

CONFERRING WITH THE FLOWERS: HISTORY AND CLASS CONSCIOUSNESS IN L. FRANK BAUM'S LAND OF OZ, A GENERAL THEORY OF MAGIC AND LAW

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I've been a slave all my life
– L. Frank Baum
The Emerald City of Oz (quoting Aunt Em)

We get up at twelve and start to work at one /
Take an hour for lunch and then at two we're done /
Jolly good fun
The Merry Old Land of Oz
The Wizard of Oz, Metro-Goldwyn-Mayer 1939

In magic you enact in fantasy the fulfillment of the desired reality.
– George Thomson
Marxism and Poetry

It will be a marvellous thing—the true personality of man—when we
see it. It will grow naturally and simply, flower-like, or as a tree grows.
– Oscar Wilde
*The Soul of Man Under Socialism*¹

* Copyright © 2010 by Anthony Paul Farley. James Campbell Matthews Distinguished Professor of Jurisprudence at Albany Law School. I thank my Ozite comrades for an uncommonly warm and wonderful intellectual exchange. Maria Aristodemou, Zanita Fenton, Phyllis Goldfarb, Emily Hartigan, Bekah Mandell, Athena Mutua, Reginald Robinson, Josephine Ross, Geiza Vargas-Vargas, and Donna Young responded immediately and brilliantly to my invitation to take the Land of Oz seriously. I thank everyone at *The Southern California Interdisciplinary Law Journal* for their editorial work on *Taking Oz Seriously*. I thank Theresa Colbert for her administrative work. I thank Astrid for making Oz a reality. I thank Maria Grahn-Farley for making this symposium a reality.

¹ Wilde continued:

Its value [the soul of man under socialism] will not be measured by material things. It will have nothing. And yet it will have everything, and whatever one takes from it, it will still have, so rich will it be. It will not be always meddling with others, or asking them to be like itself. It will love them because they will be different. And yet while it will not meddle with others it will help all, as a beautiful thing helps us, by being what it is. The personality of man will be very wonderful. It will be as wonderful as the personality of a child.

OSCAR WILDE, *The Soul of Man Under Socialism*, in *THE SOUL OF MAN UNDER SOCIALISM & SELECTED CRITICAL PROSE* 125, 134 (Linda Dowling ed., 2001). Wilde's "wonderful as a child" "soul

Oz, the most beautiful of all fairylands, came into being the very same year as Sigmund Freud's *The Interpretation of Dreams*.² The magic of Oz is a reality, not just a dream, not just "somewhere over the rainbow," and not just "someday," but right here and right now.³ Silly?⁴ What of it?⁵ Has the wisdom of the wise ever saved anyone in this world from anything?⁶ Our fairyland has overcome the world.⁷ Freud changed the world's conceits when he characterized dreams as "the royal road to the unconscious."⁸ And so did Karl Marx.⁹ And so did L. Frank Baum.¹⁰ And so will we. In a letter

of man under socialism" is made possible only by common lordship over the machine. Under capitalism:

One man owns a machine which does the work of five hundred men. Five hundred men are, in consequence, thrown out of employment, and having no work to do, become hungry and take to thieving. The one man secures the produce of the machine and keeps it, and has five hundred times as much as he should have Were that machine the property of all, every one would benefit by it.

Id. at 140.

Socialism for Wilde is the only way to produce the "flower like" "individual" who will love others "because they will be different" and who will therefore be "as wonderful as the personality of a child." *Id.* at 134, 140. The machines will "supply the useful things, and the beautiful things will be made by the individual." *Id.* at 141. It must be this way because the individual only becomes so under socialism. Only common ownership of the machinery of production frees us from having to serve a use and freedom from having a use frees us to pursue our own individual pursuits, like truth and beauty, like beauty and truth. *See id.*

² Compare L. FRANK BAUM, *THE WONDERFUL WIZARD OF OZ* (Geo M. Hill Co. 1900), with SIGMUND FREUD, *THE INTERPRETATION OF DREAMS* 9 (A. A. Brill trans., 1945) (1900).

³ JUDY GARLAND, *Over the Rainbow*, on *THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK* (101 Distribution 2008).

⁴ In MGM's version of *The Wonderful Wizard of Oz*, Dorothy says, "Don't be silly, Toto. Scarecrows don't talk." *THE WIZARD OF OZ* (Metro-Goldwyn-Mayer 1939). But scarecrows do talk, at least one of them does, as Dorothy finds out. *Id.*

⁵ See L. FRANK BAUM, *THE MAGICAL MONARCH OF MO AND HIS PEOPLE* (1903) (saying that "[p]erhaps some of those big, grown-up people will poke fun at us—at you for reading these nonsense tales of the Magical Monarch, and at me for writing them. Never mind. Many of the big folk are still children—even as you and I. We can not measure a child by a standard of size or age. The big folk who are children will be our comrades; the others we need not consider at all, for they are self-exiled from our domain.").

⁶ What has the wisdom of the wise been but a five hundred year wave of mutilation? The wisdom of the wise speaks only in a voice that justifies greater and greater accumulations. Genocide, slavery, and colonialism begat the first capital, and the first capital begat the next and the next and the next. It never stops, and so it has never ended. The movement from the first day to this one is an illusion. Our days unfold within the shell of that original violence. And that is not movement; it is the stillness of the grave and the ghost's hallucination. Consider this primal scene of accumulation:

They erected certain Gibbets, large, but low made, so that their feet almost reacht [sic] the ground, every one of which was so order'd as to bear Thirteen Persons in Honour and Reverence (as they said blasphemously) of our Redeemer and his Twelve Apostles, under which they made a Fire to burn them to Ashes whilst hanging on them: But those they intended to preserve alive, they dismiss'd, their Hands half cut, and still hanging by the Skin, to carry their Letters missive to those that fly from us and ly [sic] skulking on the Mountains, as an exprobaton of their flight.

BARTOLOMÉ DE LAS CASAS, *A SHORT ACCOUNT OF THE DESTRUCTION OF THE INDIES* 10 (Nigel Griffin trans., Penguin Books 2004) (1546) (original translation preserved). Imagine the death of everything that they imagined. Language is the home of the imagination. The imagination is infinite, but the destruction of the imagination is the destruction of more than everything. It is impossible to imagine. The mass death event described by Las Casas opened a "black hole in the universe" that continues to pull everything down. Anthony Paul Farley, *Shattered: Afterword for Defining Race, a Joint Symposium of the Albany Law Review and the Albany Journal of Science and Technology*, 72 ALB. L. REV. 1053, 1068–69 (2009).

⁷ Sometimes thinking makes it so. *But see* Amílcar Cabral, *Tell No Lies, Claim No Easy Victories . . .*, in *REVOLUTIONARY THOUGHT IN THE 20TH CENTURY* 123 (Ben Turok ed., 1980) (1965).

⁸ See FREUD, *supra* note 2, at 559 (stating that "the interpretation of dreams is the via regia to a knowledge of the unconscious element in our psychic life.").

⁹ Friedrich Engels put it this way:

penned by the young Marx in 1843, we find “that the world has long dreamed of possessing something of which it has only to be conscious in order to possess it in reality.”¹¹ I have noted two events of 1900: Freud’s discovery that the greater part of the soul is made up of dark matter¹² and the discovery of Oz by a little girl named Dorothy, who “fell from a star.”¹³ I will now add a third event of 1900, the passing of Oscar Wilde, author of *The Soul of Man Under Socialism*.¹⁴ Marx’s 1843 letter brings all three events of 1900 together. Overcoming the world is not “a question of drawing a great mental dividing line between past and future, but of *realising* the thoughts of the past.”¹⁵ But the discovery of the thoughts that we have been thinking turns out to be no simple task, as with the Scarecrow’s lament:

With the thoughts I’d be thinking
I could be another Lincoln
If I only had a brain¹⁶

Always, it seems, there is something that occults our most important and most emancipatory thoughts, a “mystical consciousness that is

Marx . . . discovered the special law of motion governing the present-day capitalist mode of production and the bourgeois society that this mode of production has created. The discovery of surplus value suddenly threw light on the problem, in trying to solve which all previous investigations, of both bourgeois economists and socialist critics, had been groping in the dark.

Friedrich Engels, Address at Highgate Cemetery, London: Frederick Engels’ Speech at the Grave of Karl Marx (Mar. 17, 1883), available at <http://www.marxists.org/archive/marx/works/1883/death/burial.htm>.

¹⁰ THE WONDERFUL WIZARD OF OZ is one of the best-selling children’s books of the twentieth century. Michael Patrick Hearn, *Introduction to L. FRANK BAUM, THE ANNOTATED WIZARD OF OZ, CENTENNIAL EDITION*, at xiii, xiv–xv (Michael Patrick Hearn ed., W. W. Norton & Co. 2000).

¹¹ *Letters from the Deutsch-Französische Jahrbücher: Marx to Ruge Kreuznach September 1843*, MARXIST INTERNET ARCHIVE, available at http://www.marxists.org/archive/marx/works/1843/letters/43_09.htm (last visited Nov. 13, 2010) [hereinafter *Letters from Marx to Ruge*].

The reform of consciousness consists only in making the world aware of its own consciousness, in awakening it out of the dream about itself, in explaining to it the meaning of its own actions. “Hence, our motto must be: reform of consciousness not through dogmas, but by analysing the mystical consciousness that is unintelligible to itself, whether it manifests itself in a religious or a political form. It will then become evident that the world has long dreamed of possessing something of which it has only to be conscious in order to possess it in reality. It will become evident that it is not a question of drawing a great mental dividing line between past and future, but of *realising* the thoughts of the past. Lastly, it will become evident that mankind is not beginning a *new* work, but is consciously carrying into effect its old work.” *Letters from Marx to Ruge, supra* note 11.

¹² “Dark matter” is a term from cosmology. Dark matter is undetectable by emitted or scattered radiation. Like Oz, it is not visible. Dark matter, like the unconscious, like Oz, seems necessary to explain the patterns or repetitions of the universe. Why is there something rather than nothing? There are patterns or repetitions that cannot be explained by the luminous objects we see. But if we assume the existence of dark matter, then we can see why there are patterns in the universe, and not just things falling apart: “Observations of the rotational speed of spiral galaxies, the confinement of hot gas in galaxies and clusters of galaxies, the random motions of galaxies in clusters, the gravitational lensing of background objects, and the observed fluctuations in the cosmic microwave background radiation require the presence of additional gravity, which can be explained by the existence of dark matter.” *Dark Matter*, CHADRA: X-RAY OBSERVATORY, http://chandra.harvard.edu/xray_astro/dark_matter/index.html (last visited Nov. 25, 2010).

¹³ THE WIZARD OF OZ, *supra* note 4 (Glinda singing that Dorothy fell from the sky “[a]nd Kansas she says is the name of the star.”).

¹⁴ See WILDE, *supra* note 1, at xvii (stating that Oscar Wilde died in Paris on November 30, 1900).

¹⁵ *Letters from Marx to Ruge, supra* note 11.

¹⁶ RAY BOLGER & JUDY GARLAND, *If I only had a Brain, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK*, *supra* note 3.

unintelligible to itself, whether it manifests itself in a religious or a political form.”¹⁷ “If I only had a brain.”¹⁸

Let us make a few assumptions. First, dreams are the “royal road to the unconscious.”¹⁹ Second, there is an unconscious of law,²⁰ a public pool of dreams.²¹ Third, there is a place where “the dreams that [we] dare to dream really do come true.”²² Fourth, the royal road to that place is made of yellow brick. Fifth, only at the end of the yellow brick road will it “become evident that the world has long dreamed of possessing something of which it has only to be conscious in order to possess it in reality.”²³ Sixth, the end is not yet.

Oz is the dream that we have been dreaming and the reality that we have it within us to realize. Baum, the “Royal Historian of Oz,”²⁴ provided textual evidence that there is a place where “the dreams that you dare to dream really do come true”²⁵ in fourteen novels written from 1900 until 1919,²⁶ the year of his death.²⁷ There is such a place. We have already built it. Marx’s letter is a promise—even more than Freud’s “royal road”²⁸—that there is such a place: “Lastly, it will become evident that mankind is not beginning a new work, but is consciously carrying into effect its old work.”²⁹ We have only to follow the yellow brick road to realize the thoughts we have already been thinking and thus carry into effect our “old work.”³⁰

Baum, a businessman³¹ of the Lochner Era,³² wrote a fairyland into being which was and remains a shining example of anarchist communism.³³

¹⁷ *Letters from Marx to Ruge*, *supra* note 11.

¹⁸ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

¹⁹ See FREUD, *supra* note 2, at 559; *supra* explanatory parenthetical accompanying note 8.

²⁰ See PETER GOODRICH, OEDIPUS LEX: PSYCHOANALYSIS, HISTORY, LAW 181 (U. of Cal. Press, 1995).

²¹ Oz is within that class of dreams that, strictly speaking, have never been dreamed.

²² THE WIZARD OF OZ, *supra* note 4.

²³ *Letters from Marx to Ruge*, *supra* note 11.

²⁴ L. FRANK BAUM, THE MAGIC OF OZ 14 (1919).

²⁵ JUDY GARLAND, *Over the Rainbow*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

²⁶ See the following list ordered by publication date: THE WONDERFUL WIZARD OF OZ (1900); THE MARVELOUS LAND OF OZ (1904); OZMA OF OZ (1907); DOROTHY AND THE WIZARD IN OZ (1908); THE ROAD TO OZ (1909); THE EMERALD CITY OF OZ (1910); THE PATCHWORK GIRL OF OZ (1913); TIK-TOK OF OZ (1914); THE SCARECROW OF OZ (1915); RINKITINK IN OZ (1916); THE LOST PRINCESS OF OZ (1917); THE TIN WOODMAN OF OZ (1918); THE MAGIC OF OZ (1919) (posthumously published); GLINDA OF OZ (1920) (posthumously published).

²⁷ Baum was born in 1856, the same year as Sigmund Freud and died on Freud’s birthday. REBECCA LONCRINE, THE REAL WIZARD OF OZ: THE LIFE AND TIMES OF L. FRANK BAUM 277 (2009). Loncraine notes that a 1914 map of Oz includes a small country called the Kingdom of Dreams on the edge of the Deadly Desert bordering Oz. *Id.* That deadly desert is not mentioned in any of Baum’s works. *Id.* I share Loncraine’s idea that:

Perhaps this small region of the continent of his imagination was a distinct area where dreams were cordoned off, kept in their place so that it was clear that the rest of Baum’s interior landscape was something more than a patchwork of dreamscapes; stories should be freed, this seemed to say, and allowed out beyond the captivity of dreams.

Id. at 277–78.

²⁸ See FREUD, *supra* note 2, at 559; *supra* explanatory parenthetical accompanying note 8.

²⁹ *Letters from Marx to Ruge*, *supra* note 11.

³⁰ *Letters from Marx to Ruge*, *supra* note 11.

³¹ Baum published a book about window dressing the very same year that Oz came into being. See generally L. FRANK BAUM, THE ART OF DECORATING DRY GOODS WINDOWS AND INTERIORS: A

Each person was given freely by his neighbors whatever he required for his use, which is as much as any one may reasonably desire. Some tilled the lands and raised great crops of grain, which was divided equally among the entire population, so that all had enough. There were many tailors and dressmakers and shoemakers and the like, who made things that any who desired them might wear. Likewise there were jewelers who made ornaments for the person, which pleased and beautified the people, and these ornaments were also free to those who asked for them. Each man and woman, no matter what he or she produced for the good of the community, was supplied by the neighbors with food and clothing and a house and furniture and ornaments and games.³⁴

The anarchist partisans of a free communist future for America were crushed to earth during the Red Scare.³⁵ But Baum's Oz flourished.³⁶ Oz continues to flourish. *The Wonderful Wizard of Oz* remains one of the most familiar works of American fiction. Red flags were far from Baum's mind, but mind and method often move in different directions. It was clear that

COMPLETE MANUAL OF WINDOW TRIMMING, DESIGNED AS AN EDUCATOR IN ALL THE DETAILS OF THE ART, ACCORDING TO THE BEST ACCEPTED METHODS, AND TREATING FULLY EVERY IMPORTANT SUBJECT (1900) (showing that Baum had actual business interests).

³² The Lochner Era is a period of U.S. history that spans from approximately 1870–1937. The Supreme Court of the Lochner Era tended to strike down economic and property regulations in the name of a freedom of contract grounded in the Due Process Clause of the Fifth and Fourteenth Amendments.

³³ Alexander Berkman, comrade of Emma Goldman and anarchist communist of L. Frank Baum's era, wrote:

Anarchism teaches that we can live in a society where there is no compulsion of any kind.

A life without compulsion naturally means liberty; it means freedom from being forced or coerced, a chance to lead the life that suits you best.

You cannot lead such a life unless you do away with the institutions that curtail your liberty and interfere with your life

ALEXANDER BERKMAN, WHAT IS ANARCHISM? 145 (2003). Berkman continued:

[Anarchism] means that no one will be permitted to monopolize the land or the machinery of production. It means that private ownership of the *sources of life* will not be tolerated any more. . . .

. . . . It follows that when government is abolished, wage slavery and capitalism must also go with it, because they cannot exist without the support and protection of the government.

Id. at 147. Oz is without coercion and without property.

³⁴ L. FRANK BAUM, THE EMERALD CITY OF OZ 30–31 (The Reilly & Britton Co. 1910).

³⁵ A. Mitchell Palmer, Attorney General of the United States, hysterical about the possibility of capitalism's end, argued for a witch hunt:

Behind, and underneath, my own determination to drive from our midst the agents of Bolshevism . . . I have discovered the hysterical methods of these revolutionary humans

I have been asked . . . to what extent deportation will check radicalism in this country. Why not ask what will become of the United States Government if these alien radicals . . . carry out the principles of the Communist Party . . . ?

. . . In place of the United States Government we should have the horror and terrorism of bolshevik tyranny such as is destroying Russia now. . . . The whole purpose of communism appears to be a mass formation of the criminals of the world to overthrow the decencies of private life, to usurp property . . . , to disrupt the present order of life regardless of health, sex or religious rights.

. . . . These are the revolutionary tenets of Trotsky and the Communist Internationale. . . . These include the I.W.W.'s, the most radical socialists, the misguided anarchists, the agitators who oppose the limitations of unionism, the moral perverts and the hysterical neurasthenic women who abound in communism.

A. Mitchell Palmer, *The Case Against the "Reds,"* 63 FORUM 173, 181–83 (1920).

³⁶ Oz did, however, come under attack during the second red scare.

Oz was red—and had been all along—by the sixth book of the Oz series, *The Emerald City of Oz*, published in 1910.

Oz will endure. If literature is important, then Oz is important. If, as Rosa Luxemburg argued in *Reform or Revolution* the very same year *The Wonderful Wizard of Oz* was published, we learn from revolution and not from reform, then Oz, a singular feat, is important, as is the fact of its endurance from then till now.³⁷ The lesson of Oz is one of methodology. Baum wrote for children.³⁸ He placed children's needs and likes ahead of his preconceived ideas about children and wrote his novels of Oz in collaboration with children.³⁹ Baum wrote as their helper, not as their master.⁴⁰ He also imaginatively portrayed Oz as real, not fantasy. Baum's method, as will become clear in what follows, resulted in a magical transformation of the sort dreamed of by communists worldwide. "We have been naught / We shall be all."⁴¹

³⁷ Rosa Luxemburg famously wrote:

What distinguishes bourgeois society from other class societies—from ancient society and from the social order of the Middle Ages? Precisely the fact that class domination does not rest on "acquired rights" but on *real economic relations*—the fact that wage labour is not a juridical relation, but purely an economic relation. In our juridical system there is not a single legal formula for the class domination of today. The few remaining traces of such formulae of class domination are (as that concerning servants), survivals of feudal society. How can wage slavery be suppressed the "legislative way," if wage slavery is not expressed in the laws?

Rosa Luxemburg, *Reform or Revolution*, in MANIFESTO: THREE CLASSIC ESSAYS ON HOW TO CHANGE THE WORLD 69, 129 (Ocean Press 2005). Luxemburg had this to say to reformers:

Since the proletariat is not in the position to seize power in any other way than "prematurely," since the proletariat is absolutely obliged to seize power once or several times "too early" before it can maintain itself in power for good, the objection to the "premature" conquest of power is at bottom nothing more than a *general opposition to the aspiration of the proletariat to possess itself of State power*. Just as all roads lead to Rome so too do we logically arrive at the conclusion that the revisionist proposal to slight the final aim of the socialist movement is really a recommendation to renounce the socialist movement itself.

Id. at 136. Per Luxemburg, the proletariat, the universal class, is always premature, and therefore always a child. Humanity must be led to communism by a child. Why not Ozma? BAUM, *supra* note 34, at 31.

³⁸ Baum wrote:

To have pleased you, to have interested you, to have won your friendship, and perhaps your love, through my stories, is to my mind as great an achievement as to become President of the United States. Indeed, I would much rather be your story-teller, under these conditions, than to be the President.

L. FRANK BAUM, DOROTHY AND THE WIZARD IN OZ 10 (1908) [hereinafter DOROTHY AND THE WIZARD]. If children are the universal class, and Baum's method presumed that they were, then Oz was a dictatorship of the proletariat. *See also* L. FRANK BAUM, RINKITINK IN OZ 14 (1916) [hereinafter RINKITINK IN OZ] (telling [children] readers to not "fail to write me often and give me your advice and suggestions, which I always appreciate. I get a good many letters from my readers, but every one is a joy to me and I answer them as soon as I can find time to do so.").

³⁹ DOROTHY AND THE WIZARD, *supra* note 38, at 9 ("This is Our Book—mine and the children's. For they have flooded me with thousands of suggestions in regard to it.").

⁴⁰ *See, e.g.*, DOROTHY AND THE WIZARD, *supra* note 38, at 9 ("It's no use; no use at all. The children won't let me stop telling tales of the Land of Oz.").

⁴¹ Eugène Pottier, *The International*, MARXISTS INTERNET ARCHIVE, <http://www.marxists.org/history/ussr/sounds/lyrics/international.htm> (last visited Sept. 14 2010). These words are taken from the thirty-fourth edition of Industrial Workers of the World Songbook. The *International* became the hymn of the workers of the world in 1900, the same year THE WONDERFUL WIZARD OF OZ was published. Eugène Pottier wrote the words in flight after the crushing of the Paris Commune in June 1871. *Id.* Published in 1887, *The International* was set to music a year later by Pierre Degeyer. *Id.* Historian Michel Winock makes the claim that the song began its reign as a universal hymn only after the Socialist Party of France adopted the song at the time of the Dreyfus Affair and then presented it at the International Congress in Paris in 1900. *Id.*

Matilda Joslyn Gage, Baum's mother-in-law, believed in magic, but not in the men behind the curtain.⁴² Gage, author of *Woman, Church and State: A Historical Account of the Status of Woman Through the Christian Ages: With Reminiscences of the Matriarchate*,⁴³ was the without-which-not of Oz, and that is a kind of witch. Gage told Baum that he ought to write down the wonderful stories he told the children at family gatherings. Baum did so. The rest, we might say, is history, but that would not be saying enough. Our consciousness of that history is not yet sufficient. The magic of Oz must become the reality for us that it once must have been. If, as the psychoanalysts say, the hysteric is haunted by reminiscences,⁴⁴ then Oz is, and we the Ozites⁴⁵ are, animated, enlivened, and buoyed up by "reminiscences of the matriarchate."⁴⁶

Frida Kahlo never finished *Paz en la Tierra para que la Ciencia Marxista pueda Salvar a los Enfermos y a Aquellos Oprimidos por el Capitalismo Criminal Yanqui* ("Paz en la Tierra").⁴⁷ If it is true that we are haunted by reminiscences, and if it is true that our task is to realize the thoughts of the past, then we may as well begin with all seriousness with Kahlo, a painter of flowers that could be naught else but reminiscences of the matriarchate: "I paint flowers so they will not die."⁴⁸

We will begin, then, by "conferring with the flowers."⁴⁹ Kahlo did not live to complete *Paz en la Tierra*, but we will. Marxism will heal the sick.

El Marxismo Dará Salud a los Enfermos. A full-body portrait of Kahlo appears in the center of *Paz en la Tierra* framed by two enormous hands.⁵⁰ The supportive hand on her right has an eye in its palm; the supportive hand on her left wards off a bird of prey.⁵¹ The bird of prey has the face of Uncle Sam.⁵² A dove flies in the upper right and Karl Marx's head appears in the upper left.⁵³ Marx's head is joined to a hand, not the two already mentioned, but a third hand that throttles the bird of prey.⁵⁴ The reunion of intellectual (head) and manual (hand) labor in Kahlo's *Paz en la Tierra* recalls another of Marx's letters, his posthumously published *Critique of the Gotha Program*:

⁴² See, e.g., MATILDA JOSLYN GAGE, *WOMAN, CHURCH AND STATE: A HISTORICAL ACCOUNT OF THE STATUS OF WOMAN THROUGH THE CHRISTIAN AGES WITH REMINISCENCES OF THE MATRIARCHATE* (New York, The Truth Seeker Co. 1893) (referring to magic).

⁴³ *Id.*

⁴⁴ Josef Breuer & Sigmund Freud, *On the Physical Mechanism of Hysterical Phenomena: Preliminary Communication*, in *STUDIES ON HYSTERIA* 3, 7 (James Strachey ed. & trans., Basic Books, Inc. 1957) (1893); Josef Breuer, *Theoretical: Hypnotic States*, in *STUDIES ON HYSTERIA* 215, 221 (James Strachey ed. & trans., Basic Books, Inc. 1957) (1893).

⁴⁵ I use the term Ozite, but there is another term, more recent, "Ozian." See, e.g., DOROTHY AND THE WIZARD, *supra* note 38, at 224 (using the term "Ozite" to describe natives of Oz). See generally, GREGORY MAGUIRE, *A LION AMONG MEN* (2008); GREGORY MAGUIRE, *SON OF A WITCH* (2005); GREGORY MAGUIRE, *WICKED: THE LIFE AND TIMES OF THE WICKED WITCH OF THE WEST* (1995).

⁴⁶ GAGE, *supra* note 42, at 10. (emphasis added).

⁴⁷ Frida Kahlo, *El Marxismo Dará Salud a Los Enfermos* (1954) Frida Kahlo Museum, Mexico.

⁴⁸ SALOMON GRIMBERG, *FRIDA KAHLO: THE STILL LIVES* 11 (2008) (quoting Frida Kahlo).

⁴⁹ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on *THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK*, *supra* note 3.

⁵⁰ Kahlo, *supra* note 47.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*

In a higher phase of communist society, after the enslaving subordination of the individual to the division of labour, and with it also the antithesis between mental and physical labour, has vanished; after labour has become not only a means of life but itself life's prime want; after the productive forces have also increased with the all-round development of the individual, and all the springs of co-operative wealth flow more abundantly—only then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banners: From each according to his ability, to each according to his needs!⁵⁵

In the center of the frame, a healed Kahlo casts aside her crutches. *Por primera vez, ya no estoy llorando.*⁵⁶

For the first time, I am not crying. There are no tears in Oz, not of the sort we shed over fallen comrades: “No disease of any sort was ever known among the Ozites, and so no one ever died unless he met with an accident that prevented him from living. This happened very seldom indeed.”⁵⁷ As the psychoanalysts say, there are no accidents: “I paint flowers so they will not die.”⁵⁸

Marxism will heal the sick. For the first time, I am not crying. I paint flowers so that they will not die.⁵⁹ Oz has never been civilized.⁶⁰ The first three sentences of this paragraph lead to the fourth. The fourth sentence, “Oz has never been civilized,” is of capital importance⁶¹:

What is civilization? For our present purpose it will suffice to note that civilization as we know it down to our own day presupposes the existence of a leisured class. . . . [C]ivilized man differs from the savage in having improved his mode of production so far that it has become possible for a whole section of the community—the ruling class—to live on the labor of the others.⁶²

⁵⁵ KARL MARX, 2 SELECTED WORKS OF KARL MARX AND FREDERICK ENGELS (1951), reprinted in CRITIQUE OF THE GOTHA PROGRAMME 17 (Foreign Languages Press 1st ed. 1972).

⁵⁶ *Marxism will Give Health to the Sick*, FRIDA KAHLO FANS, <http://www.fridakahlofans.com/c0650.html> (last visited Nov. 13, 2010).

⁵⁷ BAUM, *supra* note 34, at 30.

⁵⁸ GRIMBERG, *supra* note 48, at 11 (quoting Frida Kahlo).

⁵⁹ *Id.* (quoting Frida Kahlo). Kahlo's statement recalls Oscar Wilde's “flower like” soul of man under socialism. WILDE, *supra* note 1, at 125, 140. The “flower-like” soul of man under socialism would be free to be an “individual” and the Individual—the person freed from the domination of usefulness—would be “like a child.” *Id.* at 134. For Wilde, socialism, being a system of mutual lordship over the machinery of production, would make that child eternal. The child explains Kahlo's words, “I paint flowers so they will not die.” When Dorothy arrives in Oz what she sees resembles the portraits painted by both Wilde and Kahlo:

The cyclone had set the house down, very gently—for a cyclone—in the midst of a country of marvelous beauty. There were lovely patches of green sward all about, with stately trees bearing rich and luscious fruits. Banks of gorgeous flowers were on every hand, and birds with rare and brilliant plumage sang and fluttered in the trees and bushes. A little way off was a small brook, rushing and sparkling along between green banks, and murmuring in a voice very [gratifying] to a little girl who had lived so long on the dry, gray prairies.

BAUM, *supra* note 2, at 20.

⁶⁰ *Id.* at 24.

⁶¹ Ray Bradbury predicts a return to Oz, saying that “[w]hen the cities die, in their present form at least, and we head out into Eden again, which we must and will, Baum will be waiting for us.” Ray Bradbury, *Preface to RAYLYN MOORE, WONDERFUL WIZARD MARVELOUS LAND*, at xi, xviii (Ray B. Browne ed., 1974).

⁶² GEORGE THOMSON, MARXISM AND POETRY 32 (1946).

In the leisure class, the magic goes away:

Among the ruling class, which has leisure, magic is now applied to less immediate needs. It becomes, on the one hand, science; on the other hand, art. Science springs from its objective aspect—the outward struggle against nature; art springs from its subjective aspect—the inner, psychical struggle. This is the point, therefore, at which poetry emerges out of magic; but it only does so by ceasing to express the aspirations of society as a whole. Society is now divided against itself.⁶³

These observations of magic, made by George Thomson in *Marxism and Poetry*,⁶⁴ require close attention. Civilization (“civilized man”)⁶⁵ presupposes the existence of a leisure class—a class that lives off the labor of others. As Wilde observed: “The fact is, that *civilization requires slaves*.”⁶⁶ Wilde believed that civilization requires slaves, but the Land of Oz has never been civilized. That is why Oz has witches. As the Witch of the North herself tells Dorothy: “In the civilized countries I believe there are no witches left; nor wizards, nor sorceresses, nor magicians. But, you see, the Land of Oz has never been civilized, for we are cut off from the rest of the world. Therefore we still have witches and wizards amongst us.”⁶⁷ What happened to the witches outside of Oz? The same thing that happened to the free time and therefore the freedom of the dispossessed:

Just as the [e]nclosures expropriated the peasantry from the communal land, so the witch-hunt expropriated women from their bodies, which were thus “liberated” from any impediment preventing them to function as machines for the production of labor. For the threat of the stake erected more formidable barriers around women’s bodies than were ever erected by the fencing off of the commons.⁶⁸

The memory-smashing terror of the witch-hunt is the reason why Dorothy’s first thoughts on encountering Oz were not her own. She developed her own thoughts later, but at the beginning, just after she “fell out of Kansas,” the thoughts she was thinking were the thoughts of the superstructures. On arrival, Dorothy, “who was half frightened at facing a real witch,” told a Munchkin “I thought all witches were wicked.”⁶⁹ And later, she said “Aunt Em has told me that the witches were all dead—years and years ago.”⁷⁰

The witches are dead. Hundreds of thousands of women were burned alive, hanged, and tortured during the Great Witch Hunt of the Middle Ages.⁷¹ Those mass murders have seemingly faded from modern memory. The dark matter of their burned bodies, the material remains of the

⁶³ *Id.*

⁶⁴ *See id.*

⁶⁵ *Id.*

⁶⁶ WILDE, *supra* note 1, at 141 (emphasis added). *See also supra* text accompanying note 1.

⁶⁷ BAUM, *supra* note 2, at 24.

⁶⁸ SILVIA FEDERICI, CALIBAN AND THE WITCH: WOMEN, THE BODY AND PRIMITIVE ACCUMULATION 184 (2004).

⁶⁹ BAUM, *supra* note 2, at 23.

⁷⁰ *Id.* at 23–24.

⁷¹ *See* FEDERICI, *supra* note 68, at 164.

matriarchate,⁷² seems past, forgotten. All is not as it seems, however. Nothing is ever forgotten; nothing is lost, for the unconscious does not know time.

The dark matter of the witch-hunt bears the same relation to sex that the drowning of millions of blacks during the Middle Passage bears to race. What is a woman? Whatever it was that was burned into the shape of woman. Women were also drowned. What is a woman? Whom did you drown to produce a witch? One can extend this analysis. The so-called Emancipation ended with the burning of black after black after black. What is a black? Whatever it was that was burned black. Recall the forgotten drowned of the Middle Passage. What is a black? Whom did you drown to produce a black? “Difference” can be water. “Difference” can be fire. Difference is nothing particular at all beyond the numberless infinities of souls consumed by its production. Difference itself, being nothing in itself, is utterly indifferent to whatever it was they were before they were murdered in order to be made the substrate of someone’s Other. There is only that which was done to produce difference. “The devil ever being depicted in sermon or story as black, all black animals by an easy transition of ideas, became associated with evil and witches[],”⁷³ and those made black by the Middle Passage were governed as things, as animals, as black animals. That which was done was forgotten, but nothing is really forgotten. The death that shatters memory returns to haunt us, and when it does, it does so as repetition. Differences—race and sex, to name two—are repetitions of the original accumulation. The whole world was enclosed by capital, the great death event we are still in:

The discovery of gold and silver in America, the extirpation, enslavement and entombment in mines of the aboriginal population, the beginning of the conquest and looting of the East

⁷² See, e.g., GAGE, *supra* note 42, at 226–30 (discussing the burning of a woman). Gage wrote about the use of death and terror by state and church to produce docility in women and their comrades:

An accusation of witchcraft struck all relatives of the accused with terror, destroying the ordinary virtues of humanity in the hearts of nearest friends. As it was maintained that devils possessed more than one in a family, each member sought safety by aiding the church in accumulating proof against the accused, in hopes thereby to escape similar charge. It is impossible for us at the present day to conceive the awful horror falling upon a family into which an accusation of witchcraft had come. Not alone the shame and disgrace of such a charge; the terrors of a violent death under the most painful form; the sudden hurling of the family from ease and affluence to the most abject poverty; but above all the belief that unending torment by fire pursued the lost soul through eternity, made a combination of terrors appalling to the stoutest heart. A Scotch woman convicted as a witch and sentenced to be burned alive could not be persuaded by either priest or sheriff to admit her guilt. Suffering the intensest agonies of thirst during her torture she espied her only son in the surrounding crowd. Imploring him in the name of her love for him she begged as her last request, that he should bring her a drink. He shook his head, not speaking; her fortitude her love, his own most certain conviction of her innocence not touching him; when she cried again, “Oh, my dear son, help me any drink, be it never so little, for I am most extremely drie, oh drie, drie.” His answer to her agonizing entreaties could not be credited were it not a subject of history, and the date so recent.

“By no means dear mother will I do you the wrong, for the drier you are no doubt you will burn the better.” Under Accadian law 3,000 years before christianity, the son who denied his father was sentenced to a simple fine, but he who denied his mother was to be banished from the land and sea; but in the sixteenth century of the christian era, we find a son under christian laws denying his mother a drink of water in her death agony by fire.

Id. at 230 (internal citations omitted).

⁷³ *Id.* at 217.

Indies, the turning of Africa into a warren for the commercial hunting of black-skins, . . . are the chief moments of primitive accumulation.⁷⁴

In civilized society, there is a leisure class and there is a class without leisure. The leisure class possesses surplus time. This surplus time is extracted from the other class or classes, the ones marked by difference. This appropriated time, surplus value in Marx's terminology, is a field reserved for the leisure class to fill as they will, although under pressure of market competition, they must devote much of the value realized from that appropriation to the extraction of even greater shares of surplus time in the next cycle of production, and the next, and the next, all the way to the end.⁷⁵ The true leisure class can fill the time they have appropriated from the Others with activities directed to less-than-immediate needs. Magic is intended to fill direct human needs; poetry is not. Audre Lorde famously wrote that "poetry is not a luxury."⁷⁶ This Article does not quarrel with her formulation. Rather, it completes it. Poetry, when it "is not a luxury," is magic. What Lorde describes as "not a luxury" is magic. Thus, magic is the poetry that is not a luxury. Mere poetry, the bourgeois poetry that is a luxury, is not at all what Lorde describes as "poetry." Mere poetry is that which remains when the magic goes away. Magic is that which bleeds out of the world when time is broken into classes.

Oz is not bleeding. Oz is not divided against itself. Oz has never been civilized.⁷⁷ Civilization is what is said to happen after primitive accumulation. Primitive accumulation is the great death event that brought mortality into the world. Primitive accumulation—call it capitalism, civilization, modernity, the real world, or the bleeding out of magic—is the death that we falsely thought we had escaped and the death we have been repeating over and over and over again under the sign of reality.

Our so-called real world is without magic. The deadly desert around Oz goes on forever; it is an uncrossable abomination of desolation.⁷⁸ Our false life, our mortality, takes place in "[t]he desert of the real."⁷⁹ The life we live is not real. It is not even living.⁸⁰ Oz, however, is real.

⁷⁴ 1 KARL MARX, *CAPITAL: A CRITIQUE OF POLITICAL ECONOMY*, 703 (Frederick Engels ed., Samuel Moore & Edward Aveling trans., International Publishers 1967) (1867).

⁷⁵ They think this will go on forever, but it does not. It ends in an extinction event. Additionally, it rehearses that extinction event in crisis after crisis.

⁷⁶ AUDRE LORDE, *Poetry Is Not a Luxury*, in *SISTER OUTSIDER: ESSAYS & SPEECHES* 36, 36–37 (1984). Poetry is not a luxury, not a leisure activity, for members of the despised classes; it is not even poetry. The poetry that is not a luxury is the magic of the dispossessed. Lorde writes:

Poetry is the way we help give name to the nameless so it can be thought. The farthest horizons of our hopes and fears are cobbled by our poems, carved from the rock experiences of our daily lives.

As they become known to and accepted by us, our feelings and the honest exploration of them become sanctuaries and spawning grounds for the most radical and daring of ideas.

They become a safe-house for that difference so necessary to change and the conceptualization of any meaningful action.

Id. at 37. Lorde's magical naming of the "nameless so it can be thought" has everything to do with Foucault, and vice versa. Compare *id.*, with 3 MICHEL FOUCAULT, *So Is It Important to Think?*, in *POWER*, 454 (James D. Faubion ed., Robert Hurly trans., New Press 2001).

⁷⁷ BAUM, *supra* note 2, at 24.

⁷⁸ See *id.* at 26 (referring to a great desert that none can cross).

⁷⁹ JEAN BAUDRILLARD, *SIMULACRA AND SIMULATION I* (Sheila Faria Glaser trans., 1994) (1981).

⁸⁰ Baudrillard is instructive:

The dream is a wish represented as if it were fulfilled.⁸¹ “In magic you enact in fantasy the fulfillment of the desired reality.”⁸² Oz is the place “where the dreams that you dare to dream really do come true”; therefore, Oz is real.⁸³ What Oz realizes for us, however, is dark matter: What are the dreams that we dare to dream? What are the wishes that we would have fulfilled or realized?

As discussed, Oz is a magical, uncivilized land. What is magic?⁸⁴ Thomson writes:

Magic may be described as an illusory technique supplementing the deficiencies of the real technique; or, more exactly, it is the real technique of its subjective aspect. A magical act is one in which savages strive to impose their will on their environment by mimicking the natural process that they desire to bring about.⁸⁵

In Kahlo’s painting, *Paz en la Tierra*, the artist depicts science as a form of criticism, of examining first premises in order to change that which seems unalterable. It is rather like psychoanalysis. Science,⁸⁶ criticism, and magic all have to do with bringing about transformations thought impossible. All three are dangerous. In the words of Baum’s mother-in-law:

Death by torture was the method of the church for the repression of woman’s intellect, knowledge being held as evil and dangerous in her hands. Ignorance was regarded as an especial virtue in woman, and fear held her in this condition. Few women dared be wise, after thousands of their sex had gone to death by drowning or burning because of their knowledge. The superior learning of witches was recognized in the widely extended belief of their ability to work miracles. The witch was in reality the profoundest thinker, the most advanced scientist of those ages.⁸⁷

In a 1981 interview, Michel Foucault observed this of criticism:

And then, above all, I don’t think that criticism can be set against transformation, “ideal” criticism against “real” transformation.

A critique does not consist in saying that things aren’t good the way they are. It consists in seeing on what type of assumptions, of

The imaginary of Disneyland is neither true nor false, it is a deterrence machine set up in order to rejuvenate the fiction of the real in the opposite camp. Whence the debility of this imaginary, its infantile degeneration. This world wants to be childish in order to make us believe that the adults are elsewhere, in the “real” world, and to conceal the fact that true childishness is everywhere—that it is that of the adults themselves who come here to act the child in order to foster illusions as to their real childishness.

Id. at 13.

⁸¹ See FREUD, *supra* note 2, at 129 (discussing idea of a dream representing a wish as if fulfilled).

⁸² THOMSON, *supra* note 62, at 24.

⁸³ JUDY GARLAND, *Over the Rainbow*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3. Baum often treated Oz as real, even referring to himself as the “Royal Historian of Oz” in several of his novels. See, e.g., MAGIC OF OZ, *supra* note 24, at 14.

⁸⁴ Clarke’s Third Law states: “Any sufficiently advanced technology is indistinguishable from magic.” ARTHUR C. CLARKE, PROFILES OF THE FUTURE: AN INQUIRY INTO THE LIMITS OF THE POSSIBLE 36 n.* (1984). The converse is also true.

⁸⁵ THOMSON, *supra* note 62, at 10.

⁸⁶ See CLARKE, *supra* note 84.

⁸⁷ GAGE, *supra* note 42, at 242–43. Gage continued: “The persecution which for ages waged against witches was in reality an attack upon science at the hands of the church.” *Id.* at 243.

familiar notions, of established, unexamined ways of thinking the accepted practices are based.

We need to free ourselves of the sacralization of the social as the only instance of the real and stop regarding that essential element in human life and human relations—I mean thought—as so much wind. Thought does exist, both beyond and before systems and edifices of discourse. It is something that is often hidden but always drives everyday behaviors. There is always a little thought occurring even in the most stupid institutions; there is always thought even in silent habits.

Criticism consists in uncovering that thought and trying to change it: showing that things are not as obvious as people believe, making it so that what is taken for granted is no longer taken for granted. To do criticism is to make harder those acts which are now too easy.

Understood in those terms, criticism (and radical criticism) is utterly indispensable for any transformation. For a transformation that would remain within the same mode of thought, a transformation that would only be a certain way of better adjusting the same thought to the reality of things, would only be a superficial transformation.

On the other hand, as soon as people begin to have trouble thinking things the way they have been thought, transformation becomes at the same time very urgent, very difficult, and entirely possible.⁸⁸

Criticism, to follow the reasoning above from Marx⁸⁹ to Freud and from Thomson to Foucault, is a form of magic and vice versa. Criticism makes the kind of magical transformation that we seek “entirely possible.”⁹⁰ Baum’s method is a form of criticism that is magical.

In the real world, everyone is in search of lost time, but in Oz, time is abundant: “Every one worked half the time and played half the time, and the people enjoyed the work as much as they did the play, because it is good to be occupied and have something to do.”⁹¹ Stolen time looks like Kansas: dull and gray. “Misery and poverty are so absolutely degrading, and exercise such a paralyzing effect over the nature of men, that no class is ever really conscious of its own suffering. They have to be told of it by other people, and they often entirely disbelieve them.”⁹² Stolen time looks like an illness: “It is mentally and morally injurious to man to do anything in which he does not find pleasure”⁹³ Stolen time looks like time out of mind. Stolen time looks like all these things because it is all of these things.

⁸⁸ FOUCAULT, *supra* note 76, at 456–57.

⁸⁹ Marx observed: “Criticism has plucked the imaginary flowers on the chain not in order that man shall continue to bear that chain without fantasy of consolation, but so that he shall throw off the chain and pluck the living flower.” KARL MARX, A CONTRIBUTION TO THE CRITIQUE OF HEGEL’S PHILOSOPHY OF RIGHT (1844), available at <http://www.marxists.org/archive/marx/works/1843/critique-hpr/intro.htm>.

⁹⁰ FOUCAULT, *supra* note 76, at 457.

⁹¹ BAUM, *supra* note 34, at 31.

⁹² WILDE, *supra* note 1, at 131.

⁹³ *Id.* at 140.

Capitalism, the theft of time, became the basic or ground norm. “Law and right are inherited like an eternal disease.”⁹⁴ Marxism, however, will heal the sick. “No disease of any sort was ever known among the Ozites.”⁹⁵ How is that possible? There is no capitalism in Oz:

There were no poor people in the Land of Oz, because there was no such thing as money, and all property of any sort belonged to the Ruler. The people were her children, and she cared for them. Each person was given freely by his neighbors whatever he required for his use, which is as much as any one may reasonably desire.⁹⁶

Additionally, everyone in Oz is governed by her or his own reason: “There were no cruel overseers set to watch them, and no one to rebuke them or to find fault with them. So each one was proud to do all he could for his friends and neighbors, and was glad when they would accept the things he produced.”⁹⁷

Baum seems, at first encounter, to write of Oz as a fairy tale: “You will know, by what I have here told you, that the Land of Oz was a remarkable country. I do not suppose such an arrangement would be practical with us, but Dorothy assures me that it works finely with the Oz people.”⁹⁸ As Baum indicated, however, the fairy tale could be our tale. Although we may not be fairy people, we are not so unlike them:

Oz being a fairy country, the people were, of course, fairy people; but that does not mean that all of them were very unlike the people of our own world. There were all sorts of queer characters among them, but not a single one who was evil, or who possessed a selfish or violent nature. They were peaceful, kind-hearted, loving and merry, and every inhabitant adored the beautiful girl who ruled them, and delighted to obey her every command.⁹⁹

Baum had a method, a science of writing tales for children. In his introduction to *The Wonderful Wizard of Oz*, Baum began with this observation:

Folk lore, legends, myths and fairy tales have followed childhood through the ages Yet the old time fairy tale . . . may now be classed as “historical” in the children’s library; for the time has

⁹⁴ P. Stuchka, *Law and Right Are Inherited Like an Eternal Disease*, in *SOVIET POLITICAL THOUGHT: AN ANTHOLOGY* 72, 73 n.1 (Michael Jaworskyj ed. & trans., 1967) (quoting Voltaire). Stuchka also wrote:

We are told that even today, two years after the October Revolution, we do not yet have a written proletarian law. We could answer that the great French Revolution came into possession of the *Civil Code* only fifteen years after the Revolution, and only after the victory of the counterrevolution. But, as always, we are frank and therefore we state directly that such a written proletarian code will never come into existence in our country. When we speak of the proletarian law, we have in mind a transient law.

Our great achievement in the revolution of law is a clear understanding of the meaning of law and court. “Law is a system or an order of social relationships, corresponding to the interests of the ruling class and protected by an organized force.” Hence, without classes, there will be no class organization (the state), no law, and no courts.

⁹⁵ *Id.* at 75.

⁹⁶ BAUM, *supra* note 34, at 30.

⁹⁷ *Id.*

⁹⁸ *Id.* at 31.

⁹⁹ *Id.*

⁹⁹ *Id.* at 31–32.

come for a series of newer “wonder tales” in which the stereotyped genie, dwarf and fairy are eliminated, together with all the horrible and bloodcurdling incident devised by their authors to point a fearsome moral to each tale.¹⁰⁰

Baum may have written what children wanted, but what do children want? That is a hard question to answer. It is hard to answer because it is a nonsensical question. It is nonsensical because we do not yet know what children are; we only know that which we have made of childhood.¹⁰¹

What do children not want? That is the question Baum answers. If we think of children as “X,” then it frees us, as a matter of method, to think about that which we can think about—our own thoughts. We can think about the thoughts we have been thinking. What is horrid? Do we want anything horrid? No, we do not want horrid things. Baum answered “no” for the children and took the horrid material out of his new, modern stories. That was the core of Baum’s method.

Baum was attentive, as a matter of method, to the reversal of the adult/child hierarchy in the telling and authoring of his stories. As Oz revealed itself as a progressively accurate mirror of the “highest phase of communism,” Baum increasingly described himself as a servant of the children who wanted Oz stories. Baum also increasingly described Oz as real. Both tendencies can be seen in this passage from the fifth Oz book *The Road to Oz*:

Well, my dears, here is what you have asked for: another “Oz Book” about Dorothy’s strange adventures. . . . [I]f the story is not exactly as you would have written it yourselves, you must remember that a story has to be a story before it can be written down, and the writer cannot change it much without spoiling it.¹⁰²

The reversal of hierarchy and the increasing reality of Oz, can be seen in the following passages:

Finally I promised one little girl, who made a long journey to see me and prefer [sic] her request . . . that when a thousand little girls had written me a thousand little letters asking for another story of the Scarecrow and the Tin Woodman, I would write the book.¹⁰³

My friends the children are responsible for this new “Oz book,” as they were for the last one Their sweet little letters plead to know “more about Dorothy”; and they ask: “What became of the Cowardly Lion?” and “What did Ozma do afterward?”¹⁰⁴

This is Our Book—mine and the children’s. For they have flooded me with thousands of suggestions in regard to it, and I have

¹⁰⁰ BAUM, *supra* note 2, at 5.

¹⁰¹ Maria Grahn-Farley, *Pierre Schlag, the Critique of Normativity, and the Enchantment of Reason: A Theory of Child Rights*, 57 U. MIAMI L. REV. 867, 901–02 (2003).

¹⁰² L. FRANK BAUM, *THE ROAD TO OZ* 9 (1909).

¹⁰³ L. FRANK BAUM, *THE MARVELOUS LAND OF OZ* 3 (1904).

¹⁰⁴ L. FRANK BAUM, *OZMA OF OZ* 11 (1907).

honestly tried to adopt as many of these suggestions as could be fitted into one story.¹⁰⁵

Once on a time I really imagined myself “an author of fairy tales,” but now I am merely an editor or private secretary for a host of youngsters whose ideas I am requested to weave into the thread of my stories.

...
 ... I am very proud of this alliance. Children love these stories because children have helped to create them. My readers know what they want and realize that I try to please them. ...

I hope, my dears,¹⁰⁶ it will be a long time before we are obliged to dissolve partnership.¹⁰⁶

The reality of Oz itself emerges in the following passages:

T[hrough] the kindness of Dorothy Gale of Kansas, afterward Princess Dorothy of Oz, [a] humble writer in the United States of America was once appointed Royal Historian of Oz, with the privilege of writing the chronicle of that wonderful fairyland.¹⁰⁷

So, if Dorothy keeps her word and I am permitted to write another Oz book, you will probably discover how all these characters came together in the famous Emerald City.¹⁰⁸

Oz was a creation of letters:

The Army of Children which besieged the Post office, conquered the Postmen and delivered to me its imperious [c]ommands.¹⁰⁹

Don't fail to write me often and give me your advice and suggestions, which I always appreciate. I get a good many letters from my readers, but every one is a joy to me and I answer them as soon as I can find time to do so.¹¹⁰

The main idea in “The Lost Princess of Oz” was suggested to me by a sweet little girl of eleven who called to see me and to talk about the Land of Oz.¹¹¹

Children are the universal class that brought Oz about: “[M]y books are intended for all those whose hearts are young, no matter what their ages may be.”¹¹²

Despite the reality of Oz, Baum was a creature of the real world. He prepared his readers for his passage out of Oz:

A long and confining illness has prevented my answering all the good letters sent me—unless stamps were enclosed—but from

¹⁰⁵ DOROTHY AND THE WIZARD, *supra* note 38, at 9.

¹⁰⁶ BAUM, *supra* note 34, at iii.

¹⁰⁷ L. FRANK BAUM, THE PATCHWORK GIRL OF OZ 15 (1913).

¹⁰⁸ L. FRANK BAUM, TIK-TOK OF OZ 3 (1914).

¹⁰⁹ L. FRANK BAUM, THE SCARECROW OF OZ 9 (1915).

¹¹⁰ RINKITINK IN OZ *supra* note 38, at 14.

¹¹¹ L. FRANK BAUM, THE LOST PRINCESS OF OZ 14 (1917).

¹¹² *Id.* at 10.

now on I hope to be able to give prompt attention to each and every letter with which my readers favor me.

Assuring you that my love for you has never faltered and hoping the Oz Books will continue to give you pleasure as long as I am able to write them, I am Yours affectionately, L. FRANK BAUM, “Royal Historian of Oz.”¹¹³

Baum is interesting because of his method, not because of his personality—although he seems to have been a decent man. Baum deployed his writing method it seems, in his personal life as well. Consider his self-correction in the following incident with his two children, Harry and Ken, and his wife Maud:

Harry recalled the time Ken had been naughty and Maud insisted that Frank [Baum] spank him. He reluctantly did as he was told, and the little boy cried himself to sleep. The incident so disturbed his father that he could not eat his dinner, so he went upstairs and woke him up. “Kenneth,” he said, “I apologize for spanking you, and I’ll never spank any of you children again.” And he never did.¹¹⁴

Any sort of corporal punishment of children is, of course, always harmful and always abusive. In decent places it is rightly deemed criminal. That was not the case, however, at any point in Baum’s lifetime. Baum’s arrival at the late twentieth century understanding has to do with his method—the method he used to write his novels and the method he used to better the life of his family.

Baum was a businessman of the Gilded Age. Although the Oz books he wrote were worthy of the Red Scare, Baum was not a Red. As aforementioned, he had a method and his method brought his Oz books to the same place. Even though he recognized the reality of Oz, he never recognized the illusions of the world outside of Oz. He and other white people of his time dreamed the same sick dream about the world outside of Oz. Two weeks after the murder of Sitting Bull, Baum wrote an editorial about childhood that was not for children: “The Whites, by law of conquest, by justice of civilization, are masters of the American continent, and the best safety of the frontier settlements will be secured by the total annihilation of the few remaining Indians. Why not annihilation?”¹¹⁵ Baum understood childhood, and understood that there are things that happen that are forever damaging. Not every wrong can be made right. Baum continued:

Their glory has fled, their spirit broken, their manhood effaced; better that they should die than live the miserable wretches that they are. History would forget these latter despicable beings, and

¹¹³ MAGIC OF OZ, *supra* note 24, at 13–14.

¹¹⁴ Hearn, *supra* note 10, at xxiv–xxv (citing Harry Neal Baum, *My Father Was the Wizard of Oz*, THE BAUM BUGLE 9 (1985)).

¹¹⁵ Jodi Byrd, “Living My Native Life Deadly”: Red Lake, Ward Churchill, and the Discourses of Competing Genocides, 31 AM. INDIAN Q., 310 (2007) (citing L. Frank Baum, Editorial, ABERDEEN SATURDAY PIONEER, Dec. 20, 1890).

plain that Cooper loved to heroism.¹¹⁶

There are some wrongs that cannot be corrected. Baum, the dreamer of childhood dreams—in other words, the dreamer of eternal beginnings—saw in the mass death event of capitalist accumulation nothing but an end. In Baum's pro-genocide editorial, Oz remained only a fairytale, an Emerald City, utterly and completely betrayed by its author. However, if we take Baum at his word, then Baum was not in fact the author of any of the tales of Oz. Moreover, if we take Baum at his word, then Oz is real, and not made up. Further, if we take Baum at his word, then he was the secretary for the children who actually authored the novels of Oz. We should take him at his word and focus on the method behind the Oz books, not the man.

The Scarecrow is a natural stand-in for the professor of law. "If I only had a brain."¹¹⁷ If laws are the deep thoughts of social being, then professors of law are something akin to its consciousness.¹¹⁸ Law professors are, are they not, the awareness of the body of the law? If, as critical legal studies suggests,¹¹⁹ there is no there, there when it comes to law, then law professors do have a great deal in common with the Scarecrow, because it would mean our heads are stuffed with straw. If we are what we do, and what critical theory suggests is true, then we are hollow men and women, headpieces stuffed with straw. As we learned in Oz, however, it does not have to be this way.

Law connects the values represented as commodities during exchange. Law connects values to commodities through the market. The market is the place where tooth and talon are superseded by formal equality and by rules. What the division of labor divides into intellectual and manual labor is brought together again in the act of exchange, or so it seems.

As intellectual labor, law occupies an odd space, a hollowed out space in the imagination—a place in which imagination does not take place. It seems as though legal method, the system's endless hymn of self-praise, occupies that space of non-imagination and draws all the myriad lines that tether people to property. In our few and far between wide-awake moments, we look right through the coins over our eyes and see that there is no there, there. There is no connection between persons and the machinery of production. There are relationships between people and relationships between classes, but the nature of these relationships, their exploitative nature, is veiled as an endlessly complex set of law-governed relations to property.

There is nothing in the body of the law that determines any legal outcome or interpretation whatsoever. All that is determinate when it comes to the law is the choice that has been determined without our knowledge. We act as technical functionaries of the superstructures when we act as

¹¹⁶ *Id.*

¹¹⁷ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

¹¹⁸ See generally DAVID FRASER & JUDITH GRBICH, THINKING THROUGH THE BODY OF THE LAW at xi (Pheng Cheah, N.Y.U. Press 1996) (discussing the body of law).

¹¹⁹ See, e.g., COSTA DOUZINAS & ADAM GEAREY, CRITICAL JURISPRUDENCE: THE POLITICAL PHILOSOPHY OF JUSTICE (2005).

though the body of the law contained, somewhere within itself, answers to the questions posed at the door. Law is not and cannot be mindful of itself. Therefore, there is nothing in the law that determines legal interpretations or outcomes.

Minding the body of the law is, in the end, the sum and substance of jurisprudence and therefore of jurists.¹²⁰ There is a gap between those who have things and those who are treated as if they are things. Law is the imaginative umbilical cord connecting the haves to the things that they have and the even more imaginative umbilical cord between the have-nots and the things they have not. Relations, of course, are between persons, not between things and other things and not between people and things. The legal relation of the haves to the things that they have and the legal relation of the have-nots to the things that they have not is the same relation—exploiter/exploited. The legal is a way of occulting the truth. It is a fairy tale.

There shall be no “dried voices” for us.¹²¹ No “[h]eadpiece filled with straw.”¹²² The Scarecrow sings beautifully: “I could while away the hours / Conferrin’ with the flowers / Consultin’ with the rain.”¹²³

Oz is red, as discussed above:

In the higher phase of communist society, after the enslaving subordination of the individual to the division of labour, and with it also the antithesis between mental and physical labour, has vanished; after labour has become not only a means of life but itself life’s prime want; after the productive forces have also increased with the all-round development of the individual, and all the springs of co-operative wealth flow more abundantly—only then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banners: From each according to his ability, to each according to his needs!¹²⁴

Hours are to be whiled away.¹²⁵ Freedom from toil is the first sign and task of consciousness. “Consider the lilies of the field, how they grow; they toil not, neither do they spin.”¹²⁶ Work, even the work of legal judgment—consider King Solomon—is presented as superfluous: “[E]ven Solomon in all his glory was not arrayed like one of these.”¹²⁷

The Scarecrow psychoanalyzes through song: “And my head I’d be scratchin’ / While my thoughts were busy hatchin’ / If I only had a brain. /

¹²⁰ Like the strap-hangers crossing from the platform to the train on the London underground, we are to “mind the gap.” What is law if not a denial of gaps, conflicts, and ambiguities?

¹²¹ T. S. Elliot, *The Hollow Men*, POEMS: 1909–1925 available at <http://www.americanpoems.com/poets/tseliot/1076>.

¹²² *Id.*

¹²³ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

¹²⁴ MARX, *supra* note 55, at 17.

¹²⁵ FRANK MORGAN ET AL., *The Merry Old Land of Oz*, on THE WIZARD OF OZ: THE DELUXE EDITION (Turner Entertainment, Co. 2009) (“We get up at twelve and start to work at one / Take an hour for lunch and then at two we’re done.”).

¹²⁶ *Matthew* 6:28 (King James).

¹²⁷ *Matthew* 6:29 (King James).

I'd unravel every riddle / For any individ'le / In trouble or in pain."¹²⁸ In addition, the Scarecrow is a communist. As Dorothy, the brown-haired girl from gray Kansas, observed, the Scarecrow is a great emancipator: "With the thoughts you'll be thinkin' / You could be another Lincoln / If you only had a brain."¹²⁹

We were born free, but are everywhere in chains.¹³⁰ If professors of law are the "brains behind the outfit," so to speak, then it is also the case that ours are the thoughts that explain why humanity, born free, is everywhere outfitted with chains. Do clothes make the person? If so, what do they make him or her? Additionally, what are we to make of the chains with which everyone seems to be clothed? What does the Scarecrow say? "The voice said, Cry. And he said, What shall I cry? All flesh is grass, and all the goodness thereof is as the flower of the field: The grass withereth, the flower fadeth: because the spirit of the L[ord] bloweth upon it: surely the people is grass."¹³¹

The Scarecrow, made of the grasses of the field, is like all of us. Perhaps the Scarecrow speaks for all of us.¹³² In the Scarecrow's case, and therefore, perhaps in our case, clothes do make the man:

And why take ye thought for raiment? Consider the lilies of the field, how they grow; they toil not, neither do they spin: And yet I say unto you, [t]hat even Solomon in all his glory was not arrayed like one of these. Wherefore, if God so clothe the grass of the field, which to day is, and to morrow is cast into the oven, shall he not much more clothe you, O ye of little faith?¹³³

"Why take ye thought for raiment?" There are no prisons in Oz. Our world, by contrast, is full of prisons. And so it makes sense to think about the chains with which we are clothed. "If I only had a brain."¹³⁴

If the Sermon on the Mount seems an odd place to begin, then consider the way that the Scarecrow first appears on a cross in a field. "Consider the lilies of the field, how they grow; they toil not, neither do they spin: And yet I say unto you, [t]hat even Solomon in all his glory was not arrayed like one of these."¹³⁵ In Scarecrow's first scene, he sings, "I could while away the hours / Conferrin' with the flowers / Consultin' with the rain."¹³⁶ Slaves never "while away the hours." Why? Because slaves spend days and hours working at others' disposal. But the lilies of the field, the ones we are to consider, "neither toil nor spin," they "while away the hours," and that is "how they grow." Slavery, then, is in the way of all that. Slavery is opposed

¹²⁸ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

¹²⁹ *Id.*

¹³⁰ Jean-Jacques Rousseau, *The Social Contract*, in THE SOCIAL CONTRACT AND THE FIRST AND SECOND DISCOURSES 149, 156 (Susan Dunn ed., 2002).

¹³¹ *Isaiah* 40:6–7 (King James).

¹³² "For all flesh is as grass, and all the glory of man as the flower of grass. The grass withereth, and the flower thereof falleth away." 1 *Peter* 1:24 (King James).

¹³³ *Matthew* 6:28–30 (King James).

¹³⁴ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

¹³⁵ *Matthew* 6:28–29 (King James).

¹³⁶ RAY BOLGER & JUDY GARLAND, *If I only had a Brain*, on THE WIZARD OF OZ: THE ORIGINAL MOTION PICTURE SOUNDTRACK, *supra* note 3.

to development. Time is the field of human development and slavery is the complete collapse of that field.

Slavery is slavery, especially when clothed in contract. The movement from chattel to wages is the movement from exploitation to exploitation, which is not movement. It is slavery clothed in contract. What is this contract that serves as a model for the social? Lions and tigers and bears? Offer, acceptance, consideration?

When is bargaining power equal? When it comes to the contract between a boss and a worker, bargaining power is never equal. But it is within that “never” that the social contract is signed. The never-never is the time and place of the contract’s meeting of the minds. What is offered has always been accepted. What is accepted is the exploitative relation that always exists within the forever-now of primitive accumulation.

Legal emancipation is not emancipation. The power that enslaves also exists through the repetitions of whatever supposedly emancipatory legality it was that was supposed to bring us together as equals. We are brought to market as equals, but only within the market’s unreality. In actuality, we are brought to the market to sell ourselves to a system that has already stolen us. This must be stated clearly: the kidnapped and the ransomed are free to reenact their slavery as market freedom, and that is all they are free to do.

The freedom of the market is freedom within that which is opposed to the fairy tale. In the market, the rule of tooth and talon seem magically suspended. Each market participant is peer to every other market participant, but only within the market and only as a market participant. What is occulted is the entirety of time and space external to the event of the exchange. And every exchange is a repetition of the original accumulation. The environment that begets and sustains the market is the law of tooth and talon, of violent dispossession, of millions of murders. The market depends on those who have nothing to sell but the skin that they are in and nothing to expect but a hiding. No one was born this way. Nature does not produce people with a claim to property and a monopoly on the use of organized violence to defend that claim on one side, and another group with nothing but skin on the other side. Childhood, the natural home of fairy tales and children, who are the first citizens of fairylands, is consumed by the system:

Children of the most tender years did not escape accusation and death. During the height of witch. craft [sic] persecution, hundreds of little ones were condemned as witches. Little girls of ten, eight, and seven years are mentioned; blind girls, infants and even young boys were among the numbers who thus perished. Everywhere the most helpless classes were the victims.¹³⁷

If Oz is possible, then it does not have to be this way. We know Oz is possible because we cannot deny having been to Oz; literature really does transport us. If you have traveled the yellow brick road, then you know that the magic is real. Criticism, the poetry of necessity, is magic. Sometimes thinking makes it so. Thinking a new way is a path, a yellow brick road to

¹³⁷ GAGE, *supra* note 42, at 232 (internal citations omitted).

an entirely new place. This Article describes that new place in Marxist terms as an old dream. This Article examines a particular conjuncture of events in 1900: the publication of Baum's *The Wonderful Wizard of Oz*, Freud's *The Interpretation of Dreams*, and Rosa Luxemburg's *Reform and Revolution. The Soul of Man Under Socialism*, also part of the conjuncture, was written by Oscar Wilde, who died in 1900.

The frame for this Article has been free communism, but the portrait exceeds the frame just as Baum's method exceeded his life and times and just as free communism exceeds all limits:

[O]ne day we must ask the question, "Why are there forty million poor people in America?" And when you begin to ask that question, you are raising a question about the economic system, about a broader distribution of wealth. When you ask that question, you begin to question the capitalistic economy. (Yes) And I'm simply saying that more and more, we've got to begin to ask questions about the whole society. We are called upon to help the discouraged beggars in life's marketplace. (Yes) But one day we must come to see that an edifice which produces beggars needs restructuring. (All right) It means that questions must be raised. And you see, my friends, when you deal with this you begin to ask the question, "Who owns the oil?" (Yes) You begin to ask the question, "Who owns the iron ore?" (Yes) You begin to ask the question, "Why is it that people have to pay water bills in a world that's two-thirds water?" (All right) These are words that must be said. (All right)

Now, don't think you have me in a bind today. I'm not talking about communism. What I'm talking about is far beyond communism.¹³⁸

This Article began with Aunt Em's admission, "I've been a slave all my life."¹³⁹ Slavery in 1900 looks like slavery in 2010:

Dorothy Gale lived on a farm in Kansas, with her Aunt Em and Uncle Henry. It was not a big farm, nor a very good one, because sometimes the rain did not come when the crops needed it, and then everything withered and dried up. Once a cyclone had carried away Uncle Henry's house, so that he was obliged to build another; and as he was a poor man he had to mortgage his farm to get the money to pay for the new house. *Then his health became bad and he was too feeble to work. . . .* Uncle Henry grew poorer every year, and the crops raised on the farm only bought food for the family. *Therefore the mortgage could not be paid.* At last the banker who loaned him the money said that if he did not pay on a certain day, his farm would be taken away from him.¹⁴⁰

"His health became bad" and then "the mortgage could not be paid." "Uncle Henry and Aunt Em had a big bed in one corner, and Dorothy a

¹³⁸ Martin Luther King, Jr., Address at the 11th Annual Southern Christian Leadership Conference: Where Do We Go From Here? (Aug. 16, 1967) (including vocal responses from the audience).

¹³⁹ BAUM, *supra* note 34, at 269.

¹⁴⁰ *Id.* at 21–22 (emphasis added).

little bed in another corner.”¹⁴¹ They were down and out even before the cyclone: “When Aunt Em came there to live she was a young, pretty wife.”¹⁴² But life and work, “the sun and wind” of that hard land, changed her: “They had taken the sparkle from her eyes and left them a sober gray; they had taken the red from her cheeks and lips, and they were gray also. She was thin and gaunt, and never smiled, now.”¹⁴³ “Uncle Henry never laughed. He worked hard from morning till night and did not know what joy was. He was gray also”¹⁴⁴ *El Marxismo Dará Salud a los Enfermos*. As King said: “We are called upon to help the discouraged beggars in life’s marketplace But one day we must come to see that an edifice which produces beggars needs restructuring.”¹⁴⁵ And that restructuring takes us “far beyond communism.”¹⁴⁶

At the end of their used-up Lochner Era lives, Aunt Em, Uncle Henry, and Dorothy were to be cast out:

When the banker told Uncle Henry that he must pay the money in thirty days or leave the farm, the poor man was in despair, as he knew he could not possibly get the money. So he told his wife, Aunt Em, of his trouble, and she first cried a little and then said that they must be brave and do the best that they could, and go away somewhere and try to earn an honest living.¹⁴⁷

But there was no “somewhere” to go: “No one wants to employ old people who are broken down in health, as we are.”¹⁴⁸ This was childhood’s end:

“We must give up the farm, my dear . . . and wander into the world to work for our living.”

The girl listened quite seriously, for she had not known before how desperately poor they were.

“We don’t mind for ourselves,” said her aunt, stroking the little girl’s head tenderly; “but we love you as if you were our own child, and we are heart-broken to think that you must also endure poverty, and work for a living before you have grown big and strong.”¹⁴⁹

There is a somewhere over the rainbow, a communism far beyond communism, where the dreams that we dare to dream really do come true. And in that place there is a place for all three of them, and for you and me and everyone, to live. Dorothy explained the situation to Ozma (“For some time Ozma has ruled over [Oz] and never was Ruler more popular or beloved. She is said to be the most beautiful girl the world has ever known, and her heart and mind are as lovely as her person.”¹⁵⁰):

¹⁴¹ BAUM, *supra* note 2, at 11–12.

¹⁴² *Id.* at 12.

¹⁴³ *Id.*

¹⁴⁴ *Id.* at 13.

¹⁴⁵ Martin Luther King, Jr., *supra* note 138.

¹⁴⁶ *Id.*

¹⁴⁷ BAUM, *supra* note 34, at 23.

¹⁴⁸ *Id.* at 25.

¹⁴⁹ *Id.* at 24.

¹⁵⁰ *Id.* at 33.

“Uncle Henry and Aunt Em are in a heap of trouble, and there seems no way for them to get out of it—anyhow, not while they live in Kansas.”

“Tell me about it Dorothy,” said Ozma, with ready sympathy.

“Why you see Uncle Henry is poor; for the farm in Kansas does n’t ’mount to much, as farms go. So one day Uncle Henry borrowed some money, and wrote a letter saying that if he did n’t pay the money back they could take his farm for pay. Course he ’spected to pay by making money from the farm; but he just could n’t. An’ so they’re going to take the farm, and Uncle Henry and Aunt Em won’t have any place to live. They’re pretty old to do much hard work, Ozma; so I’ll have to work for them, unless—”¹⁵¹

Dorothy will have to end her childhood and become a laborer “unless—” all three—Dorothy, Aunt Em, and Uncle Henry—can travel over the rainbow, too. Which is exactly what they decide to do. *El Marxismo Dará Salud a los Enfermos*.

Kahlo’s *El Marxismo Dará Salud a los Enfermos* or *Paz en la Tierra para que la Ciencia Marxista pueda Salvar a los Enfermos y a Aquellos Oprimidos por el Capitalismo Criminal Yanqui* was never finished, just as this Article is not finished. It is a beginning. “Peace on Earth So that Marxist Science Can Heal the Sick and those Oppressed by Criminal Yankee Capitalism.” The search for a method—Marxist science¹⁵²—is not over; however, by taking Oz seriously, by conferring with the flowers, I think we have made a good beginning.

¹⁵¹ *Id.* at 34.

¹⁵² The witches of Oz may have much to teach us. As Gage observed: “Whatever the pretext made for witchcraft persecution we have abundant proof that the so-called ‘witch’ was among the most profoundly scientific persons of the age.” GAGE, *supra* note 42, at 233.

