did not publicly say the word “AIDS” until 1985, following the death of his Hollywood friend, Rock Hudson.¹⁵⁸ Moreover, the administration’s priority of cutting domestic spending —especially on social welfare programs— meant that very little money was made available for the country’s medical research units to combat the spread of the disease. The lack of funding coupled with the tolerated discrimination created horrific situations for individuals who were already suffering: if infected gay men

were finally admitted [to hospitals], terrified orderlies would let them lie in their own excrement and urine, refusing out of fear even to enter their room. They left the patients’ food trays piled up in the hallways. When a patient with AIDS died, he’d be put in a black trash bag. Many funeral parlors were refusing to handle the dead.¹⁵⁹

Many doctors did not want to be known as “AIDS doctors,” leading 23% of resident doctors to say that “they would not care for patients with AIDS if they had a choice.”¹⁶⁰ Some doctors began outright refusing to treat infected patients, often using the same line: “I don’t see that,” a response that also implied a denial of the visibility which homosexuals had spent decades fighting for.¹⁶¹ Although EO10450 was still on the books, the efforts of the movement had

¹⁵⁷ *The Eighties*, 1:00; George E. Curry, “Reagan Says AIDS Solution Rests With Morals,” *Chicago Tribune*, April 2, 1987, <https://www.chicagotribune.com/news/ct-xpm-1987-04-02-8701250240-story.html>.

¹⁵⁸ Faderman, 418.

¹⁵⁹ Faderman, 419.

¹⁶⁰ Janice Hopkins Tanne, “AIDS Epidemic Grows But Response Slows,” *BMJ: British Medical Journal* 305, no. 6847 (Summer 1992): 209, www.jstor.org/stable/29716404.

¹⁶¹ Lukas Engelmann, *Mapping AIDS: Visual Histories of an Enduring Epidemic* (Cambridge: Cambridge University Press, 2018), 1.

overtaken a number of employment discrimination practices. However, with the ever-growing fear of AIDS came the return of unequal, yet legal policies: in June 1986, “the U.S. Justice Department declared that businesses had the right to discriminate against people with AIDS if they believed such discrimination would prevent the spread of the disease and employers could fire those with AIDS, merely on the grounds that their presence might make other employees feel discontent or emotional distress.”¹⁶²

In 1984, scientists found that a virus called HTLV-III (now referred to as HIV or human immunodeficiency virus) developed into AIDS when left untreated.¹⁶³ The discovery resulted in the creation of a blood test allowing doctors to formally diagnose their patients but the increase in discrimination prevented many gay men from getting tested as they feared that should, they test positive, their names and status would become part of a master list reported to the government.¹⁶⁴ As these men were constantly reminded, ““there are not [sic] civil rights guarantees to protect your confidentiality. You may lose your medical insurance. You may lose your employment.””¹⁶⁵ Even worse, there were calls for those who tested HIV positive to be quarantined or tattooed, not unlike homosexuals had been in Germany during the Holocaust. Conservative writer William F. Buckley led the tattoo charge. Interestingly though, he changed his stance following his friend Roy Cohn’s death, arguing instead that those who were infected “have the right to keep their diagnoses from the public as long as there is a means of warning lovers or others who might be harmed.”¹⁶⁶ With the absence of any treatment to combat the virus, homosexual men by and large abstained from the blood test finding the benefits of the test

¹⁶² Faderman, 424.

¹⁶³ “History of HIV and AIDS Overview,” Avert, last modified October 10, 2019, <https://www.avert.org/professionals/history-hiv-aids/overview>.

¹⁶⁴ *The Eighties*, 14:00.

¹⁶⁵ *Ibid.*, 14:10. Spoken by Paul Boneberg of Mobilization Against AIDS Coordination.

¹⁶⁶ von Hoffman, 38.

did not outweigh the potential detriments. Societally, institutionally, and medically, homosexual men were routinely discriminated against as the disease continued to spread. However, just as discrimination inspired homosexuals to begin their fight for civil rights, the discrimination faced in the early years of the epidemic prompted a renewed devotion to the fight for equality, albeit now more desperately as they were fighting for their lives, too.

In the chaos of the AIDS epidemic's earliest years, the differences that had divided the gay community before remained apparent: although groups like the Gay Men's Health Crisis worked methodically to combat misinformation and fundraise substantial amounts of money for more research, later groups like the Lavender Hill Mob attracted more attention to the injustices the gay community were faced with through their "zaps," or public call-outs of those who were acting adversely to the community.¹⁶⁷ Ultimately, it was AIDS Coalition to Unleash Power (ACT UP) that managed to combine the modus operandi of both groups and fight misinformation while also fighting back against a fledgling government. Leading members of ACT UP like playwright Larry Kramer led disruptive public protests, such as one in 1988 that shut down the Food and Drug Administration (FDA) for a day.¹⁶⁸ Other members, like Peter Staley, formed the Treatment and Data Committee, whose members "became much more knowledgeable about AIDS than most doctors, who'd had neither the time nor the inclination to study the disease."¹⁶⁹ This subset of activists became integral to the fight against AIDS: on May 20, 1990, ACT UP staged a protest outside the NIH calling on its leaders to do more and develop a treatment plan faster. In response to the protestors telling him he was killing them, Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases called ACT UP leaders into his

¹⁶⁷ Faderman, 224.

¹⁶⁸ United Press International, "Police Arrest AIDS Protesters Blocking Access to FDA Offices," *Los Angeles Times*, October 11, 1988, <https://www.latimes.com/archives/la-xpm-1988-10-11-mn-3909-story.html>.

¹⁶⁹ Faderman, 436.

office, where they educated him on all they had learned. Dr. Fauci recognized that the activists had more information than his organization and as a result, ACT UP “changed the way new drugs are identified, the way drugs are researched, the way human trials are conducted.”¹⁷⁰ Largely as a result of ACT UP’s actions, groups that new drugs are being tested for are often included in the development process, a critical change that has impacted drug testing for the better.

As Faderman explains, “gay people learned to work together a little better than they had before because their overwhelming purpose didn’t permit a plethora of petty arguments.”¹⁷¹ The AIDS epidemic is still ongoing with approximately 1.1 million people living with it in the United States today. But due to the cohesive effort of the Gay Rights Movement during the 1980s, in the midst of chaos and ignorance and in the face of cruel discrimination, there is hope for those who are HIV positive or living with AIDS to live long lives. Despite all of the suffering and sadness, Peter Staley remembers the 1980s well: ““To be that threatened with extinction and not lay down. To stand up and fight back. The way we did it. The way we took care of ourselves and each other. The goodness we shared. The humanity we shared.””¹⁷² The first decade of AIDS left Staley hopeful for the future of the Gay Rights Movement. If they could survive the plague, they could survive the fight for equal rights.

In his investigative report, *And The Band Played On*, Randy Shilts follows a number of prominent scientists and gay rights activists from the very beginning of the epidemic up through 1987, including a community organizer named Bill Kraus. Kraus served as a liaison between

¹⁷⁰ *The Eighties*, 36:10. Spoken by author and reporter David France.

¹⁷¹ Faderman, 440.

¹⁷² *Ibid.*, 441.

U.S. Congressman Phillip Burton and his wife and successor U.S. Congresswoman Sala Burton, and the gay community in San Francisco they represented. Though the two men had almost nothing in common, Bill Kraus and Roy Cohn approached their morality in near identical fashion. Towards the end of his life, Kraus stayed in Paris where there had been some hopefulness about potential AIDS treatments. However, Kraus continued to get worse. His friend Ron Huberman visited Kraus and remembered walking through the Luxembourg Gardens when Kraus revealed that he wanted to return home to San Francisco. As they continued walking, Kraus said, “‘I don’t think I’m going to make it.’... It was the first time Ron ever heard Bill confide his fears about dying. In fact, ever since his diagnosis, Bill had ordered his friends to not even think about the fact that he might die, insisting that their images of him in a deathbed would harm his health.”¹⁷³ In December 1985, Cohn was still trying to convince everyone that he was going to beat his bout of “liver cancer.” In an interview from the time, Cohn claimed that while he was in remission, he had “‘felt as though [he] died and that [he had] been present at [his] own memorial service, listened to all of the eulogies... [he] even imagined White House meetings with them trying to decide whether the president or Mrs. Reagan would attend the funeral.’”¹⁷⁴ The interview, meant to show both that he was human enough to consider his own mortality while also painting him as someone now far enough from death to be unconcerned with it, hid Cohn’s obsession with the end of his life in plain sight. In that same month, he made up a will and “‘told Peter he never wanted to be plugged into life-support machines. ‘I don’t want to be a vegetable,’ he said.”¹⁷⁵

¹⁷³ Shilts, 563.

¹⁷⁴ Lois Romano, “The Closing Arguments of Roy Cohn,” *Washington Post*, December 21, 1985, <https://www.washingtonpost.com/archive/lifestyle/1985/12/21/the-closing-arguments-of-roy-cohn/856fb2d8-c11c-40d6-bace-3bc891b90384/>.

¹⁷⁵ Marcus, “Roy Cohn’s Last Days.”

Unlike Kraus who, after that brief lapse in his stance on death quickly returned to his embargo on all ideation of his demise, Cohn began to contemplate suicide. One night in January 1986, Peter was woken up to Cohn unsuccessfully trying to open a bottle of pills. Cohn then asked Peter to open the bottle so he could “get enough pills to finish it,” but when Peter refused to help, Cohn simply returned to bed.¹⁷⁶ While Cohn only told Peter and his longtime law partner, Thomas Bolan, of his diagnosis, there is evidence Cohn’s secretary Christine Seymour knew as well. Prone to listen into her boss’s calls, “Seymour’s jottings also suggest that she had eavesdropped on the call between Cohn and his doctor on November 4, 1984, when Cohn was told that he had been diagnosed with AIDS. A poignant note records that, when he got the news, Cohn responded, ‘Should I commit suicide now or later?’”¹⁷⁷ Ultimately, the disease had its way with Cohn and took its time doing so, too. Shilts often dances around the more graphic effects of the disease on his characters, opting to focus less on the medical and more on the sociopolitical sphere surrounding the first decade of the epidemic. In opposite fashion, Nicholas von Hoffman describes his subject’s dying days in painful detail. On the day before he died, “Roy’s identity had worn down to being a body near death, an AIDS patient coming up on the final hour of the respirator and hospital emergency cart.”¹⁷⁸ His arms and legs trembled and he pulled at the nasogastric tube running from his nose to his stomach. He flinched when nurses came to clean him as he had a “slit-like wound above [his] anus... approximately 1” in length.”¹⁷⁹ The lawyer with a photographic memory who once stood as his own defense in court for seven hours without checking for a note once was gone. Left in his place was a man who did not even recognize his

¹⁷⁶ von Hoffman, 6.

¹⁷⁷ Marcus Baram, “Eavesdropping on Roy Cohn and Donald Trump,” *New Yorker*, April 14, 2017, <https://www.newyorker.com/news/news-desk/eavesdropping-on-roy-cohn-and-donald-trump>.

¹⁷⁸ von Hoffman, 40.

¹⁷⁹ *Ibid.*, 39.

nurses, only his boyfriend.¹⁸⁰ The difference between Roy Cohn the pit-bull lawyer and Roy Cohn, AIDS victim, was dramatic yet private. But when reporters Dale Van Atta and Jack Anderson stole Cohn's medical records from the NIH database and published them in *Harper's*, there was nowhere for Roy to hide.¹⁸¹ AIDS became inextricable from the Roy Cohn legacy.

Cleve Jones easily recalls the day Roy Cohn's patch was laid down with the rest of the NAMES Project AIDS Memorial Quilt. As the creator of the project, Jones oversaw all of the panels as they were introduced. When he approached a man singled out by his team for odd behavior, Jones remembers seeing the panel and how his "hair just stood on end... eventually there would be many very *harsh* panels, you know, but this was kind of in a league of its own. The first thing I asked him was, 'Did you actually know Roy Cohn?' and he said, 'I knew him *very well*,' and so I said, 'Fine.'"¹⁸² The patch is simple: it is a white panel with Cohn's name in a black box in the center. Along the bottom, however, the words "Bully. Coward. Victim." are written out; what the panel lacks in flair it makes up for in blunt honesty.

In the years following the peak of the AIDS epidemic, many artists tried to make sense of the new world around them. So few corners of American society had been left untouched by AIDS and the gay community in particular had a reckoning to do. Roy Cohn's controversial relationship with the Gay Rights Movement—namely, the duality between his lifelong public display of homophobia and the fact that he was a gay man who died of AIDS—made him a

¹⁸⁰ Marcus, "Roy Cohn's Last Days."

"Once, [Peter] returned to find Roy screaming. Roy didn't recognize the nurses or the doctors, but he calmed down when Peter walked in. After a few days he stopped speaking. His famous darting tongue was silenced. He attempted to move his jaws, but he had lost control."

¹⁸¹ Dale Van Atta and Jack Anderson, "Faint Light, Dark Print: Roy Cohn, AIDS, and the Question of Privacy," *Harper's Magazine*, November 1986.

¹⁸² Butler and Kois, 41.

fascinating character whom artists sought to include in their projects as a political statement. As such, Cohn was featured in two notable performance art productions, each of which presented a distinctly different approach to memorializing the epidemic: Tony Kushner's two play epic, *Angels in America*, compared the experiences of the gay community with the political right's reaction to AIDS. And in Ron Vawter's one-man play, *Roy Cohn/Jack Smith*, the actor himself is dying of the disease as he performs a self-referential and melancholic pondering on homosexuality and the epidemic through Cohn's eyes.

Not long after the first showing of the NAMES Quilt on the National Mall in 1987, Tony Kushner was commissioned to write a play about AIDS for the Eureka Theatre in San Francisco after the rights to Larry Kramer's play *The Normal Heart* were sold to another theatre.¹⁸³ Ultimately, *Angels* was expanded to become an epic composed of two separate but consecutive plays, and the first of the pair, *Millennium Approaches*, premiered at the Eureka in 1991. *Angels* tells the story of the AIDS epidemic through the personal narratives of Prior Walter, a gay man suffering from the disease, and Roy Cohn.¹⁸⁴ Although *Angels* features an ensemble cast, Prior is the protagonist of the play as it opens with his diagnosis and carries on along the timeline of his developing illness. As Stephen Spinella, the actor the role of Prior was originally written for, explains, "[Prior] became more tenacious the sicker he got. And he just got stronger and more confident the sicker he got. He begins the play terrified. The terror never really goes away—it's the way he deals with the terror."¹⁸⁵ At the root of Prior's character is Kushner's commentary on those suffering from AIDS. As such, Prior has frequently been interpreted as the "everyman" of

¹⁸³ Butler and Kois, 33.

¹⁸⁴ The first play is titled *Millennium Approaches* and the second is *Perestroika*. The plays are frequently staged together but debuted separately and are performed as individual plays on occasion.

¹⁸⁵ Butler and Kois, 381.

the gay community in the throes of the epidemic.¹⁸⁶ Prior's resilience in the face of certain death and his resistance against hatred is a metaphor for the perseverance and strengthening of the gay community in the wake of AIDS's destruction.¹⁸⁷ Prior also serves as a foil for the other major character: a fictionalized Roy Cohn.

When Kushner saw Cohn's panel on the NAMES quilt he was reported to have said, "If I can write something half as dialectical as that, it'll be a great character."¹⁸⁸ While the Cohn in the play is, of course, a character, Kushner notes that much of his characterization is rooted in fact. Many of Cohn's most problematic convictions define his character in the play, such as in Act 1, Scene 9 of *Millennium Approaches* when Cohn's doctor gives him his AIDS diagnosis and the following ensues:

ROY: ... I have sex with men. But unlike nearly every other man of whom this is true, I bring the guy I'm screwing to the White House and President Reagan smiles at us and shakes his hand. Because *what* I am is defined entirely by *who* I am. Roy Cohn is not a homosexual. Roy Cohn is a heterosexual man, Henry, who fucks around with guys.

HENRY: OK, Roy.

ROY: And what is my diagnosis, Henry?

HENRY: You have AIDS, Roy.

ROY: *No*, Henry, *no*. AIDS is what homosexuals have. I have liver cancer.¹⁸⁹

While Cohn's logic here seems exaggerated and therefore fictionalized, it was a belief well known amongst those closest to the real-life Cohn: in a 2008 interview with Roger Stone, the Cohn mentee sharply claimed that "Roy was not gay... He was a man who liked having sex with men. Gays were weak, effeminate... He was interested in power and access."¹⁹⁰ While the character Cohn seeks to exude the same powerful persona as his counterpart did, Kushner reveals

¹⁸⁶ Ibid., 380 and 388.

¹⁸⁷ Ibid., 388.

¹⁸⁸ Ibid., 41.

¹⁸⁹ Tony Kushner, *Angels in America: Millennium Approaches*, rev. ed. (New York: Theatre Communications Group, 2013), 1.9, pg. 46-47.

¹⁹⁰ Toobin, "The Dirty Trickster."

both Cohns's greatest weakness. In Act 3, Scene 2 of *Perestroika*, Roy engages in a violently worded argument with his nurse, Belize. Desperately needing to win an inconsequential argument, the stage notes let the actor playing Roy know that “as soon as Belize is out of the room Roy is spasmed with the pain he’s been holding in.”¹⁹¹ In all of the ways Prior is portrayed as strong in the face of his disease, Cohn is shown as weak. His inability to accept his diagnosis only ends up hurting him more. It is in moments like this that Kushner launches his sharpest attacks at Cohn the historical figure who similarly sought to hide his disease at any cost.

Simultaneously and paradoxically, it is also in these moments when Kushner’s Cohn elicits the most sympathy. In one of his final scenes, Joe Pitt—a once closeted lawyer who Cohn envisions as one of his proteges—comes out to an ailing Cohn.¹⁹² In response, Cohn begins to walk Joe to the door of his hospital room, pulling out his IV in the process. Delirious and dripping blood, he proceeds to tell Joe, “I want you home. With your wife. Whatever else you got going, cut it dead... *Listen to me. You do what I say. Or you will regret it.*”¹⁹³ This scene is Cohn’s plea with Joe not to live his life as Cohn has, briefly revealing just how bad the disease is. It is hard not to finally feel sympathy, pity, or something in between for Cohn and that was intentional. Theatre historian Stephen Bottoms writes that “in such moments, Kushner comes close to answering the tortured question which—he says—Cohn's death threw up for gay Americans: ‘How broad, how embracing was our sense of community? Did it encompass an implacable foe like Roy? Was he one of us?’”¹⁹⁴ Ultimately, Kushner allows this debate to answer itself within the play: throughout both parts, Cohn’s nurse Belize is portrayed as an angel

¹⁹¹ Tony Kushner, *Angels in America: Perestroika*, rev. ed. (New York: Theatre Communications Group, 2013), 3.2, pg. 188.

¹⁹² *Ibid.*, 4.1, pg. 212.

¹⁹³ *Ibid.*, 4.1, pg. 214.

¹⁹⁴ Stephen J. Bottoms, “Re-Staging Roy: Citizen Cohn and the Search for Xanadu,” *Theatre Journal* 48, no. 2 (Spring 1996): 180, www.jstor.org/stable/3208865.

of mercy, but “if Belize really is an angel of mercy... What would be his biggest challenge? How do you actually feel humanity towards Roy Cohn? Tony [Kushner] set this up to force Belize to come to terms with it. Belize has to believe that Roy is a bully and a traitor, but also see him as a victim.”¹⁹⁵ By the end of the play, Belize does feel a measure of sympathy towards Cohn much in the way the audience is provoked to. While historically, Cohn’s vehement denial of his disease and sexuality elicited resentment, the character Cohn’s public suffering humanizes his legacy. As Belize watches his patient deteriorate, he states Kushner’s argument for memorializing Roy Cohn in *Angels*: ““Maybe... a queen can forgive her vanquished fore. It isn’t easy, it doesn’t count if it’s easy, it’s the hardest thing. Forgiveness.””¹⁹⁶

Apart from *Angels*, the other most notable portrayal of Cohn in a work of AIDS performance art is Ron Vawter’s one-man play *Roy Cohn/ Jack Smith*, a twenty-minute mimicry monologue fashioned as a speech Cohn gave in 1978 at a dinner for the American Society for the Protection of the Family.¹⁹⁷ The performance continuously returns to the concept of family, offering comedic irony as Cohn echoes Phyllis Schlafly and her idealization of a nuclear family and admonishes homosexuality. Like Kushner’s Cohn, Vawter incorporates facts from the lawyer’s life as well as many of his known mannerisms. As a result, Vawter talks quickly and loudly and covers a variety of superficial subjects, such as Cohn’s eclectic mother and his *ex parte* role on the prosecution team during the Rosenberg Trial. In the midst of the performance, Vawter manages to include brief intimate moments that prompt a spark of sympathy for Cohn. In one of the most profound instances of this, Vawter’s Cohn recalls learning about Alfred Lord

¹⁹⁵ Butler and Kois, 302.

¹⁹⁶ Kushner, *Angels in America: Perestroika*, 5.3, pg. 265-266.

¹⁹⁷ Hagedorn and Vawter, 48.

In actuality, the transcript of this speech has never been unearthed. The piece Vawter performs was written by Gary Indiana was intended to be “deceptively earnest *and* self-deceptive, and also satire.”

Tennyson in one of his English classes at Horace Mann and begins to recite the first stanza of “Geraint and Enid,” which reads,

O purblind race of miserable men,
 How many among us at this very hour
 Do forge a life-long trouble for ourselves,
 By taking true for false, or false for true;
 Here, through the feeble twilight of this world
 Groping, how many, until we pass and reach
 That other, where we see as we are seen!¹⁹⁸

While the poem itself has nothing to do with AIDS, the context and delivery of it encapsulate Vawter’s perspective on both Cohn and the epidemic. Although the speech Vawter is imitating occurred three years before the outbreak, the play opened in 1992, the same year Vawter himself was diagnosed with AIDS. While Vawter did not set out to “create something that speaks to and of [his] own anxiety, dreams and fantasies about AIDS,” he did acknowledge the serendipitous nature of his diagnosis while working on the play.¹⁹⁹ As such, the poem is colored by Vawter’s morality and takes on a more significant meaning. Some of the lines from the poem refer to other parts of the monologue: for example, the lines “how many among us at this very hour/ do forge a life-long trouble for ourselves” echo the character Cohn’s argument that “a homosexual that doesn’t draw attention to his own private behavior in some obnoxious way is not gonna encounter any discrimination.”²⁰⁰ But it is the last two lines of the stanza that carry the most weight: at the start of the verse, the miserable men are just “among us” but then the speaker uses the pronouns “ourselves” and “we,” suggesting that he too is a miserable man who was not immediately willing to reveal his identity. This mirrors Cohn’s life and his resistance towards

¹⁹⁸ Alfred Lord Tennyson, “Geraint and Enid,” *Idylls of the King*, lines 1-7.

¹⁹⁹ Hagedorn and Vawter, 49.

²⁰⁰ *Roy Cohn/Jack Smith*, directed by Jill Godmilow, featuring Ron Vawter (1995; Strand Releasing, 1998), VHS, 1:20:15.

identifying as a homosexual as well as the theory that homosexuals were subversives who hid their identity to fit into society. With that and the overall context of Vawter's performance in mind, the last two lines ("Groping, how many, until we pass and reach/ That other, where we see as we are seen!") can be taken to mean that in death, Cohn was finally seen as he truly was, as his illness became tied to his legacy and he was no longer able to hide his sexual identity. This touches on the fact that although Cohn vehemently rejected allegations of homosexuality throughout his life, many still presumed he was gay— meaning they saw him for who he was. Thus, as the miserable Cohn groped through the feeble twilight of death, he became known as the man he was always suspected to be.

After reciting the poem, Vawter takes a long pause as he walks out of the spotlight to dry his face. As one critic remarked to Vawter, "you were as Roy Cohn, making this speech, and then you'd go off to one corner and wipe the sweat off your face; and that was the real Roy. It was this moment of truth and fear. And then you'd put the mask back on... You let us 'see' Roy Cohn— disguised and undisguised."²⁰¹ Through this interpretation, the intention of the pause was to expose the real Cohn hiding behind the mask he presented. This calls to mind the act of "outing" someone or revealing an individual's sexuality before they are comfortable doing so themselves, often with malicious intentions. Although this interpretation supports Vawter's claims that he never forgave Roy Cohn, it is complicated by the fact that when Vawter died just four months after the play closed, he was buried in the suit jacket he wore as Cohn which had been made by Cohn's own tailor. Bottoms goes so far as to argue "[Vawter's] decision to have himself buried in the suit... seemed like a tongue-in-cheek invitation to his mourners to grieve

²⁰¹ Hagedorn and Vawter, 69.

for Roy as well as himself.”²⁰² In deciding to be buried in his Cohn jacket, Vawter revealed that he saw at least a part of himself in Cohn, suggesting some degree of sympathy for the lawyer. Vawter’s dueling approaches to Cohn—the anger caused by Cohn’s hiding and the small act of acceptance in wearing his jacket for the rest of eternity—are indicative of how the gay community addressed Cohn. As hard as he had tried to fight it and as much pain as he caused others in doing so, Roy Cohn was and would always be a member of the community.

Roy Cohn lived his life obsessed with how he was going to be remembered, so much so that in his 1971 book, *A Fool For a Client: My Struggle Against the Power of a Public Prosecutor*, he wrote his own obituary:

ROY COHN DEAD; WAS McCARTHY INVESTIGATIONS AIDE

NEW YORK. January 6, 2027, 11 a.m. Roy Cohn, former aide to Senator Joseph McCarthy, the notorious Communist witch-hunter of the 1950s, died at his residence a few minutes ago. Mr. Cohn had been an explorer and writer since he retired from law practice in 1998.²⁰³

So when Lois Romano of *The Washington Post* asked what Cohn wanted his legacy to be, it was no surprise when he said, “I have no choice. I don’t want to think about it. Because I know how I am going to be remembered. I am going to be Joe McCarthy’s chief counsel for the rest of my life, no matter what else good or bad I should ever do in anybody’s eyes. And I’m perfectly happy with that denomination as long as those on the other side can see that there is another

²⁰² Bottoms, 181.

²⁰³ Roy M. Cohn, *A Fool for a Client* (New York: Hawthorn Books, 1971), 1.

side.”²⁰⁴ While seemingly direct, his response raises a significant question: what did Roy Cohn see as the other side of himself?

To prepare to play Cohn in *Angels* in 1992, actor Ron Leibman met with those who had known the lawyer well, including G. David Schine. Schine willingly told Leibman all about Cohn’s public record but did not break below the surface level until Leibman asked, “‘If you could name something that your friend Roy missed in his life, would that be?’” According to Leibman, Schine appeared to have never been asked this before and his response proved surprising: Schine said, “‘when he would come to my house, he would always play with my kids. I think he missed being a father.’”²⁰⁵ In *Angels*, Cohn sees himself as Joe’s father, guiding him through life and going so far as to bless him as Joe’s biological father never had.²⁰⁶ As Wallace Adams, one of Cohn’s many boyfriends recalled, Roy would take care of him and Adams would always leave their meetings with his jacket stuffed with \$100 bills.²⁰⁷ And according to Peter, “[Roy] really wanted to do something for me, but he wanted nothing in return. He was very unselfish. He wanted me to be happy, whether it was with him or not with him.”²⁰⁸ The other side of Roy Cohn —of the pit-bull lawyer who once said the worse the adjectives hurled against him were, the better for his business— was a man who just wanted to be loved. The other side of the man known for whispering conspiratorially in Joseph McCarthy’s ear was someone who wanted to take care of those in his life in whatever way possible. This image of Cohn begs a reconsideration of the Army-McCarthy Hearings: maybe they were not the pinnacle of hypocrisy, caused by a man so in denial of his identity that he could not see himself acting a fool

²⁰⁴ Romano, “The Closing Arguments of Roy Cohn.”

²⁰⁵ Butler and Kois, 28.

²⁰⁶ Kushner, *Angels in America: Perestroika*, 4.1, pg. 211.

²⁰⁷ *Where’s My Roy Cohn*, 53:56.

²⁰⁸ von Hoffman, 11.

on national television. Maybe it was a display of devotion by someone so desperate for reciprocated adoration that he would do anything for the one he loved.

Roy Cohn predicted only one thing correctly in his 1971 obit: no article ever published after his death goes without naming McCarthy as well. However, virtually every story has mentioned AIDS, too.²⁰⁹ Roy Cohn's legacy is a twisted one, one so complicated that it is often simplified down to the word "evil." But there was another side to Roy, as he well knew. It is one that begs the hardest thing: forgiveness.

History appears to be especially cruel to the gay community who, after so many decades of marginalization and battles for civil rights, were so heavily afflicted by the AIDS epidemic that in the 1980s that it was hard for many to see their future. Although disjointed in their views on what equality in American society meant as well as how they sought to get there, the different factions of the Gay Rights Movement came together to fight as one against AIDS. As a result, the community became more accepting of all identities which fell within its wide-spanning reaches, even those whose character proved more problematic than others. At the end of *And the Band Played On*, Randy Shilts composes a brief list of AIDS victims who, like Roy Cohn, denied their diagnosis until their dying days.²¹⁰ Shilts's inclusion of these men was not intended to shame them; rather, he argues on their behalf that the stigma surrounding homosexuality and AIDS in that first decade made their suffering too embarrassing for them to admit. The list thus serves as an induction of the men into the records of memorialization. In the wake of the

²⁰⁹ Marcus, "Roy Cohn's Last Days."

²¹⁰ Shilts, 585.

epidemic, the gay community was prompted to embrace itself as it was rather than how individual members envisioned it to be.

Whereas Cohn connected different characters of the conservative movement together through his tactics, a diversity of members within the Gay Rights Movement connected themselves to him. The community and its ritual of memorialization through art like the AIDS Quilt and the two aforementioned plays managed to welcome someone like Roy Cohn into their history, in spite of—and to spite—the fact that Cohn spent his entire life resenting his sexual identity. The begrudging acceptance of Cohn by the gay community was not only an act of tolerance but a show of strength. The last thing Cohn ever wanted to be known for was his sexuality; however, through the community's inclusion of him in their history, Roy Cohn's homosexuality became a fundamental facet of his legacy. Regardless of the spite that prompted it, the community's general tendency towards inclusivity in all forms stands against the practices of exclusion seen throughout the history of post-war conservatism.

Chapter 3: The Trump Administration, 2016-2020

In 2004, a relatively obscure Illinois state senator named Barack Obama was catapulted to the forefront of American politics after giving the keynote address at that year’s Democratic Convention. Prior to then, the country had been growing increasingly polarized into partisan camps and the political climate had become particularly contentious. Senator Obama’s speech offered a reversal of this development as he “challenged the claim that the nation was irreparably divided between ‘red states’ and ‘blue states,’” arguing instead that disparate groups across the nation had more in common than in opposition.²¹¹ Obama carried on with this message through his successful 2008 bid for the presidency, running on a campaign platform of hope and change. But, as Kruse and Zelizer extensively document in their book *Fault Lines*, the deep partisan divisions continued to grow from 2004 through to the end of President Obama’s second term in 2016, culminating in an acrimonious presidential election. In the end, real estate developer and TV personality Donald Trump won for the Republican Party, reinstating conservative political power in the U.S. Although the sociopolitical climate was already heated prior to Trump’s involvement in politics, his campaign and subsequent administration have only served to exacerbate the divide. This is due in large part to the two previously discussed histories—that of conservatism and of sexual politics—coming into conflict with one another today. As a protege of Roy Cohn, Donald Trump bears the markings of Cohn’s brand of conservatism. However, American society today is largely shaped by the liberal movements of the post-war era, notably the gay rights movement and the expansion of the LGBT+ community.²¹²

²¹¹ Kevin M. Kruse and Julian E. Zelizer, *Fault Lines: A History of the United States Since 1974* (New York: W. W. Norton & Company, 2019), 289.

²¹² In the introduction, I referred to this community by one of its longer acronyms: LGBTQIIA+. In the last chapter, I referred to the group as the gay community while focusing on its historical origins. For the focus of this final chapter, I will alternatively refer to the group in this chapter as the LGBT or LGBT+ community.

Thus, the ascension of Donald Trump to the office of the presidency has brought conservative politics in direct opposition with a more liberal society. This conflict is no better exemplified than in Cohn's paradoxical life as he a conservative AIDS victim who served as a mentor to a young Trump. While the contradictions between all parts of his persona could have become weaknesses, Cohn still managed to present a strong and masculine image through a credence of always attacking, counterattacking, and never apologizing, earning him a reputation for being a pit-bull lawyer who refused to ever back down from a fight. This mentality was only one of many lessons Cohn imparted on Trump over the course of their decade-long partnership, but it is the one the current President of the United States embodies the most to this day. As such, Roy Cohn and his relationship with Donald Trump not only reveal the tensions within the sociopolitical climate in the country today, but the inner workings of America's 45th president.

In 1973, the U.S. Department of Justice sued the New York-based real estate company, Trump Management for discriminating against black individuals applying to live in their properties. The DOJ alleged that the organization —namely its CEO, Fred Trump, as well as his son and the organization's president, Donald— violated the Fair Housing Act by requiring that a “C” be placed on all applications submitted by potential tenants of color to subsequently reject them.²¹³ The younger Trump was unwilling to admit to wrongdoing even when all of the company's lawyers told him he had no defense against the charges.²¹⁴ Everyone in Manhattan in the 1970s, including Donald Trump, knew of Roy Cohn and his reputation for ruthlessness so when the two met at the exclusive Le Club, Trump immediately began asking for legal advice. In

²¹³ Jonathan Mahler and Steve Eder, “‘No Vacancies’ for Blacks: How Donald Trump Got His Start, and Was First Accused of Bias,” *New York Times*, August 27, 2016, <https://www.nytimes.com/2016/08/28/us/politics/donald-trump-housing-race.html>.

²¹⁴ Donald Trump and Tony Schwartz, *The Art of the Deal* (New York: Random House, 1987), 68.

response, Cohn told Trump that the company should tell the DOJ to go to hell and take them to court over the case. Trump hired Cohn immediately.²¹⁵ The partnership proved to be influential in the young Trump's life as the way in which Cohn handled the DOJ's case taught the future U.S. president a critical "three-dimensional strategy, which was: 1. Never settle, never surrender. 2. Counter-attack, counter-sue immediately. 3. No matter what happens, no matter how deeply into the muck you get, claim victory and never admit defeat."²¹⁶ Trump learned the first lesson that night in Le Club when Cohn vowed to never settle in court on Trump's behalf, presenting himself as a strong figure much in the same way Ronald Reagan would in the next decade. Cohn taught Trump the second lesson when the pair brought a defamation suit against the Department of Justice, claiming the case had hurt business by accusing the Trumps of racism.²¹⁷ Although unsuccessful, the attack muddied the DOJ's argument and enabled Cohn to teach Trump the third and final lesson. Trump claimed in *The Art of the Deal* that he did not like lawyers because "they are always looking to settle instead of fight... [and he would] rather fight than fold, because as soon as you fold once, you get the reputation of being a folder," yet Cohn and Trump ended up making a "minor settlement" in the DOJ case. However, they labeled it a success simply because they did not have to admit guilt.²¹⁸ Liz Smith, an influential columnist and friend of Cohn's, once stated that "'Donald lost his moral compass when he made an alliance with Roy Cohn.'"²¹⁹

Following the case, the pair became so close that Cohn referred to the young real estate developer as his best friend and the two talked on the phone a reported 15-20 times a day.²²⁰

²¹⁵ Ibid.

²¹⁶ Marie Brenner, "How Donald Trump and Roy Cohn's Ruthless Symbiosis Changed America," *Vanity Fair*, June 28, 2017, <https://www.vanityfair.com/news/2017/06/donald-trump-roy-cohn-relationship>.

²¹⁷ James D. Zirin, *Plaintiff in Chief: A Portrait of Donald Trump in 3,500 Lawsuits* (New York: All Points Books, 2019), 28.

²¹⁸ Trump, 67.

²¹⁹ Brenner, "How Donald Trump and Roy Cohn's Ruthless Symbiosis Changed America."

²²⁰ Ibid.

Many have noted that although Cohn's technical role in Trump's life was personal lawyer, Cohn served as a mentor and daily adviser for the younger man.²²¹ The impact the relationship had on Trump is still evident today as he embodies, among others, those three lessons Cohn taught him so long ago; Steve Brill, a New York City-based lawyer who had been active during Cohn's reign in the city and who defended against the president in the recent Trump University case, recalls how "sometime during the 2016 presidential campaign, [he] noticed that Donald Trump was using Cohn's exact phrases. 'I began to hear, *If you want to know the truth, and that I can tell you . . . and to be absolutely frank*—a sign that the Big Lie was coming.'"²²² As president, Trump has frequently relied on Cohn's strategy of attacking without mercy or guilt, most recently as he attempts to discredit the Democratic candidates running for president. Throughout the primary season, all of the candidates have been pointedly critical of Trump and adamant that defeating him was a primary objective for each of their campaigns. In response, Trump took to Twitter to give them all pejorative nicknames, as he does with nearly all of his enemies. One of the president's allies has claimed that "'Trump believes that if you can encapsulate someone in a phrase or a nickname, you can own them. . . that kind of sh*t really diminishes people and puts you in control of them and that's what Trump is a genius for doing.'"²²³ Acquiring and maintaining power like many conservatives before him is only one of Trump's objectives; the other, as revealed by the president's aforementioned ally, is to exert that power against his opponents.

²²¹ Zirin, 24.

²²² Brenner, "How Donald Trump and Roy Cohn's Ruthless Symbiosis Changed America."

²²³ Daniel Lippman, Andrew Restuccia, and Eliana Johnson, "Trump's New Nickname for Pete Buttigieg: 'Alfred E. Neuman,'" *Politico*, May 10, 2019, <https://www.politico.com/story/2019/05/10/trump-pete-buttigieg-nickname-1317460>.

Recently, President Trump was impeached by the House of Representatives only to be subsequently acquitted by the Senate. Many have noted that since his acquittal, the President seems to feel vindicated and entitled to act however he should so choose. This analysis comes after Trump's firing of two individuals who testified against him in the House hearings.²²⁴ Most notably, he has defined his impeachment by his acquittal and, instead of showing remorse for the wrongdoing that prompted the proceedings, President Trump has doubled down in his attacks on high-ranking Democrats in the House and Senate.²²⁵ In the 1960s, Cohn had been tied up in a series of lawsuits, accusing him of a variety of charges such as perjury, obstruction of justice and conspiracy. While there was substantial evidence to prove that he was guilty in all three lawsuits, Cohn claimed that they were the result of the vendettas Attorney General Robert F. Kennedy and United States Attorney for the Southern District of New York Robert Morgenthau held against him.²²⁶ It was well known that neither Kennedy nor Morgenthau liked Cohn personally, but Cohn spun the narrative to paint himself as the victim of, ironically, a smear campaign.²²⁷ Cohn was acquitted of all charges in 1971; by then, Robert Kennedy had been assassinated and Robert Morgenthau had been pressured out of his position by the Nixon Administration.²²⁸ Given this, Cohn likely felt as vindicated as Trump currently does which would explain why when Cohn walked out of the courtroom for the last time, he held an impromptu press conference and boldly claimed that "The way I feel is the way I feel every day of my life, which is *God Bless*

²²⁴ <https://www.nytimes.com/2020/02/07/us/politics/alexander-vindman-gordon-sondland-fired.html> Peter Baker, Maggie Haberman, Danny Hakim and Michael S. Schmidt, "Trump Fires Impeachment Witnesses Gordon Sondland and Alexander Vindman in Post-Acquittal Purge," *New York Times*, February 7, 2020.

²²⁵ Judy Woodruff, "After Impeachment Acquittal, Trump's Bitter Feud with Pelosi Continues," *PBS*, February 6, 2020, <https://www.pbs.org/newshour/show/after-impeachment-acquittal-trumps-bitter-feud-with-pelosi-continues>.

²²⁶ Nicholas von Hoffman, *Citizen Cohn* (New York: Doubleday, 1988), 182 and 285.

²²⁷ *Ibid.*, 265.

²²⁸ Robert D. McFadden, "Robert Morgenthau, Longtime Manhattan District Attorney, Dies at 99," *New York Times*, July 21, 2019, <https://www.nytimes.com/2019/07/21/nyregion/robert-morgenthau-dead.html>.

America.”²²⁹ Cohn had pitched a similar message to the jury which was reported to have brought them to tears. Under Cohn’s guidance, Trump learned the significance of and power in the ability to spin a narrative through relationships with journalists, amounting to manipulation for the press. It is clear then that President Trump learned how to control a personal paradox into a public image of strength from Roy Cohn, and it is a lesson that has defined his presidency thus far.

Much like his mentor, President Trump does not present himself as a traditional conservative. In fairness, many conservatives do not accept him for any number of reasons.²³⁰ Yet, many notable figures within the movement have alternatively taken it upon themselves to defend the former real estate developer, and chief among them was Phyllis Schlafly whose book *The Conservative Case for Trump* now serves as her dying public words.²³¹ Schlafly argued that “Donald Trump has said what we’ve been told is the unsayable —and yet his positions are widely supported by the American people.”²³² She saw a Trump presidency as a way for conservatives to not only regain political power but to overhaul the liberal progress achieved under the Obama Administration. Schlafly argued Obama allowed America to be flooded with illegal immigrants, to emasculate the military, and to defy conservative family values by passing legislation and ordinances such as that which allowed transgender individuals to use the

²²⁹ *Where’s My Roy Cohn*, directed by Matt Tyrnauer (Sony Pictures Classics, 2019), 39:20.

²³⁰ Robb Ryerse, “I Questioned the Sincerity of Donald Trump’s Pro-Life Stance. The Response From My Fellow Evangelicals Was Troubling,” *Time*, February 12, 2020, <https://time.com/5783257/donald-trump-pro-life-evangelical-voters/>; E.J. Dionne Jr., “Political Idolatry is the Enemy of Religious Faith,” *Washington Post*, February 9, 2020, https://www.washingtonpost.com/opinions/faith-is-slowly-turning-into-a-political-act/2020/02/08/762a8244-49ea-11ea-bdbf-1dfb23249293_story.html.

²³¹ Phyllis Schlafly, Ed Martin, and Brett M. Decker, *The Conservative Case for Trump* (Washington, DC: Regnery Publishing, 2016).

The book was published the day after her death in 2016, just two months shy of the 2016 presidential election.

²³² *Ibid.*, xviii.

gendered bathroom they identify with.²³³ Schlafly concluded her argument by calling on Ronald Reagan's legacy and stated that while there will never be another Reagan, Trump will carry on his legacy and make America great for conservatives again.²³⁴ Since taking office, Trump has not only presented himself as a defender of the conservative gender hierarchy but he has helped to bring the paranoid politics of the McCarthy era into the 21st century while attempting to paint himself as a strong paternalistic and masculine figure like Ronald Reagan. Most notably, Trump has managed to define his own public image as a means of maintaining his position in power, fully embodying the strands of conservatism his mentor had influenced the most.

Trump has displayed McCarthyist paranoid politics since the very first days of his presidency, and this tendency seems to be heightened whenever Trump is charged with sexual malfeasance. Accusations that Russia had interfered in the 2016 election began almost immediately after Trump's victory and followed the president into his first term. Prior to the inauguration in early January 2017, the Intelligence Community Directors met with the president-elect in his residence in Trump Tower to discuss the information that had been gathered on Russia's activity.²³⁵ James Comey, then director of the Federal Bureau of Investigation, had acquired a dossier put together independently by a former MI6 agent, Christopher Steele. Comey decided to request a one-on-one session with the president following the large meeting to discuss the salacious information the Steele dossier contained in a more private setting.²³⁶ The dossier alleged instances of collusion between the Trump campaign and Russia which were shocking in their own right. But the file also contained evidence that

²³³ *Ibid.*, x.

²³⁴ *Ibid.*, xv.

²³⁵ The Intelligence Community Directors were the group composed of the leaders of the Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA), the National Security Agency (NSA), and the office of the Director of National Intelligence (DNI).

²³⁶ James Comey, *A Higher Loyalty: Truth, Lies, and Leadership* (New York: Flatiron Books, 2018), 206.

“Russian officials had been ‘cultivating’ Trump as an asset for five years, and had obtained leverage over him, in part by recording videos of him while he engaged in compromising sexual acts, including consorting with Moscow prostitutes who, at his request, urinated on a bed.”²³⁷ Comey knew that the information, being both unclassified and dramatic, would likely surface in the press soon and tried to make that clear to Trump in order to help the incoming leader brace for its impact.²³⁸ While the interaction was intended to communicate valuable information and assistance, Trump perceived the meeting as an affront to his legitimacy. As he denied the allegations, Trump demanded to know if Comey thought he seemed like a man who needed prostitutes.²³⁹ Following the interaction, it became clear that the president considered Comey to be his enemy and his distrust prompted Comey to begin composing memos documenting his impressions of their interactions. Comey’s second memo recorded a surprise February dinner between the two at the White House when,

at one point during the conversation, Trump stated that he needed loyalty and expected loyalty, and then later stated again “I need loyalty.” Memo 2 reflects that the second time Trump stated his need for loyalty, Comey responded that the President would always get honesty from Comey... Memo 2 also notes that it was possible that Comey and Trump “understood that phrase differently” but that Comey “decided it would not be productive to push the subject further.”²⁴⁰

²³⁷ Jane Mayer, “Christopher Steele, the Man Behind the Trump Dossier,” *New Yorker*, March 5, 2018, <https://www.newyorker.com/magazine/2018/03/12/christopher-steele-the-man-behind-the-trump-dossier>.

²³⁸ Bob Woodward, *Fear: Trump in the White House* (New York: Simon and Schuster, 2018), 65.

²³⁹ *Ibid.*, 68.

²⁴⁰ US Department of Justice, Office of the Inspector General, *Report of Investigation of Former Federal Bureau of Investigation Director James Comey's Disclosure of Sensitive Investigative Information and Handling of Certain Memoranda*, Oversight and Review Division (Washington, DC, 2019), 17.

Memo 2 documented the interaction between Trump and Comey at a one-on-one dinner at the White House on January 27, 2017. In the memo, Comey writes that this was unexpected and that he assumed when Trump sent the invitation to Comey that the implication was that it would be a dinner with other government leaders and White House staffers.

In fact, President Trump and Director Comey did understand the phrase differently and, when Comey would not pledge loyalty directly to Trump, Trump fired him.²⁴¹

The relationship between Director Comey and Trump stands in contrast to the current dynamic between the president and Attorney General William Barr. In two separate instances, Barr has proven that he is loyal directly to Trump and the president's response has revealed that this is the relationship he expects from those who work for him. Following the 2016 election, U.S. intelligence bodies —along with the sources cited in the Steele dossier— had found that Russian operatives had communicated with members within both the Trump campaign and administration and as such, there were calls to investigate the connections.²⁴² In May 2017, Deputy Attorney General Rod Rosenstein appointed former FBI Director Robert Mueller to head the investigation as special counsel. The Mueller investigation lasted for nearly two years, indicted thirty-four individuals, and resulted in a 448-page report divided into two volumes focused on the Trump's campaign's conspiracy with Russia and the Trump's administration's obstruction of justice, respectively.²⁴³ By the end of the investigation in 2019, Trump's original attorney general had been replaced by William Barr who had served in the same role under President George H. W. Bush.²⁴⁴ Preceding the release of Mueller's report, Barr published his own four-page summary, glossing over much of the meticulously documented investigation, which sparked skepticism that Barr was not working independently from the executive branch.²⁴⁵

²⁴¹ Ibid.

²⁴² Mark Mazzetti and Katie Benner, "Mueller Finds No Trump-Russia Conspiracy, but Stops Short of Exonerating President on Obstruction," *New York Times*, March 24, 2019, <https://www.nytimes.com/2019/03/24/us/politics/mueller-report-summary.html>.

²⁴³ "Read Attorney General William Barr's Summary of the Mueller Report," *New York Times*, March 24, 2019, <https://www.nytimes.com/interactive/2019/03/24/us/politics/barr-letter-mueller-report.html>.

²⁴⁴ Al Jazeera Staff, "Who is William Barr? Trump's Attorney General Pick on Key Issues," *Al Jazeera*, February 14, 2019, <https://www.aljazeera.com/news/2019/01/william-barr-trump-attorney-general-pick-key-issues-190116200056000.html>.

²⁴⁵ Ibid.

The Barr summary and the immediate public response to it prompted Mueller to write a letter to Congress stating, “the summary letter the Department sent to Congress and released to the public... did not fully capture the context, nature, and substance of this office’s work and conclusions... There is now public confusion about critical aspects of the results of our investigation. This threatens to undermine a central purpose for which the Department appointed the Special Counsel: to assure full public confidence in the outcome of the investigations.”²⁴⁶

Barr was largely suspected to have been picked by Trump to serve as Attorney General due to his authoring of an unsolicited memo criticizing the Mueller probe and calling for its end in 2018.²⁴⁷ Thus, when Barr released his summary, his devotion to Trump over his Justice Department became shockingly clear and prompted Trump’s to claim that he should have initially hired Barr rather than hiring former Attorney General Jeff Sessions who recused himself from the Russia investigation immediately after it launched.²⁴⁸

The way in which President Trump has approached his relationships with Comey and Barr is reminiscent of the politics of paranoia enacted by Senator McCarthy: Comey is someone who ideologically differed from Trump and as such, was not to be trusted, whereas Barr has appeared to pledge loyalty to Trump much in the way federal employees did under Truman and how members of McCarthy’s Subcommittee swore oaths to Roy Cohn.²⁴⁹ However, McCarthy’s

²⁴⁶ Devlin Barrett and Matt Zapposky, “Mueller Complained That Barr’s Letter Did Not Capture ‘Context’ of Trump Probe,” *Washington Post*, April 30, 2019, https://www.washingtonpost.com/world/national-security/mueller-complained-that-barrs-letter-did-not-capture-context-of-trump-probe/2019/04/30/d3c8fdb6-6b7b-11e9-a66d-a82d3f3d96d5_story.html;

“Stark Contrasts Between the Mueller Report and Attorney General Barr’s Summary,” The Presidential Investigation Education Project, American Constitution Society, accessed February 20, 2020, <https://www.acslaw.org/projects/the-presidential-investigation-education-project/other-resources/stark-contrasts-between-the-mueller-report-and-attorney-general-barrs-summary/>.

²⁴⁷ Al Jazeera Staff, “Who is William Barr? Trump’s Attorney General Pick on Key Issues.”

²⁴⁸ Myah Ward, “Trump: ‘Life Would’ve Been a Lot Easier’ Had I Picked Barr Over Sessions,” *Politico*, February 13, 2020, <https://www.politico.com/news/2020/02/13/trump-bill-barr-jeff-sessions-114918>.

²⁴⁹ von Hoffman, 223-4.

crusade of anti-subversive fear was largely contrived as part of a public relations strategy used to bolster the career of an otherwise unspectacular senator. Trump's erratic and need for loyal protection against subversion appears sincerely held, which is due in large part to his connection to Cohn.²⁵⁰ To Cohn, the fight against subversion had always been far more intense and personal than it ever was for McCarthy. Three major facets of Cohn's identity were closely linked to American Communism and they became the three things he came to resent most about himself: Jewish Americans and Democrats were often thought to have Communist sympathies or ties during the immediate postwar years, and Cohn was the descendant of a prominent Jewish family as well as the son of a distinguished Democratic judge. Cohn fought these aspects through his vicious targeting of the Rosenbergs during the Atomic Spy Trial and through his years of work as a Republican power broker despite his lifelong registration as a Democrat. As previously shown, Cohn vehemently denied his sexuality throughout his entire life, believing in the Lavender Scare-era theory that homosexuality made individuals more susceptible to Communist subversion.²⁵¹ As it was, Cohn always seemed to fear being undermined for something he defined as a weakness and constantly sought loyalty from others as protection against any potential charge that could be brought against him.

Cohn's paranoia is what led him to develop a mutually beneficial relationship with the media in which he offered favors and loyalty to his friends in exchange for good press. However, many modern conservatives —Trump included— have expressed a distrust of the media and their representation of the overall conservative message, claiming the mainstream media bears a

²⁵⁰ Ibid., 210.

²⁵¹ David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2006), 20.

liberal bias that negatively impacts their reporting.²⁵² Although critical of other outlets that he has dubbed “fake news,” President Trump has been able to use Fox News and its large viewing base to control the narrative of his presidency to receive favorable coverage and spin any negative narratives much in the same way Cohn used his connections to journalists.²⁵³ Trump’s co-opting of the right-wing Fox News network has a dual purpose: in one sense, Trump’s favoritism on the network casts him as a strong president able to accomplish tasks that his predecessors were unable to do. The other objective of Trump’s Fox News relationship is that his biggest supporters —Fox hosts like Sean Hannity and Jeanine Pirro— help paint Trump as a champion of Religious Right values, namely anti-abortion legislation and anti-LGBT+ practices.²⁵⁴ As Jane Mayer reported in her exhaustive *New Yorker* article on the relationship between Trump and Fox, the power of Fox News is such that they are apt to strike down anyone who comments counter to what the outlet has told them and inspire their viewers to do the same. Recently, an evangelical Republican pastor named Robb Ryerse published an op-ed questioning the sincerity of Trump’s pro-choice stance and, by default, the rhetoric that Trump was a genuine advocate for the Christian Right. Ryerse wrote that “[his] concern is for an evangelical church in America that has normalized hatred in defense of President Trump.”²⁵⁵ In response, Trump’s supporters attacked Ryerse, leaving him threatening emails and voicemail messages and prompting him to publish a follow-up opinion piece in which he questioned the Christian Right’s own sincerity.²⁵⁶ Moreover, Ryerse’s record as a pro-life activist and job as an evangelical pastor

²⁵² Jane Mayer, “The Making of the Fox News White House,” *New Yorker*, March 4, 2019, <https://www.newyorker.com/magazine/2019/03/11/the-making-of-the-fox-news-white-house>.

²⁵³ Ibid.

²⁵⁴ Ibid.

²⁵⁵ Ryerse, “I Questioned the Sincerity of Donald Trump's Pro-Life Stance. The Response From My Fellow Evangelicals Was Troubling.”

²⁵⁶ Ibid.

have been rendered insignificant, as has Trump’s life of lasciviousness and adultery, because many Trump supporters cannot always comprehend the fact that what they have been told by the media and Trump himself may not necessarily be the truth.²⁵⁷ Looking at the more notable allegations of Trump’s sexual transgressions—in particular, the claims made about Trump consorting with Russian prostitutes in the Steele dossier as well as his confirmed hush money payments to *Playboy* model Karen McDougal and adult film star Stephanie Clifford to bury stories about his extramarital affairs—in relation to his manipulation of the media reveals another lesson Trump took away from Cohn: the only response to allegations of sexual misgivings was to not simply reject the charges, but to discredit those making them.²⁵⁸ Regardless of the evidence women have brought against Trump, he “has never apologized to any of [them]. Rather, he had flatly denied their allegations. He has also used shopworn techniques of counterattack—threatening litigation, paying hush money, smearing his attacker, and big-lie approaches—all from the playbook of Roy Cohn.”²⁵⁹ By using Cohn’s counterattack strategies, Trump has continued to deny responsibility for his actions. And, in claiming that these allegations leveled against him and others are fake news, Trump has given his followers the language to deny those who oppose his cultivated image.

This relationship between Trump and his followers is so strong that he once claimed during a rally that he “could stand in the middle of Fifth Avenue and shoot somebody, and [he] wouldn’t lose any voters.”²⁶⁰ While there are plenty of conservatives like Ryerse and members of

²⁵⁷ Ibid.

²⁵⁸ James D. Zirin, “Trump and His Women: Trump’s Misogyny,” in *Plaintiff in Chief: A Portrait of Donald Trump in 3,500 Lawsuits* (New York: All Points Books, 2019), 150-173.

Zirin’s chapter explores all of the allegations women have publicly made against Trump throughout his life and the ways in which he had continued to fight them.

²⁵⁹ Ibid., 171.

²⁶⁰ *Get Me Roger Stone*, directed by Daniel DiMauro, Dylan Bank, and Morgan Pehme (Netflix, 2017), 1:02:17, <https://www.netflix.com/watch/80114666>.

the Never Trump movement —some of whom are so opposed to Trump that they have left the Republican Party, like Representative Justin Amash (I-MI) and cable news host Joe Scarborough— his presence in politics has largely moved the Republican Party further right and brought conservatism to the forefront of the party’s policy agenda.²⁶¹ The Republican dominated Senate is led by Majority Leader Mitch McConnell (R-KY) who was opposed by conservatives in his state the last time he faced a serious primary challenger in 2014. Due to McConnell’s commitment to enacting President Trump’s conservative policies as frequently as possible, McConnell has won over his opposition. As one of his aides noted, ““Most Republicans see Trump and McConnell as sort of an indispensable team standing between a conservative agenda.”²⁶² President Trump’s paranoid politics, purported commitment to family values, and need to be seen as a strong figure to maintain his loyal followers and political power connect him to a history of post-war conservatism which bear the markings of Roy Cohn’s influence.

Loyalty was paramount to Roy Cohn, and it was a trait he tried to instill in all of his proteges, not just in the current president of the U.S. This lesson was especially clear during the Mueller investigation when Roger Stone was investigated for working with Julian Assange of WikiLeaks to publish Hillary Clinton's emails in an effort to smear her during her 2016 presidential campaign.²⁶³ Stone has been a long-time Trump associate who had been introduced to the real-estate developer by Roy Cohn in the early 1980s, and according to *New Yorker* writer

²⁶¹ “Tracking Congress In The Age Of Trump,” FiveThirtyEight, last modified March 5, 2020, 11:31, <https://projects.fivethirtyeight.com/congress-trump-score/>.

²⁶² Lesley Clark, “Conservative Groups That Wanted to Oust Mitch McConnell Not Calling For a Repeat,” *McClatchy DC*, April 3, 2019, <https://www.mcclatchydc.com/news/politics-government/congress/article228745429.html>.

²⁶³ US Department of Justice, *United States of America v. Roger Jason Stone, Jr., Defendant*. Criminal No. Grand Jury Original 18 U.S.C. §§ 1001, 1505, 1512, 2 (Washington, DC District Court, 2019).

Jeffrey Toobin, “Stone created Donald Trump as a political figure. There is no doubt that in tone, in effect, in profile, the Trump Presidency was a pure Roger Stone production.”²⁶⁴ Mueller’s team alleges that Stone worked closely with Assange to retrieve and release Clinton’s controversial emails through improper means and tried him for obstructing justice, making false statements to investigators, and tampering with witness testimony.²⁶⁵ The Department of Justice also found that there was frequent communications between Stone and an unnamed “high-ranking Trump Campaign official” regarding the timeline of the emails’ publication, leaving little doubt that the technique was approved of by the Trump team to smear their opponent.²⁶⁶ At that point in the campaign, Stone was no longer an official member of the Trump team, following a controversial departure as Stone claimed to have left the team while Trump maintained to have fired him in a clash of Cohn’s mentees fighting to be the strongest. Despite the status of his relationship with the president, however, Stone refused to testify against Trump before Mueller’s team, thus distancing Trump from the operation to protect his credibility. While there is no evidence that Trump asked Stone for his loyalty —nor if he would have had to— Trump has frequently sought to protect Stone from any legal ramifications for his actions on behalf of the Trump Administration, an act that reveals he too feels some sense of loyalty to Cohn’s other notable mentee.²⁶⁷

²⁶⁴ *Get Me Roger Stone*, 3:38.

²⁶⁵ Grace Panetta and Sonam Sheth, “GOP Strategist Roger Stone Convicted on 7 Counts of Obstruction, Witness Tampering, and False Statements,” *Business Insider*, November 15, 2019, <https://www.businessinsider.com/roger-stone-convicted-false-statements-witness-tampering-2019-11>.

²⁶⁶ *United States of America v. Roger Jason Stone, Jr.*

²⁶⁷ Panetta and Sheth, “GOP Strategist Roger Stone Convicted on 7 Counts of Obstruction, Witness Tampering, and False Statements.”

Trump began to call on Cohn and the loyalty rituals his name evoked following Mueller's appointment, which Trump saw as the end of his presidency.²⁶⁸ It was as though he was seeking the same unwavering protection from those closest to him that Cohn had received in his lifetime. Volume II of Mueller's report documents that on March 2, 2017, then-Attorney General Jeff Sessions recused himself from the Russia investigation following the revelation that he had met with the Russian ambassador to the U.S. twice, a fact that he had not previously disclosed.²⁶⁹ Upon being told this news, President Trump demanded to know "'Where's my Roy Cohn?'"²⁷⁰ The following day, according to Volume II again, Trump began a meeting between advisors and legal counsel "by saying, 'I don't have a lawyer.' The President expressed anger at McGahn about the recusal and brought up Roy Cohn, stating that he wished Cohn was his attorney. McGahn interpreted this comment as directed at him, suggesting that Cohn would fight for the President whereas McGahn would not."²⁷¹ Sessions, who just barely held onto his job through much of the first two years of Trump's presidency, was finally let go in November 2018.

It is interesting that, when demanding loyalty from those around him, President Trump called on Roy Cohn. In his 1987 book *The Art of the Deal*, Donald Trump recounts his relationship with Roy Cohn fondly and describes why he believes Cohn's loyalty was his most admirable trait: Trump asks his readers to

²⁶⁸ US Department of Justice, *Report on the Investigation into Russian Interference in the 2016 Presidential Election*, by Special Counsel Robert S. Mueller III (Washington, DC, 2019).

²⁶⁹ Meghan Keneally, "Timeline Leading Up to Jeff Sessions' Recusal and the Fallout," *ABC News*, July 26, 2017, <https://abcnews.go.com/Politics/timeline-leading-jeff-sessions-recusal-fallout/story?id=45855918>.

²⁷⁰ Michael S. Schmidt, "Obstruction Inquiry Shows Trump's Struggle to Keep Grip on Russia Investigation," *New York Times*, January 4, 2018.

²⁷¹ *Report on the Investigation into Russian Interference in the 2016 Presidential Election*, v.2, 50.

The footnote at the end of the section reads, "Cohn had previously served as a lawyer for the President during his career as a private businessman. Priebus recalled that when the President talked about Cohn, he said Cohn would win cases for him that had no chance, and that Cohn had done incredible things for him. Bannon recalled the President describing Cohn as a winner and a fixer, someone who got things done." Trump also claimed, according to the report, that McGahn was not a real lawyer because he took notes and Cohn never took notes.

just compare [Cohn] with all the hundreds of “respectable” guys who make careers out of boasting about their uncompromising integrity but have absolutely no loyalty. They think only about what’s best for them and don’t think twice about stabbing a friend in the back if the friend becomes a problem. What I liked most about Roy Cohn was that he would do just the opposite. Roy was the sort of guy who’d be there at your hospital bed, long after everyone else had bailed out, literally standing by you to the death.²⁷²

What could have been a warm recollection of an otherwise reviled figure is soured by the fact that Donald Trump “abandoned his lawyer when he found out that Cohn was HIV-positive... ‘As soon as he found out, he took all his cases away from Roy except for one and got new lawyers. After all they’d been through together.’”²⁷³ In 1986, Trump testified as a character witness on Cohn’s behalf during the lawyer’s disbarment hearings and hosted a grandiose party at the Mar-a-Lago resort celebrating Cohn’s life, but the relationship the two once had was gone —while at one point in time Cohn had referred to Trump as his best friend, he now alleged cruelly that “‘Donald pisses ice water’” after Trump deserted him.²⁷⁴ Journalist Wayne Barrett reported that at Cohn’s funeral, Trump “stood in the back of the room silently, not asked to be one of the several designated speakers, precisely because those closest to Cohn felt he had abandoned the man who had molded him.”²⁷⁵ Regardless of his current relationship with Roger Stone, by deserting Cohn in the same way all of the hundreds of “respectable” guys did with their inconvenient friends, Donald Trump revealed that while loyalty may have been paramount to Roy Cohn, it certainly was not to him.

²⁷² Trump, 69.

²⁷³ Marcus Baram, “Eavesdropping on Roy Cohn and Donald Trump,” *New Yorker*, April 14, 2017, <https://www.newyorker.com/news/news-desk/eavesdropping-on-roy-cohn-and-donald-trump>.

²⁷⁴ Brenner, “How Donald Trump and Roy Cohn’s Ruthless Symbiosis Changed America.”

²⁷⁵ Zirin, 26.

One lesson that Trump did take from Cohn was his disposition towards discrimination against the LGBTQ+ community. While Cohn focused his hatred against cisgender gay men like himself, President Trump and his administration have been actively overturning the progress made on behalf of transgender rights. And although Trump's actions are motivated in part by his spite toward the Obama Administration that preceded his, his rationales for his repealing of LGBTQ+ rights protections are reminiscent of Cohn's discriminatory beliefs and carry the same vitriol. In 2016, the Obama Administration lifted a 56-year ban on transgender individuals serving openly in the military and Defense Secretary Ashton Carter announced that if "military doctors determine that sex-change surgery is medically necessary for a current service member, the U.S. military will pay for it."²⁷⁶ This was seen as a leap forward not only for transgender individuals but for the LGBT+ community at large who, under Obama, had also seen the legalization of same-sex marriage by the 2015 Supreme Court ruling in *Obergefell v. Hodges*. While he did not create a federal law specifically pertaining to or protecting transgender rights, President Obama's 2014 Executive Order 13672 amended two previous EOs concerned with workplace discrimination, effectively "prohibiting discrimination based on sexual orientation and gender identity."²⁷⁷ In addition, the Obama Administration directed public schools across the nation to permit students to use the bathroom for their gender identity in a 2016 letter. Although "the letter [did] not carry the force of law... the message was clear: Fall in line or face loss of

²⁷⁶ Teresa Welsh, "Military Lifts Transgender Ban," *McClatchy DC*, June 30, 2016, <https://www.mcclatchydc.com/news/nation-world/national/article86902072.html>.

²⁷⁷ Barack H. Obama, Executive Order 13672, "Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity," *Federal Register* 79, no. 141 (July 23, 2014): 42971, <https://www.govinfo.gov/content/pkg/FR-2014-07-23/pdf/2014-17522.pdf>.

federal funding.”²⁷⁸ Although the advancement of transgender rights had seen considerable progress under the Obama administration, it was still easy for President Trump to undo it all as he announced that transgender individuals were effectively banned from serving in the military in a 2017 tweet.²⁷⁹

The transition from acceptance to intolerance was swift and severe, as one transgender military officer reported that under the Trump Administration, “were he to openly begin testosterone hormone replacement therapy he would be downed from aviation permanently. He describes as ‘absurd’ and ‘stone-aged’ the fact that US armed forces still classify gender dysphoria as a ‘mental disorder.’”²⁸⁰ The Trump Administration also overturned the protection that allowed students to be able to use whichever bathroom matches their gender identity in public schools, and further allowed states to adopt far more wide-sweeping bathroom bills requiring all transgender individuals to only use the bathroom for their birth gender.²⁸¹ The National Center for Trans Equality has created a timeline to document the Trump Administration’s discrimination against transgender individuals and wrote that in November 2019,

the Department of Health and Human Services announced it would not enforce, and planned to repeal, regulations prohibiting discrimination based on gender identity, sexual orientation, and religion in all HHS grant programs. These include programs to address

²⁷⁸ Emanuella Grinberg, “Feds Issue Guidance on Transgender Access to School Bathrooms,” *CNN*, May 14, 2016, <https://www.cnn.com/2016/05/12/politics/transgender-bathrooms-obama-administration/index.html?adkey=bn>.

²⁷⁹ Donald J. Trump (@realDonaldTrump), “After consultation with my Generals and military experts, please be advised that the United States Government will not accept or allow.....,” Twitter, July 26, 2017, 8:55 a.m., <https://twitter.com/realDonaldTrump/status/890193981585444864>.

²⁸⁰ Ed Pilkington, “Revealed: The Trans Military Members Living in Fear Under Trump's Ban,” *Guardian*, June 13, 2019, <https://www.theguardian.com/society/2019/jun/12/revealed-how-trumps-transgender-ban-has-forced-military-members-back-into-hiding>.

²⁸¹ Dominic Holden and Ema O’Connor, “Trump Is Gutting Health Care Protections For Transgender People And Those Who Have Had Abortions,” *BuzzFeed News*, May 24, 2019, <https://www.buzzfeednews.com/article/dominicholden/trump-rule-transgender-abortion-healthcare-discrimination>.

the HIV, opioid, and youth homelessness epidemics, as well as hundreds of billions of dollars in other health and human service programs.²⁸²

While many of Trump’s policies can be explained by his disdain for President Obama and desire to overturn anything the 44th president may have passed during his tenure, President Trump’s treatment of the trans community appears to go far deeper than competitive pettiness; the *New York Times* noted the severity of the Trump’s actions against trans individuals, reporting in late 2019 that “while socially conservative policies have been mainstays of the Trump White House, what distinguishes the transgender initiative is its sweep.”²⁸³

Although there is more than enough evidence documenting the ways in which Roy Cohn spoke and acted against the LGBTQ+ community, there has not been an equal discussion about the source of his virulent homophobia. Some of those who followed Cohn credit his mother who, in desiring another life that was far more grand than the one she lived, instilled in her son a lifelong sense of inadequacy and self-hatred.²⁸⁴ But there is another, possibly more likely, source to be considered: in their book *Sissy: A Coming of Gender Story*, gender non-conforming author and trans activist Jacob Tobia writes “perhaps the greatest oversight of the trans movement thus far is that it has positioned gender-based trauma as something that only trans people experience.”²⁸⁵ The gender hierarchy that was idolized and fought for by conservatives like Phyllis Schlafly is entrenched in rigid societal norms. In Tobia’s answer, they argue that this structure is not only harmful towards members of the LGBT+ community but towards those

²⁸² “Anti-Transgender and Anti-LGBTQ Actions,” The Discrimination Administration, National Center for Transgender Equality, last modified January 16, 2020, <https://transequality.org/the-discrimination-administration>.

²⁸³ Lola Fadulu, “Trump’s Rollback of Transgender Rights Extends Through Entire Government,” *New York Times*, December 6, 2019, <https://www.nytimes.com/2019/12/06/us/politics/trump-transgender-rights.html>.

²⁸⁴ *Where’s My Roy Cohn*, 46:00.

²⁸⁵ Jacob Tobia, *Sissy: A Coming of Gender Story* (New York: G.P. Putnam's Sons, 2019), 8. Tobia’s preferred pronouns are they/them

everyone else in American society; conservatism's fervent opposition to those who deviate from the status quo creates a social climate in which hateful mentalities and rhetoric are easy to adopt.²⁸⁶ However, the hatred often stems from repressing any kind of deviation, as we can see with Cohn. When he began his fight against Communism, Cohn also fell into the fight for conservatism—an ideological system that idolizes paternalism and a gender hierarchy that by and large does not accept homosexuality. Although Cohn engaged in homosexual relationships, he was unable to reconcile the image of the strong conservative man he wanted to be with the weak and effeminate stereotype of a homosexual. As such, he repressed what he saw as the identity of a homosexual and attacked others as a means of defending himself against that charge, using tactics like manipulating the narrative in the media, spreading conspiracy theories, and lying blatantly when it came to it so that he was always seen as a strong, aggressive, masculine man.²⁸⁷ Because Cohn did not see himself as a homosexual and because he was actively involved with the budding conservative movement, he correlated the hatred he felt toward himself with his attack dog strategies to target the most pertinent “other” in his life.

Donald Trump sought to adopt Cohn's aggressive public image and in doing so, Trump also internalized the same fearful anger that drove Cohn. However, instead of feeling towards himself as Cohn did, President Trump directed it at those he has labeled “other.” Although Trump briefly attempted to run for president as a member of the Reform Party in the 2000 Election, he “launched his current political career calling by becoming one of the most prominent advocates for the “birther” conspiracy theory.”²⁸⁸ Birtherism is a movement that

²⁸⁶ The figure who deviates from the status quo is often regarded as the “other.”

²⁸⁷ Zirin, 25 and 223.

²⁸⁸ German Lopez, “Trump is Still Reportedly Pushing His Racist “Birther” Conspiracy Theory About Obama,” *Vox*, November 29, 2017, <https://www.vox.com/policy-and-politics/2017/11/29/16713664/trump-obama-birth-certificate>.

alleges that Barack Obama did not meet the qualifications to serve as a legitimate president over a number of factors concerning his birth. The conspiracy theory has been widely and frequently debunked—especially the 2008 Obama campaign released the then-candidate’s birth certificate—but Trump reportedly still discusses it even though he is now the president.²⁸⁹ Although Trump did not create the theory himself, he became its biggest proponent during the 2008 election and revived it again during Obama’s reelection campaign in 2012.²⁹⁰ The theory is racially charged and has prompted violent commentary from those who subscribe to it. While it bears no connection to Cohn and Trump’s relationship, understanding birtherism helps explain the way in which Trump has translated the hatred he learned from his mentor into his own life: the race-based claims that Obama was not qualified to serve stemmed from the belief that “the first black president, with liberal views and a Muslim name, must be—in some concrete, provable way—foreign.”²⁹¹ In other words, Obama was markedly an “other” in Trump’s mind. In addition to the fact that Trump saw President Obama as a target much in the way Cohn saw those who were personally disloyal to him, Obama supported and defended the transgender community who have historically always been deemed “other.”²⁹² Cohn taught Trump to channel his anger in furtherance of the worldview that anyone who differs from the way you see yourself is markedly “other” and not to be trusted. This self-reinforcing anger has defined not only Trump’s policies on trans individuals and approach to Obama era policies, but virtually his entire political life.

²⁸⁹ Ibid.

²⁹⁰ The birtherism allegedly began in 2004, notably soon after Obama delivered the Democratic Convention speech mentioned in the intro.

²⁹¹ Ben Smith and Byron Tau, “Birtherism: Where It All Began,” *Politico*, April 22, 2011, <https://www.politico.com/story/2011/04/birtherism-where-it-all-began-053563>.

²⁹² them, “Jacob Tobia Explains the History of the Word 'Genderqueer' | InQueery | them.,” November 7, 2018, video, https://youtu.be/Yo6_8LhHJa4.

Prior to Trump's election in 2016, Roy Cohn was only infrequently mentioned by those attempting to understand candidate Trump's erratic demeanor on the campaign trail. Following Trump's victory, many journalists and pundits began searching for a way to decipher Trump's behavior as well as his appeal to voters. They began to exhume Cohn's history, and in doing so, the similarities between the two men have grown increasingly apparent; Cohn's final lover, Peter Fraser, recently analyzed Trump's mannerisms and noted that "that bravado, and if you say it aggressively and loudly enough... that's the way Roy used to operate... and Donald was certainly his apprentice."²⁹³ One of the clearest examples of Cohn's influence on Trump took place during their last endeavor together before Trump abandoned his lawyer. The two sued the National Football League (NFL) on behalf of the United States Football League (USFL) in 1984. At the time, Trump was the majority owner of the New Jersey Generals and was not happy that while "NFL teams average almost \$1 million in profit [each year], USFL teams *lose* \$3.5 million apiece."²⁹⁴ Rather than cutting the losses on a poor investment, Cohn and Trump decided to represent the USFL and charged that the NFL violated the Sherman Antitrust Act "by having and 'willfully acquiring or maintaining a monopoly,' in that it could control prices or exclude competition."²⁹⁵ The USFL owners and their counsel demanded \$1.32 billion in damages from the NFL for dominating network television air time, stadium space, and player contracts with the intention of running the USFL into the ground; Cohn and Trump even went so far as to allege that the NFL had started a "secret committee" whose sole purpose was to figure out how to ruin

²⁹³ Zirin, 24.

²⁹⁴ USFL Forever, "1985: USFL vs NFL Lawsuit (CNN Sports)," recording of a CNN Sports broadcast, January 21, 2017, 0:58, <https://www.youtube.com/watch?v=E-UdK5n0vno>.

²⁹⁵ Michael Janofsky, "U.S.F.L. Loses In Antitrust Case; Jury Assigns Just \$1 in Damages," *New York Times*, July 30, 1986, <https://www.nytimes.com/1986/07/30/sports/usfl-loses-in-antitrust-case-jury-assigns-just-1-in-damages.html>.

the USFL.²⁹⁶ As Pete Rozelle, the commissioner of the NFL in the 1980s, put it, the lawsuit was “a transparent effort to interfere with [the NFL’s] season and to lay the blame for the USFL’s well known problems and failures at someone else’s doorstep.”²⁹⁷ The case was ultimately decided after Cohn’s disbarment in June 1986, but the decision is reminiscent of the first case Cohn and Trump brought together: in a Pyrrhic victory, the NFL was found guilty of one charge of antitrust violations, out of the six charges the USFL had brought against their competitors. As a result, the jury awarded the USFL \$1 in damages, a far cry from the \$1.32 billion Cohn and Trump had initially demanded.²⁹⁸ Thus, it was a victory but, just like in the DOJ’s case against Trump Management, one has to read between the lines to see the real verdict of the case.

The most Cohnian result of the USFL case was not the victory with only \$1 awarded in damages, though; it is the clear transition of power from Cohn to Trump captured in the iconic photo from the press conference they held to present the case.²⁹⁹ In the photo, Cohn looks withered with his skin pulled tightly over the expanse of his face. Trump had not yet learned of Cohn’s AIDS diagnosis when the photo was taken in 1984 but the disease had already begun to affect Cohn’s body. Cohn is looking off into the distance absently, which serves as a visual foreshadowing of the way in which AIDS would destroy his mental endurance over the course of the next two years.³⁰⁰ In contrast, a vigorous and forceful-looking Donald Trump stares right into the camera and is mid-sentence, as if he is talking to or at anyone who dares to look at the photo.

²⁹⁶ Michael Janofsky, “Charges Fly From U.S.F.L.,” *New York Times*, October 19, 1984, <https://www.nytimes.com/1984/10/19/sports/charges-fly-from-usfl.html>.

²⁹⁷ USFL Forever, “1985: USFL vs NFL Lawsuit (CNN Sports),” 1:30.

²⁹⁸ Michael Janofsky, “U.S.F.L. Loses In Antitrust Case; Jury Assigns Just \$1 in Damages.”

²⁹⁹ Baram, “Eavesdropping on Roy Cohn and Donald Trump.”

See Appendix, Image 2.

³⁰⁰ von Hoffman, 39.

“Roy, with too little strength left to have a rage to die, used what he could, but for this effort he had no mind left, no words, only spasmodic [sic] activity, only the screaming instincts of a still too sentient involuntary nervous system.”

It was in this moment, in this photo, when the two made a transition: Trump was no longer Cohn's mentee but his successor. What Cohn taught Trump about the American legal system was invaluable: through Cohn's paper thin cases, he showed the future president that "litigation [was] a way of life, a tool to get attention, to bring his enemies to book, and to achieve strategic advantage... [and] in short, [Trump] abused the process of a lawsuit, making it into something it was never intended to be— a way to win out against whoever he considered to be his adversary."³⁰¹

In both subtle and obvious ways, Roy Cohn has managed to influence nearly all of the major aspects of President Donald Trump's essence: Cohn's involvement in the conservative movement determined Trump's political approach, most notably seen in his 2016 campaign and subsequent presidency; Cohn's disdain for the LGBTQ+ community is reflected in Trump's discrimination against the transgender community as both carried with them a hatred for anyone who could be labeled "other"; as many have noted, Cohn had no regard for the law despite his lifelong profession and he passed onto Trump the idea that the law was not a moral code but a tool to use to gain an advantage against your enemies; and Trump learned at Cohn's knee how to bend the media and its reporting such that it always benefitted him, in part by suggesting that any unfavorable coverage is motivated by animosity and therefore untrue. These lessons have seeped into the president's belief system, mannerisms, and general world view. Together, they amount to Cohn's greatest lesson for Trump: how to survive living a paradoxical life.

The paradoxical presence of a sexual libertine holding high office as a social conservative requires a constant battle so that the two sides don't come violently apart. The descendants of the

³⁰¹ Zirin, 23.

two histories Cohn was a part of—the exclusive conservative politics of the post-war years and the LGBTQ+ community’s movement towards a more inclusive and liberal society—are converging today in uneasy ways. The American body politic is currently dominated by Trump who has coalesced conservatives and a number of Republicans together in right-wing ideology. We saw this with Senate Majority Leader McConnell and how his move towards the Trumpian right minimized his inter-party political opposition, as well as with the way Fox News has shaped the media landscape such that unfavorable coverage of President Trump is often automatically deemed discriminatory and therefore inaccurate. In contrast, American society today continues to grow increasingly liberal, due in large part to developments in immigration, racial makeup, and civil rights which have served to make the American population more diverse; the Brookings Institute found that by 2045, America will become majority minority society, meaning that racial minorities will make up more than 50% of the American population.³⁰² While there are a number of nuanced conflicts between the current political and social climates, one of the more frequently discussed animosities is populism versus elitism, a tension rooted in one of Cohn and Trump’s many hypocrisies.

Cohn and Trump are both members of the elite, a demographic whose rights have gone largely undisputed or fought for: white, wealthy, cisgender men. Members of this demographic are also implicitly straight and supportive of family values, yet Cohn and Trump are still considered to be part of this cohort. Despite their status as members of the elite, they have both cultivated followings among the aggrieved white working class.³⁰³ Cohn justified his

³⁰² William H. Frey, “The US Will Become ‘Minority White’ in 2045, Census Projects,” *Brookings Institute*, March 14, 2018, <https://www.brookings.edu/blog/the-avenue/2018/03/14/the-us-will-become-minority-white-in-2045-census-projects/>.

³⁰³ Populism, in the context of this paper and in the larger American political climate, is the political ideology that focuses on appealing to the ordinary person.

involvement with Senator McCarthy by arguing that he could have had a quiet, comfortable life outside of the public eye due to his family's wealth and connections, but that politics and the unfolding of history aggravated him so that he could not sit back and without fighting for America.³⁰⁴ Instead of living quietly, Cohn flaunted a wealthy lifestyle with flashy expenditures—namely a yacht, a Manhattan townhouse, and two Rolls Royces with vanity plates. Despite his lavish appearance, Cohn “wanted to live without income and, having no natural objects of his bounty, leave no taxable estate.”³⁰⁵ Thus, Cohn expensed everything to his law firm and refused to take out a line of credit in his name; he was known to make accounts in his boyfriends' names to wire money around when necessary, and exclusively paid in cash.³⁰⁶ Behind the grandiose façade, Cohn had nothing. Trump also managed to present his personal wealth in an admirable light: on the campaign trail, Trump was able to garner trust from many white working class voters because of his wealth; as one supporter put it in early 2016, “he’s an incredible businessman. If he runs the country like he runs his organization, we would be in good shape.”³⁰⁷ Many of Trump’s supporters subscribe to this way of thinking, despite the fact that it is now public knowledge that he lost over \$1 billion during the 1980s and has more failed business endeavors than he has run successfully.³⁰⁸ The way in which Cohn and Trump both presented their relative financial success—driven by an “if I can do this, so can you” mentality—allowed them both to indulge in lavish purchases and lifestyles while also inspiring widespread support and admiration from members of the working class.

³⁰⁴ Sidney Zion, *The Autobiography of Roy Cohn* (New Jersey: Lyle Stuart Inc.), 15-16.

³⁰⁵ Zirin, 18-19.

³⁰⁶ *Bully Coward Victim: The Roy Cohn Story*, directed by Ivy Meeropol (HBO, 2020).

³⁰⁷ LastWeekTonight, “Donald Trump,” *Last Week Tonight with John Oliver*, HBO, February 29, 2016, video, https://youtu.be/DnpO_RTSMmQ.

³⁰⁸ Russ Buettner and Susanne Craig, “Decade in the Red: Trump Tax Figures Show Over \$1 Billion in Business Losses,” *New York Times*, May 8, 2019, <https://www.nytimes.com/interactive/2019/05/07/us/politics/donald-trump-taxes.html>.

True to character, Cohn and Trump have both solicited the support of the populist not only by casting themselves as men of the people but by painting liberalism as elitist in turn. Their argument is rooted in the notion that better educated, wealthy Americans tend to favor more liberal policies like civil rights expansions, a theory which traces back to the era of the Civil Rights Movement during which time many college students played a significant role in fighting to expand rights. In her book *A Nation of Outsiders*, historian Grace Elizabeth Hale explains that “in 1960 and 1961, at institutions everywhere outside the South, college students used existing campus political clubs and religious organizations or created new groups to organize sympathy pickets and other support for the civil rights movement.”³⁰⁹ Students —both black and white— helped to galvanize and organize the Civil Rights Movement as well as other liberal movements in the coming years, such as the women’s rights movement and the gay rights movement. As such, the fight for liberalism became easily construed as an elitist cause and those who lean more liberal were seen as those who did not understand “real America.” Many conservatives throughout history have used this argument to appeal to populist voters who tend to favor traditionalism over liberal expansion: despite being a wealthy landowner, Andrew Jackson “was seen as the champion of the ‘common man’ confronting the dubious superiority of the [John] Adams dynasty and other avatars of homegrown aristocracy.”³¹⁰ McCarthy and Cohn themselves deployed the strategy during the early years of the Red Scare when they argued that the State Department staffers had been born with silver spoons in their mouths, thus making them weak and effeminate, implying that they were homosexuals and subversives.³¹¹ Thus, the elitism

³⁰⁹ Grace Elizabeth Hale, *A Nation of Outsiders: How the White Middle Class Fell in Love with Rebellion in Postwar America* (Oxford: Oxford University Press, 2010), 167.

³¹⁰ Ron Pruessen, “Trump’s Crude Anti-elitism is Nothing New in the American Story,” *LSE US Centre*, January 15, 2020, <https://blogs.lse.ac.uk/usappblog/2020/01/15/trumps-crude-anti-elitism-is-nothing-new-in-the-american-story/>.

³¹¹ *Ibid.*

charge alleges that if someone is a member of the elite, they are pushing a liberal agenda onto the American populist who are assumed to favor right-wing conservative politics. Therefore, members of “the elite” do not hold all Americans interests at heart, which only furthers populist resentment. Through his manipulation of the media, Trump has presented himself as a strong conservative president who will Make America Great Again by keeping the populists ideals and desires at the heart of his policies. More importantly, the degree to which this is actually true is irrelevant because Trump has deployed Cohn’s tactics to ensure that he can always spin a story to maintain this image.

Although Roy Cohn had friends in high places, he was not necessarily accepted in all circles. His time with McCarthy served as a mark of evil for many and following his return to New York from Washington in 1954, he was a pariah in the political sphere.³¹² After using his connections to land a job as a law partner at the firm Saxe, Bacon, and Bolan, Cohn came into his own as the figure history remembers him as today: calculating, deceitful, and unscrupulous. He used his relationships with members of the press to always maintain a favorable image and, should a bad story ever slip through, Cohn would counterattack and discredit any adversary. In hindsight, Cohn’s façade of strength concealed a man who spent his entire life at war with himself: members of his family remember him for his private anti-Semitism and his claims that Jewish Americans were too closely affiliated with Communism, but he was honored by the he was honored at the B'nai B'rith Banking and Finance Lodge in 1983 for his championing of Israel’s right to exist; his father was a distinguished Democratic New York State Supreme Court judge and Roy launched his career by riding his father’s coattails as a foray into New York

³¹² Ken Auletta, “Don't Mess With Roy Cohn,” *Esquire*, December 1978, <https://www.esquire.com/news-politics/a46616/dont-mess-with-roy-cohn/>.

politics, despite spending the rest of his career admonishing the Democratic party; and, as noted, despite being an active participant in New York's gay community, "if the subject of gay rights came up, Roy was always the first one to speak out against them."³¹³

Even at the end of his life, Cohn believed himself to be unendingly successful: he finished law school at twenty, which was too young to take the bar exam, and his first job after being admitted to the New York Bar was as an Assistant U.S. Attorney prosecuting the Rosenbergs. Despite being a political outcast as a result of it, Cohn defended the work he did with McCarthy until his dying days, and he once defended himself in court for seven hours without referencing a single note after his lawyer in his final federal trial had a heart attack.³¹⁴ And yet, less than a month before he succumbed to AIDS, Roy Cohn was disbarred; as "the IRS mobilized to seize [his] townhouse and his cottage in Greenwich, Connecticut, filing for \$7 million in back taxes... circling, too, was the New York State Bar, bringing to a head its three-year-plus disbarment proceedings."³¹⁵ As Tony Kushner accurately captured in *Angels in America*, Cohn did not believe that his disbarment was a punishment for his wrongdoings so much as it was another instance of people with vendettas against him acting on them, like RFK and Robert Morgenthau did in the 1960s.³¹⁶ Everything Roy Cohn ever was stood in direct conflict with another other part of his persona, and the methods he used as defense mechanisms to protect himself are the model for the man and the president Donald Trump was to become: the

³¹³ *Where's My Roy Cohn*, 15:40; Zion, 28; Trump, 69; Invitation to the B'nai B'rith Banking and Finance Lodge Testimonial Dinner in honor of Roy M. Cohn addressed to Ronald Reagan, May 2, 1983, Ronald Reagan Presidential Library Digital Library Collections, Simi Valley, California

³¹⁴ Roy Cohn, *McCarthy* (New York: New American Library, 1968). Zirin, 15.

³¹⁵ Michael Kruse, "The Final Lesson Donald Trump Never Learned From Roy Cohn," *Politico*, September 19, 2019, <https://www.politico.com/magazine/story/2019/09/19/roy-cohn-donald-trump-documentary-228144>.

³¹⁶ Tony Kushner, *Angels in America: Millennium Approaches*, rev. ed. (New York: Theatre Communications Group, 2013), 2.6, pg. 70-71.

lessons Cohn taught Trump in the 1970s and 80s were how to attack, manipulate, and always — above all— win. But the irony is that Cohn did not win in the end and, as the most recent documentarian of Cohn’s life —journalist and filmmaker Matt Tyrnauer— has said, “the open question... is whether Trump’s luck will hold up or whether —like Cohn— he’ll run out of road and face a tsunami of legal difficulties that will diminish him or put an end to the game that he’s played so effectively’... as Tyrnauer reiterated the last lesson of Cohn, ‘He got away with it... until he didn’t.’”³¹⁷

³¹⁷ Kruse, “The Final Lesson Donald Trump Never Learned From Roy Cohn.”

Conclusion

For everything that can be said about Roy Cohn, the inverse is also true: he was a homophobe who spearheaded the Lavender Scare and a homosexual employed by the U.S. government; he was the son of a prominent Democratic judge who spent the better part of his life working as a power-broker for the Republican party; he was known to be a friend loyal to death who is, to this day, remembered for questioning the loyalty of over 500 individuals brought before the Senate Permanent Subcommittee on Investigations. Overall, however, three undisputable facets remain central to who Roy Cohn was and the legacies he left: his role as Senator McCarthy's chief counsel, his death from AIDS, and his influence on Donald Trump during the future president's formative years. Cohn is primarily remembered for his role as Senator Joseph McCarthy's right-hand man during the Second Red Scare in the 1950s. The paranoid politics of the McCarthy Era that Cohn helped shape became the bedrock for the development of conservative politics through the post-war years. Many of Cohn's mannerisms and fundamental beliefs — such as his fear-mongering attack strategy, his manipulation of the press, and his belief in loyalty above all—drove the conservatism embodied by Phyllis Schlafly, Ronald Reagan, George W. Bush, and Roger Stone. Yet Cohn is just as often remembered for his homosexuality and death from AIDS complications at the height of the epidemic in the 1980s. He was memorialized in Tony Kushner's *Angels in America* and Ron Vawter's *Roy Cohn/Jack Smith*, both of which highlighted the internal conflict between Cohn's political beliefs and his sexuality. They touched on the lengths to which Cohn went in order to protect himself against allegations regarding his sexuality, which he refused to ever admit to, and how he employed his conservative strategies to deny his homosexuality. Most importantly to Americans today, it has become clear that Cohn taught political lessons borne out of these experiences to a young Donald

Trump and that they have come to define both the Trump Administration and the president himself.

When reflecting on Cohn's legacy, it is impossible not to revisit how Cohn reflected on his own legacy. As preoccupied as he was with how he was portrayed in the media, Cohn was just as obsessed with how history would remember him. He knew that he was going to be remembered for his role as Senator McCarthy's right-hand man and speculated in a mock obituary in 1971 that his legacy would always be controversial. In that same obit, Cohn imagined that he would die just a month shy of his 100th birthday in 2027. For someone writing in 1971, the year 2027 would have seemed so far away but now, it is just couple presidential elections away. Writing this, I could not help but wonder what would have happened if Roy Cohn had lived until 2027? If Cohn had lived as long as he falsely predicted, and had not died of AIDS in 1986 —thus eliminating such a central pillar of who Cohn actually was —then who might Roy Cohn have been? Would he have continued to work behind the scenes in the conservative movement, or would he still have been disbarred for unethical conduct? Would he have continued to mentor Donald Trump, or would they have still fallen out of touch? Would Donald Trump be president today if Roy Cohn had never died of AIDS? With just one change, Cohn's place in American history begins to unravel, revealing how integral he was in the developments of conservatism, sexual politics, and the creation of President Trump. Roy Cohn's life serves a key to help us use the past to understand our current political moment today.

Appendix

Image 1:



Referenced in Chapter 2, this image shows Cohn (far right) introducing his boyfriend Peter Fraser to the Reagans at a White House event (undated). (Source: Peter Fraser, *Citizen Cohn*.)

Image 2:



Referenced in Chapter 3, this image shows Cohn and Trump at the press conference regarding the USFL vs NFL lawsuit in 1984. (Source: [Newsweek](#).)

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