

“SUMMER OF ’42” OUT HOAXES “THE WAR OF THE WORLDS”:
A MULTIMEDIA FAIRY-TALE OUT-BARNUM ORSON WELLES

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Abstract. The film *Summer of ’42*, produced from Herman Raucher’s screenplay, and his novel created from it both won wild popularity. The debate arose about their Raucher-alleged autobiographical content. Elements such as (1) imaginable vulnerability of principals to pay civil damages to an actual widow portrayed as fornicatrix-statutory rapist; (2) misrepresenting World War II battleground Kiska, Alaska; (3) numerous, conspicuous anachronisms; plus (4) delivery following profitable filming of adult-on-minor sexual plots of Robert Anderson’s play *Tea and Sympathy* and Vladimir Nabokov’s novel *Lolita*, combine to suggest the 1971 pure fiction followed by authorial “autobiography-hoax”. Elizabeth Kolbert invokes Robert Wilson’s August 2019 biography *Barnum: An American Life* to recall Americans traditionally welcome hoaxer-entertainers, e.g., nineteenth-century *empresario*-legend Phineas T. Barnum.

Keywords: “Summer of 42”, *Tea and Sympathy*, Herman Raucher

I. INTRODUCTION

The publication of *The American Scholar* (August 6, 2019) - Robert Wilson’s biography of Phineas T. Barnum (nineteenth-century America’s master *empresario* and wizard of hoaxes entertaining the public) - drew the instructive response from 2015’s Pulitzer Prize-winner for general nonfiction Elizabeth Kolbert. It is in light thereof that the following pages probe the 1971 bestselling novel by Herman Raucher, *Summer of ’42*¹ and the hit 1971 film of the same name from a screenplay by Mr Raucher. His novel derived from his screenplay. In 2001, an off-Broadway musical, *Summer of ’42*, revitalized his story for a fresh generation musical. Every variation

suggests, or delivers, a summer of 1942 virginal adolescent’s sexual intercourse with a war-widowed woman.

Into the twenty-first century, Raucher time and again avowed this trio of *Summer of ’42* elements true:

- (1) Its war-widow named Dorothy;
- (2) Its virginal lad named Hermie (Raucher himself), who is sexually initiated by Dorothy;
- (3) Hermie’s young friend, Oscy - Raucher’s true-life, teen-years pal: Oscar Seltzer. Were his avowal accurate, then Raucher and/or his movie studio (Warner Brothers) and/or his publisher seemed to expose themselves to potentially expensive litigations. Evidence suggests Raucher wrote a gentle hoax with a twinkle in his eye.

II. “SUMMER OF ’42”: HISTORICITY

A. *Argument for Factuality*

Raucher says, in a 2002 interview, that the Dorothy affair developed “Just as I wrote it”². The story took place on Nantucket³. Dorothy “(...) would tell me a little bit about herself (...). And I felt like a friend. I won’t say I felt like a (member of the family), but I felt like a friend. We became friends”⁴. Too, “I was in love with her before the incident ever happened. I couldn’t wait to see her. She was the only one who paid any attention to me (...) [But Dorothy] treated me like an adult”⁵. In 2002 he added, “I hope she’s still out there”⁶.

Raucher says his “mostly autobiographical” script “moved events around, as far as who my friends were and who was with me at the time.”⁷ His 1942 friend Oscy Seltzer, allegedly like Dorothy, bore a nonfictional name⁸. In the novel, Dorothy’s husband’s name is Pete⁹. Raucher, in 2002, revealed of denuded, freshly-widowed Dorothy: “Yes, we had no clothes on, but she thought I was her husband (...) She kept calling me ‘Pete’”¹⁰. In Raucher’s 1970

screenplay, the “soldier”¹¹-husband appears “in an Army uniform”¹². He is dubbed “Pete”¹³. Likewise, in the 1971 novel is Pete in “The Army”¹⁴.

In this 2002 interview, Mr Raucher reveals of Pete and Dorothy: “I think they were married about seven months”, although Dorothy’s destiny was to become widowed and “alone on the island”¹⁵. Pete was on the island that summer, but his widow would be left solitary at an age that “could have been 20”¹⁶ or “could have been 10 years older”¹⁷ than was the 14-year-old Hermie. And Raucher “knew not to talk about” the Dorothy affair¹⁸. “I never told anyone until I wrote the book. But Oscy knew without ever asking me”¹⁹. Raucher cited no witnesses.

B. *Argument for Fantasy*

In 2019, Elizabeth Kolbert summoned attention to the August release of Robert Wilson’s *Barnum: An American Life*²⁰. For Kolbert interpreted it to evidence Phineas T. Barnum’s nineteenth-century U.S. populace was eager to be conned by that Prince of Humbugs if his package provided sufficient entertainment: Americans being so much attracted to his hoax-nonsense, Barnum more delighted his public than traduced it, and what proved the puzzlement was that Americans of 2019 remained attracted to Barnumlike pretense²¹. In this Wilson-Kolbert light, learn that Raucher recalls one among letters sent him in the aftermath of the movie: “I recognized her [Dorothy’s] handwriting (...) but we were talking about 1971, which was almost 30 years after the incident, and I get this letter--and I never knew her last name--and the postmark was Canton, Ohio, and she had remarried”²². *Never knew her last name.*

Quaere, whether during 1971 mass-media professionals dared create a movie about Dorothy’s characterizable statutory rape/child-abuse of Hermie, using not only Herman’s but her own name. Raucher knew how to disguise identities (or, at least, names) when he needed to. A 1980 Raucher book recalling his marriage’s early years, his wife’s time on Broadway, and Raucher’s own early years

in the film business he maintained to be 90 per cent accurate. But he changed the names of certain real-life persons. Even the names of Mr and Mrs Raucher mutated²³. Would Raucher as interviewee affirm Pete and Dorothy’s real names, broadcast their wedding-year as 1941 or 1942, and advertise the actual summer 1942 island-locale of both Pete and Dorothy as Nantucket in 2002, if he believed such a real woman might still live?

This story of ’42 was preceded by Vladimir Nabokov’s 1955 novel, *Lolita*²⁴. The novel’s great popularity proved public acceptance of entertainment derivative from an adult’s sex with a pubescent virgin. It was transformed into a well-received James Mason, Peter Sellers, and Shelley Winters movie (*i.e.*, a serious-budget production) in 1962. But what might hint acceptability of a reverse-*Lolita* plot by Raucher with a *woman* (recently widowed in France) as sex-initiator?

Answer: A cinema precedent already provided by Robert Anderson. Also, Raucher remembers: “My sister’s fiancée was killed on D Day”²⁵. On D-Day, June 6, 1944, Yank troops died on Normandy beaches, in France. His family tragedy embraced a sister left loverless by the war in France as if precedent for a wholly-fictional woman left husbandless by a *Summer of ’42* war death over France.

III. LEGAL LIABILITIES CIRCA 1971

During 1971, portrayal onscreen or in print of a lady as fornicatrix (let alone a statutory rapist) proved defamatory. That an accused-fornicatrix plaintiff, like Dorothy underwent depiction, by demonstrably deep-pocketed defendants, as statutory rapist only might worsen their courtroom plight. Said defamation defendants would look legally vulnerable²⁶.

In a singularly-influential law review article²⁷, Samuel Dennis Warren and future Supreme Court Justice Louis D. Brandeis in 1890 recognized for a civil tort respecting invasion of privacy. Warren and

Brandeis wrote after news reports of a high-society wedding party for Warren's cousin hosted in their home by Samuel and his wife²⁸. These coauthors chose language already suggestive of *Summer of '42*: "Instantaneous photographs and newspaper enterprise have invaded the sacred precincts of private and domestic life; and numerous mechanical devices threaten to make good the prediction that 'what is whispered in the closet shall be proclaimed from the roof-tops'"²⁹.

In England and Wales, there even was an undefined range of publicly-transpiring but private conduct from which photographing could be proscribed³⁰. And the Human Rights Act 1998³¹ obliges the judiciary to consider³² Article 8 of the European Convention on Rights³³ and to heed European Court of Human Rights³⁴ jurisprudence³⁵. The 2004 judgment in the Princess Caroline case established the Monaco-Princess's security under Article 8 from being photographed while shopping in public (absent a demonstrable public interest to the contrary)³⁶. Brandeis and Warren dismissed the defense that sexual prurience is innocuous:

Of the desirability — indeed of the necessity — of some such [privacy] protection, there can, it is believed, be no doubt. The press is overstepping in every direction the obvious bounds of propriety and of *decenty*. Gossip is no longer the resource of the idle and of the vicious but has become a trade, which is pursued with industry as well as effrontery. To satisfy a *prurient* taste the details of *sexual relations* are spread broadcast in the columns of the daily papers. To occupy the indolent, column upon column is filled with idle gossip, which can only be procured by *intrusion upon the domestic circle*. The intensity and complexity of life, attendant upon advancing civilization, have rendered necessary some retreat from the world, and man, under the refining influence of culture, has become more sensitive to publicity, so that solitude and privacy have become more essential to the individual; but modern enterprise and invention have, through invasions upon his privacy, subjected him to mental *pain and distress*, far greater than could be inflicted by mere bodily injury. Nor is the harm wrought by such invasions confined to the suffering of those who may be the subjects of journalistic or another enterprise. In this, as in other branches of commerce, the supply creates the demand. Each drop of unseemly gossip, thus harvested, becomes the seed of more, and, in direct proportion to its circulation, results in the lowering of social standards and of

morality. Even gossip apparently harmless, when widely and persistently circulated, is potent for evil. It both belittles and perverts³⁷.

IV. MASSACHUSETTS CRIMINAL LAW IN 1942 AND 2010

A. What Any Dorothy on Nantucket Knew in 1942

In the summer of 1942, Section 4 of Chapter 272 of the *General Laws of the Commonwealth of Massachusetts* provided: “Whoever induces any person under eighteen of chaste of life to have unlawful sexual intercourse shall be punished”³⁸. What might be unlawful sexual intercourse? At that time, section 18 of Chapter 272 provided: “Whoever commits fornication shall be punished by imprisonment for not more than three months or by a fine of not more than thirty dollars”³⁹. At that juncture, section 39 of Chapter 272 provided in relevant part: “The following words, when used in an indictment, shall be sufficient to convey the meaning herein attached to them (...) *Fornication* – Sexual intercourse between a man and an unmarried woman.”⁴⁰

Before 1942, one could learn: “The contention that the word ‘man’ in a statute providing indictment for fornication is confined to male adults is, of course, untenable, and a minor may be guilty of the offense.”⁴¹ Too, “The word ‘man’ as used in statutes punishing fornication means any person of the age of puberty and capable of committing the offense, and is not limited to male persons over twenty-one years of age”⁴². Warner Brothers’ lawyers would have checked the 1968 edition of Black’s Law Dictionary to read, in relevant part: “Man. A human being. A person of the male sex. A male of the human species above the age of puberty”⁴³. Fornication and the law remained a live topic in 1971⁴⁴.

And statutory rape by a woman in her twenties of a 15-year-old boy drew prosecutors in Massachusetts. Former Holyoke elementary school teacher Lisa Lavoie, aged 26, on December 14, 2010, pleaded guilty in Hampden County Superior Court to

statutory rape, also termed illegal (sexual) intercourse with a child under 16, and to entice a child. She had been charged in 2009 after a boy age 15 and Lavoie were reported missing, being discovered in a motel a week later⁴⁵.

As an element of the plea hearing, Assistant District Attorney Patrick S. Sabbs read to the judge a victim-impact statement. Therein the youth styled Lavoie “an amazing person”⁴⁶. The victim wrote: “I miss her, and I think about her a lot. So please don’t send her away. She means everything to me. She suffered enough in the past two years”⁴⁷. This is reminiscent of Hermie’s, announced recall of Dorothy.

B. *What Herman Had to Heed in 2002*

As a novelist and a television and motion picture professional, Raucher in 2002 undoubtedly was aware of the 1997 case of Mary Kay Letourneau. She met Vili Fualaau when he was a student in his second-grade class. He again became her student in the sixth grade. She became intimate with that lad of no more than 13 years of age, and she at 35 was impregnated by him. Ms Letourneau was convicted on two counts of child rape. Their tale was told by the lovers in *Un Seul Crime, L’Amou*⁴⁸ (*Only One Crime, Love*), boasting a prologue by Vili’s mother⁴⁹. It was retold during 1999 by Gregg Olsen in Olsen’s *If Loving You Wrong: The Shocking True Story of Mary Kay Letourneau*⁵⁰. Then was it re-retold during 2001 by James Robinson in Robinson’s *The Mary Kay Letourneau Affair: And the Crisis Caused by the Case*⁵¹.

Meanwhile, the A & E Special Presentations, American Justice Investigation Report Documentary, *Boy Crazy: The Mary Kay Letourneau Story*, arrived on July 7, 1999⁵². Thereafter, Penelope Ann Miller portrayed Mary Kay Letourneau in *Mary Kay Letourneau: All American Girl*⁵³ of 2000. Thereupon appeared a television documentary in the *Mugshots* series entitled *Mary Kay Letourneau: Forbidden Desire*⁵⁴, originally airing on September 23, 2001. And then emerged Courtv.com’s live from prison, exclusive interview with

Letourneau. It was conducted on November 13, 2001⁵⁵. By his May 2002 Louis Hillary Parks interview, Herman Raucher inevitably was cognizant that an adult female’s sexual molestation of an early-teenaged boy was a recent-years, national near-obsession.

V. PLANTING ANACHRONISM CLUES

A. *An Anachronism Smorgasbord*

In Raucher’s screenplay, Hermie’s pals debate enlistment in the US Army Rangers⁵⁶. However, the 1st Ranger Battalion was formally activated only on June 19, 1942. While 50 Rangers did join the Dieppe Raid on August 19, the Battalion’s official entry into the war transpired only on November 8⁵⁷. Raucher’s novel screams anachronisms.

A central event in both that novel and in the 1971 film is a moviehouse visit to see *Now, Voyager*⁵⁸. The visit stretches across 19 pages of a 244 page-long book⁵⁹, only to recur on later pages⁶⁰. However, *Now, Voyager* was released on October 22, 1942⁶¹. Hermie draws upon *Casablanca*⁶². However, the premiere of *Casablanca*, on November 26, 1942, preceded its 1943 general release⁶³. Hermie purchases his father a copy of *Time* magazine with Jimmy Doolittle on its cover⁶⁴. However, “James H. Doolittle” graced the cover for the issue dated November 23.

B. *The Kiska Main Course*

i. Kiska in *Summer of ’42*

The narrator recalls Hermie’s bedroom in his family’s island-summerhouse:

On the small piece of wall available for hanging, he had hung a picture of his cousin, aged twenty-two, who was on the island of Kiska, in the Aleutians, just off the coast of Alaska. There wasn’t much action up in Kiska except

when maybe the Eskimos got attacked by polar bears, but Hermie kept his cousin's picture there anyway because he was the nearest thing in the family to a hero, in spite of the fact he had asthma and actually faked an attack right in the draft board office but to no avail except that they made him a corporal. If his cousin had been epileptic, he could've made sergeant. Hermie autographed that picture, too. "To Hermie, bravely, his cousin in combat, Ronald."⁶⁵

Later, Hermie emphatically insists to Oscy: "I got a *cousin* in danger. My cousin Ronald. He's a major in the Aleutian Islands. In Kiska, for your information"⁶⁶. Subsequently, Hermie reappears in his room: "His radio was offering the world *Fibber McGee and Molly* and then *Bob Hope*, who was up in Alaska freezing his nuts off for the soldiers. Maybe his cousin in combat, Ronald, was part of the audience. It was a thrilling thought"⁶⁷. Reiterated is the exclusion of Ronald from combat ("audience"). And later yet, Ronald is associated with John Loder, of *Non, Voyager*⁶⁸, in Hermie's fantasizing: "(...) Hedy Lamarr, Hermie had heard, though John Loder probably hadn't, was Austrian born and very likely a Nazi. And Hermie'd be goddamned if he'd screw a Nazi while his cousin Ronald was up in Kiska getting his nuts shot up"⁶⁹. Hammered home is the message that foolish fantasy alone associated Kiska with peril.

ii. Kiska in Summer 1942

Contrariwise, the Aleutian Islands Campaign opened on June 3, 1942⁷⁰. The Japanese occupied the islands of Kiska and Attu. It required a year for a large American force to eject them. This is dubbed the Forgotten Battle because overshadowed by the Guadalcanal Campaign waged simultaneously⁷¹. Kiska's initial U.S. military presence was a weather station of ten men. In-storming Japanese killed two and sent their eight survivors to Japan as prisoners of war⁷². Kiska's occupation ordeal extended to July 28, 1943⁷³.

C. *What Happened over France*

In the movie (but in neither Raucher’s 1970 screenplay nor 1971 novel), the fateful, yellow War Department telegram to “Dorothy Walker” of Bangor is shown to the audience. It evidences Dorothy’s loss “over France” of her U.S. Army Air Corps husband⁷⁴. The latter might be a clue to a hoax. The history of America’s 8th Air Force was inaugurated on January 2, 1942⁷⁵.

The VIII Bomber Command and VIII Fighter Command both were established on January 19, 1942⁷⁶. The VIII Air Support Command was established only on April 24, 1942⁷⁷. The first combat group of VIII Bomber Command reached the United Kingdom (the 97 Bombardment Group ground echelon) only on June 9, 1942⁷⁸. The 8th Air Force’s arrival proved so prominent a historical landmark that this arrival itself entered nonfictionally, filmic historization⁷⁹.

The pioneering American air mission from England was not until July 4, 1942. Then six aircrews joined six British aircrews attacking airfields in Holland⁸⁰. The pioneering all-Yank air raid transpired as late as August 17⁸¹. This first B-17 Flying Fortress strike of the war⁸² saw a dozen flying fortresses dropping bombs from 23,000 feet⁸³. Their raid on Rouen-Sotteville, France, railroad marshalling yards was completed sans losses⁸⁴. Only at that date had VIII Bomber Command regular combat operations started⁸⁵.

VI. MRS DOROTHY WALKER

A. *An Anachronism Smorgasbord*

Whence might Raucher circa 1970 derive the husband of Dorothy *Walker* as World War II airman lost to her? During 1969 The Who released its fourth album, the double-album rock opera *Tommy*⁸⁶. During World War II, Tommy’s father Captain *Walker* is reported about (in the words of songwriter Pete Townshend):

Captain Walker didn't come home
 His unborn child will never know him.
 We believe him missing with a number of men,
 Don't expect to see him again.
 He's believed to be missing with a number of men,
 Don't expect to see him again.⁸⁷

Tommy ranked number four among 1969 Billboard Pop albums⁸⁸. It went Gold in the United States on August 18, 1969⁸⁹.

B. Dorothy Walker

Whence might Raucher, fourteen-years-old in 1942, derive *Dorothy*? Judy Garland played Dorothy Gale in a motion picture of latter 1939. Sixteen-year-old Garland of *The Wizard of Oz* was well beyond menarche but played a character clearly much less mature. Hermie Raucher that autumn broke the age of eleven and a half. To be sure, fetching Dorothy Gale was an inaccessible fairytale character.

Earlier, however, Garland played the (visiting) girl-next-door to Mickey Rooney's Andy Hardy in *Love Finds Andy Hardy* (1938). Its Metro-Goldwyn-Mayer movie poster blurbed: "Mickey's in love and Judy's the girl!"⁹⁰. Her second appearance witnessed this accessible, girl-next-door Garland kissed by youthful Everyman Andy in *Andy Hardy Meets Debutante* (1940): "As was so often the case, she played a part much younger than herself. Judy was 17 during filming and turned 18 before the film was released, but her character – Betsy Booth – was only 15 years old"⁹¹. In July, *Time* magazine attested "17-year-old Judy Garland growing prettier by the picture."⁹² In July 1940, Hermie Raucher watching 15-year-old Betsy Booth (accessible even to Mickey Rooney) would have been age twelve years and three months.

Andy aimed his big-screen notice at Judy-Betsy the most during this movie series in *Life Begins for Andy Hardy* (1941)⁹³. This marked the sole instance in the series that a guest star (Dorothy, er, Judy) was billed above the title⁹⁴. In 2002, Raucher asserted of his summer of 1942 as a 14-year-old: "And the aftermath of that was, I dated

every girl I could find whose name was Dorothy”⁹⁵. Again: “Yes, any girl named Dorothy I would try to take out”⁹⁶. These admissions are credible.

Nevertheless, why decades thereafter might a middle-aged screenwriter attach the misty image of a young adult Dorothy/Garland to grim, wartime-homefront days of the summer of 1942? In *For Me and My Gal*, the twenty-year-old Garland stars as a World War I vaudevillian whose love interest (Gene Kelly) bitterly anticipates a predatory draft. He proves heroic in France⁹⁷. *For Me and My Gal*, Garland’s biggest hit to date⁹⁸, was released on October 1942⁹⁹.

VII. ROBERT ANDERSON’S “TEA AND SYMPATHY”

Robert “Bob” Anderson’s play *Tea and Sympathy*¹⁰⁰ premiered on Broadway on September 30, 1953¹⁰¹. Therein, a prep-schoolboy played by John Kerr was hazed with accusations of homosexuality. The schoolmaster’s compassionate wife played by Deborah Kerr (no relation) had a first husband killed in World War II. She rescues the lad (quite heterosexually is drawn to her) from his deepening insecurities via successful seduction. The play closes with her starting to guide him into her adultery.

The wife recites one of the American theatre’s most renowned closing lines: “Years from now, when you talk about this – and you will – be kind”¹⁰². The cover of Random House’s first edition of the play shows a woman unbuttoning her blouse¹⁰³. A decade and more after the summer of 1942 - a third of the way to 1971 - the North American *female* solicits kindness to protect her from being tarnished by the male. How potent a punch carried Anderson’s Deborah Kerr-closing line into the twenty-first century? Near the conclusion of the 2009 movie *Angels and Demons*, a Harvard professor (played by Tom Hanks) is gifted by a Vatican Cardinal (played by Armin Mueller-Stahl) with a treasured codex by Galileo. The Cardinal says to the irreligious professor who will use the codex to complete a

history: “And when you write of us - and you will write of us - may I ask one thing? Do so gently”.

The 1956 film of the same name also starred the Kerrs. Anderson adapted his own play for the screen¹⁰⁴. To placate the Production Code Office over the screenplay’s implication of adultery with a high school boy, Anderson’s screenplay adds a flashback structure. It bookends the tale with a much-later visit to his old school by John Kerr’s character and his family. Therein is evidence of the penance assigned the adulteress, who lived no happy life¹⁰⁵.

A voice-over reading of the penitent-adulteress’s letter to the now-adult boy closes the movie:

Dear Tom,

I shall probably never send this letter. I probably shouldn’t even write it. But I am impulsive. That you know. And my impulse *is* to write it. Perhaps in the cold light of morning I would tear it up. I don’t know.

Tom dear, I have just read your book – a novel about your days in school, about us. It is a lovely book, tender and romantic and touching, and in it I come out rather like a saint. But Tom, that isn’t the whole picture, or even the true picture. You have romanticized the wrong we did, and not looked at it clearly. At the end of the story, you say that the husband was far better off without his wife, and the wife went on to her own happy life. You’re quite wrong, Tom. As you know, I couldn’t go back to Bill after that afternoon with you and pretend that nothing had happened. And my not going back ruined his life.

I find that I sacrificed Bill and our marriage. He thought he knew what he wanted (to be left alone) just as you thought you knew what you wanted (to kill yourself). Both of you in a sense were crying out to be saved from what you thought you wanted. I answered your cry. It was the easier one to answer. These are terrible things to write to you, Tom, about guilt and right and wrong. But you are old enough now to know that when you drop a pebble in the water there are ever-widening circles of ripples. There are always consequences.

Anyway, Tom, I’ve often wondered if I didn’t show a lack of faith in you, in your ability to meet a crisis by yourself, come through it alone. They say about dreadful experiences, if they don’t kill us, they make us strong. I was just afraid that that one would kill you.

Dear Tom, I was so pleased to read that you’re married. Have a good life, a full life, an understanding life. Write good stories, true stories.

About one thing you were correct. The wife did always keep her affection for the boy, somewhere in her heart.

The film of *Summer of '42*, like that of *Tea and Sympathy*, exploits intercourse between a woman whose husband died in World War II, and a high-school boy. It likewise has the wraparound-format with the older man's return to the scene. It likewise utilizes the after the fact-missive from the departed woman to her erstwhile junior bedfellow. Or as Dorothy's emphatic letter reads in Raucher's 1971 novel:

Dear Hermie,

I must go home now. I'm sure you'll understand. There's much that I have to do. I will not try to explain what happened last night because I know that, in time, you will find a proper way in which to remember it (...) ¹⁰⁶.

What I *will* do is remember *you*, and I will pray that you be spared all senseless tragedies. I wish you good things, Hermie, only good things

Always,

Dorothy ⁰⁷

Do these *Tea and Sympathy* and *Summer of '42* filmic overlaps imply Herman's own Canton, Ohio, letter an ageing yarn-spinner's nonsense?

Nowhere does either *Summer of '42* film or novel's letter from Dorothy reveal repentance for her statutory rapist-fornication with a minor. However, even during 1971, another movie did present an adult woman's indulgence long pre-1971 with an adolescent lad and *she*, like Anderson's own big-screen, unhappy adulteress, lived no happy life. In 2011, the novelist ¹⁰⁸ and cinema ¹⁰⁹ historian Nathaniel Rich mulled Peter Bogdanovich's *The Last Picture Show* ¹¹⁰:

Set during the Korean War, and shot in black and white with plenty of pictorial long shots, the film is a quiet rumination on loss and despair in Anarene, a small, isolated Texas town. Cloris Leachman's portrayal of a middle-aged woman whose loneliness leads her to seduce a high school boy is haunting and at times painful to watch (...). ¹¹¹

Fallen woman. Terrible things. Guilt and right and wrong. Despair. Loneliness. Painful. Statutory rape. Yet Raucher smoothly unrolls his *Summer of '42*.

VIII. THE CONCEPTION OF A RAUCHER-SEDUCING DOROTHY

Assume, *arguendo*, the story of Dorothy as a three-dimensional woman is a gentle hoax. The release of Raucher's novelization of his screenplay in paperback preceded the release of the movie¹¹² on April 9, 1971¹¹³. But his hardcover first edition apparently saw the light around June 1, 1971¹¹⁴. What had transpired in the mutually-reinforcing realms of news mass media, the Hollywood cinema, and popular publishing between May 25, 1970, and June 1, 1971, to reassure Raucher his adult female-minor male fornication could titillate not repulse the public, even if real-life *personalized*? Would Raucher notice his screenplay's gestation or filming thereof coinciding with the gestation of Sean Astin (born to be Notre Dame football's filmic *Rudy*)¹¹⁵?

Unavoidable news concerning 1970 America's screen entertainment¹¹⁶ was the announcement by the unmarried 17-year-old Desi Arnez, Junior, and the divorcing Patty Duke (five years Desi's elder) that Patty was pregnant with Desi's baby¹¹⁷. This marked the sexual intercourse of a wife in her twenties with a teenaged boy. Perhaps coincidentally, real-life Patty Duke at 23 was the same age in 1970 (when Herman would have heard the Patty-Arnez news) as the film-star Dorothy of 1971 (very vital Jennifer O'Neill). Desi's mother, Lucille Ball, threatened to have Patty charged with statutory rape¹¹⁸. The public continued to revere Lucy¹¹⁹. And Desi, Junior, eclipsed Jacqueline Onassis as the fan magazines' top-selling personality¹²⁰. The baby Sean Astin (named Sean Duke by Patty) was born on February 25, 1971¹²¹. *Quaere*, whether Raucher noticed popular acceptance and enjoyment of the sexual engagement of a real woman (made a wife years-prior) sexually engaging with an underaged teenaged boy. *Quaere*, whether

Raucher proved sufficiently savvy to sense one might exploit that popular psychology.

IX. CONCLUSION

Given the August 6, 2019, advent of Robert Wilson's biography, *Barnum: A Life*, the preceding pages hearken to Elizabeth's Klobert's response thereto (noting Americans' propensity to enjoy hoaxes). They extend the examination of Herman Raucher's bestselling, screenplay-derived novel *Summer of '42*, and the hit movie of the same title shot from his screenplay¹²². The off-Broadway musical of 2001, *Summer of '42*, reworked his story for its own medium. This discussion evidences the implausibility of Raucher's claims (regarding several salient points) to the authenticity of his works. Being born on April 13, 1928, means Mr Raucher representing the generation aware of, *e.g.*, the notorious October 30, 1938, radio broadcast over the Columbia Broadcasting System network of Howard Koch's adaptation into a radio play of H.G. Wells's novel *War of the Worlds*, by Mercury Theatre on the Air directed and narrated by Orson Welles¹²³. Thus, future scriptwriter Raucher could grow-up alert to profitable spoofing.

NOTES

1. Herman Raucher. *Summer of '42*. New York: G.P. Putnam's Sons, 1971.
2. Herman Raucher Interview (extended), pp. 1,4 (<http://web.tcpalm.com/specialreports/summerof42/raucher.html>) (internet archive waybackmachine) (last visited December 20, 2018).
3. *Ibid.*, pp. 3, 14.
4. *Ibid.*, p. 9.
5. *Ibid.*, p. 10.
6. *Ibid.*, p. 8.
7. *Ibid.*, p. 3.
8. *Ibid.*, pp. 5-6.
9. Herman Raucher, *supra* note 1, at pp. 621, 225, 227, 233, 235, 239.
10. Herman Raucher Interview (extended), *supra* note 2, p. 10.

11. Herman Raucher, *Summer of '42*, p. 31 (June 15, 1970, rev. July 20, 1970) (A Robert Mulligan – Richard Roth Production).
12. *Ibid.*, p. 12.
13. *Ibid.*, p. 31.
14. Herman Raucher, *supra* note 1, p. 233.
15. Herman Raucher Interview (extended), *supra* note 2, p. 13.
16. *Ibid.*, p. 4.
17. *Ibid.*, p. 10.
18. *Ibid.*, p. 14.
19. *Ibid.*, p. 10.
20. Robert Wilson, *Barnum: An American Life*, Simon & Schuster, 2019.
21. Elizabeth Kolbert, *The New Yorker*, August 5 & 12, 2019.
22. Herman Raucher Interview (extended), *supra* note 2, p. 8.
23. Herman Raucher, p. 1 (http://en.wikipedia.org/wiki/Herman_Raucher) (last visited July 22, 2019). The book with these autobiographical undertones was Herman Raucher, *There Should Have Been Castles*, Delacorte Press, 1979.
24. Vladimir Nabokov. *The Annotated Lolita*. New York: Random House, Inc., 1991) (rev. and updated) (preface, introduction and notes by Alfred Appel ed.).
25. Herman Raucher Interview (extended), *supra* note 2, p. 4.
26. This capsule-reference to defamation tracks discussion in the parallel example of William Styron and his *Sophie's Choice*. George Steven Swan, William Styron's Dubious Memoir: Sophie, and Styron's *Sophie's Choice*, *the quint: an interdisciplinary quarterly from the north*, 294, 313-314 (11.1) (December 2018). So strikingly do these cases parallel that one suspects Styron wrote while extremely conscious of Raucher's earlier, money-gushing twin-successes. *Ibid.*, pp. 325-326 and 333. The following discussion in the text of the right to privacy supplements that in George Steven Swan, *supra*, pp. 314-322.
27. Dean Andrew Mazzone, Book Rev., 93 Mass. L. R., p. 411 (April 2011) (No. 4).
28. Stewart Baker, Skating on Stilts: Why We Aren't Stopping Tomorrow's Terrorism, p. 310 (Stanford: Hoover Institution Press, 2010) (<http://www.skatingonstilts.com/files/chapter-13---skating-on-stilts-by-stewart-baker-3.pdf>).
29. Samuel D. Warren and Louis D. Brandeis, *The Right to Privacy*, 4 Harv. L. R., pp. 193, 195 (1890).
30. According to Prof. Tim Crook of the University of London. Tim Crook, *Comparative Media Law and Ethics*, pp. 112-13, 277. Taylor & Francis, Inc., 2010.
31. Right to Respect for Private and Family Life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others. Human Rights Act, 1998, II Eliz. 46, Ch. 42, sched.1, Part I, art. 8. (<http://www.legislation.gov.uk/ukpga/1988/42/schedule/1>) (last visited July 22, 2019). These two sections derived verbatim from the Council of Europe’s 1950 European Convention on Human Rights.
32. Tim Crook, *supra* note 30, p. 128.
33. European Convention on Human Rights, Nov. 4, 1950, sec. I, art. 8 (<http://www.hir.org/docs/ECHR50.html>) (last visited July 22, 2019).
34. “The European Court of Human Rights is based in Strasbourg and applies the principles contained in the European Convention on Human Rights. It was set up by the Council of Europe and is not an institution of the EU [European Union].” Tim Crook, *supra* note 30, p. 48.
35. *Ibid.*, p. 277.
36. Case of Hannover v. Germany (Application no. 59320/00 (September 24, 2004).
37. Tim Crook, *supra* note 30, p. 117. 3
37. Samuel D. Warren and Louis D. Brandeis, *The Right to Privacy*, 4 Harv. L. R., pp 193 (1890) (emphasis added).
38. Massachusetts General Laws, ch. 272, § 4.
39. Massachusetts General Laws, ch. 272, § 18.
40. Massachusetts General Laws, ch. 272, § 39.
41. Ruling Case Law: As Developed and Established by the Decisions and Annotations Contained in Lawyers Reports Annotated, American Decisions, American Reports, American State Reports, American and English Annotated Cases, American Annotated Cases, English Ruling Cases, British Ruling Cases, United States Supreme Court Reports, and Other Series of Selected Cases, p. 637 (Rochester, N.Y.: The Lawyers Co-Operative Publishing Company, 1914)(William Mark McKinney and Burdett Alberto-Rich eds.)(vol.1), citing at 637n.9 39 A.S.R. 366, 367n. (<http://books.google.com/books?id=a348AAAAIAAJ&pg=PA637&dq=%22fornication%22>).
42. State v. Seiler, 106 Wis. 346, 351, 82 N.W. 167 (Supreme Court of Wisconsin) (<http://www.google.com/books?id=GdZbAAAAMAAJ>) (last visited July 22, 2019).
43. Henry Campbell Black, Black’s Law Dictionary, p. 1112 (St. Paul: West Publishing Company, 1968) (rev. 4th ed.).

44. Allan Roberts, *Fornication and the Law: An Attorney's Report* (San Diego: Academy Press, 1971).
45. Buffy Spencer, *Former Holyoke Teacher Lisa LaVoie Pleads Guilty to Statutory Rape Charge Involving Student*, pp. 1-2 (The Springfield Republican) (December 15, 2010) (https://www.masslive.com/news/2010/12/former_holyoke_teacher_lisa_la.html) (last visited July 22, 2019).
46. *Ibid.*, p. 2.
47. *Ibid.*
48. Mary Kay Letourneau and Vili Fualaau, *Un Seul Crime, L'Amour* (Paris: Robert Laffont, 1998).
49. Ethan Bordman, *'Son of Sam' Laws: How Much Does Crime Pay?*, Washington Lawyer, May 2011, at pp. 27, 30.
50. Gregg Olsen, *If Loving You Is Wrong. The Shocking True Story of Mary Kay Letourneau*. St. Martin's True Crime, 1999.
51. James Robinson, *The Mary Kay Letourneau Affair: And the Crisis Caused by the Case* (Overland Park, KS: Leathers Publishing Company, 2001). The old story is ever-new. See, e.g., Heather E. Ingram, *Risking It All: My Student, My Lover, My Story* (Vancouver: Greystone Books, 2003) (30-year-old teacher, 17-year-old student).
52. <http://tv.nytimes.com/show/422-47/Boy-Crazy-The-Mary-Kay-Letourneau-u-Story/overview>; Resource and Bibliography on Female Sexual Deviance and Sexually Abusive Behavior 14 (rev. May 2004) (compiled by Alan Listiak) (<https://www.atsa.com/pdfs?FemaleDevianceBiblio.pdf>) (last visited July 22, 2019) (Hereinafter Listiak).
53. <http://www.imdb.com/title/tt0232062/>; Listiak, *supra* note 52, p. 14.
54. <http://television.aol.com/episode/mary-kay-letourneau-forbidden-desire/mugshots/708476>; Listiak, *supra* note 52, p. 14.
55. http://www.courtstv.com/talk/chat_transcript/2001/1113letourneau.html; Listiak, *supra* note 52, at 14.
56. Herman Raucher, *supra* note 11, p. 9.
57. Lock, J.D., *World War II: European* (<http://armyranger.com/2019/05/12/world-war-ii-european/>) (last visited July 22, 2019).
58. Herman Raucher, *supra* note 1, p. 88.
59. *Ibid.*, pp. 88-107.
60. *Ibid.*, pp. 112, 118, 121, 170.
61. *Now, Voyager* (<http://en.wikipedia.org/wiki/Now,-Voyager>) (last visited July 22, 2019).
62. Herman Raucher, *supra* note 1, pp. 112-13.
63. *Casablanca* (film) ([http://en.wikipedia.org/wiki/Casablanca-\(film\)](http://en.wikipedia.org/wiki/Casablanca-(film))).
64. Herman Raucher, *supra* note 1, pp. 57-58. Doolittle indeed is emphasized. *Ibid.*, p. 63.

65. *Ibid.*, p. 11.
66. *Ibid.*, p. 37 (Raucher’s emphasis).
67. *Ibid.*, p. 54.
68. *Now, Voyager*, *supra* note 61.
69. Herman Raucher, *supra* note 1, p. 170.
70. Aleutian Islands Campaign http://en.wikipedia.org/wiki/Aleutian_Islands_campaign (last visited August 8, 2019).
71. *Ibid.*
72. Japanese Occupation of Kiska (http://en.wikipedia.org/wiki/Japanese_Occupation_of_Kiska) (last visited August 8, 2019).
73. *Ibid.*
74. Trivia: *Summer of ’42* (1971) (<http://www.imbd.com/title/tt0067803/trivia>) (last visited July 22, 2019).
75. Eighth Air Force (https://en.wikipedia.org/wiki/Eighth_Air_Force) (last visited July 22, 2019).
76. *Ibid.*
77. *Ibid.*
78. *Ibid.*, p. 4.
79. *The American Invasion: The Story of the Mighty 8th Air Force’s Arrival in Britain*. (2012). Public Broadcasting System (90min.).
80. Boeing B-17 Flying Fortress (<http://www.aviation-history.com/boeing/b17.html>); W.R. Chorley, Royal Air Force Bomber Command Losses of the Second World War: Aircraft and Crew Losses, p. 147.
81. Russian Army Repels Hitler’s Forces August 1942-January 1943, pp.1, 11 (World War II Timeline) (<http://history.howstuffworks.com/world-war-ii/russian-army-repels-hitlers-forces.html/pri>).
82. Eighth Air Force (http://www.worldlingo.com/ma/enwiki/en/Eighth_Air_Force).
83. *Ibid.*
84. Boeing B-17 Flying Fortress, *supra* note 80.
85. Eighth Air Force (Wikipedia), *supra* note 75. "Though Germany still lay ahead, the first tentative essay by the 8th Bomber Command (which with its sister 8th Fighter Command formed an 8thUSAF) occurred on 17 August when twelve aircraft made a daylight attack on the marshaling yards at Rouen." Ronald Levin, *Ultra Goes to War: The First Account of World War II’s Greatest Secret Based on Official Documents*, p. 240 (New York: McGraw-Hill Book Co., 1978).
86. *Tommy* (album) ([https://en.wikipedia.org/wiki/Tommy_\(album\)](https://en.wikipedia.org/wiki/Tommy_(album))) (last visited July 22, 2019).
87. Captain Walker/It’s a Boy Lyrics, page 1 (<https://flashlyricsw.com/lyrics/pete-townshend/captain-walker-its-a-boy-27>) (last visited July 22, 2019).

88. *Tommy* (album), *supra* note 86, citing “Artist Chart History – The Who” (http://www.allmusic.com/artist/p.5822/charts_awards). (http://www.allmusic.com/artist/p.5822/charts_awards). Retrieved 25 Nov. 2009.
89. *Ibid.*, citing abcRIAA (<http://www.riaa.com/goldandplatinumdata.php?table=search>).
90. Judy Garland Database DVD Review: *Love Finds Andy Hardy* (<http://www.jgdb.com/lovedvd1.htm>).
91. Judy Garland Database Film Review: *Andy Hardy Meets Debutante*.
92. *Ibid.*, citing *Time*, June 22, 1940.
93. The Judy Room: *The Andy Hardy Series* (<http://www.thejudyroom.com/>).
94. *Ibid.*, p. 2.
95. Herman Raucher Interview (extended), *supra* note 2, p. 10.
96. *Ibid.*
97. Judy Garland Database Film Review: *For Me and My Gal* (<http://www.jgdb.com/gal.htm>).
98. *Ibid.*, p. 3.
99. *Ibid.*, p. 1.
100. Robert Anderson, *Tea and Sympathy: A Drama in Three Acts* (New York: Samuel French, Inc., 1983).
101. *Tea and Sympathy* ([https://en.wikipedia.org/wiki/Tea_and_Sympathy_\(play\)](https://en.wikipedia.org/wiki/Tea_and_Sympathy_(play))) (last visited August 7, 2019).
102. *Ibid.*
103. *Ibid.*
104. *Tea and Sympathy* (film) ([https://en.wikipedia.org/wiki/Tea_and_Sympathy_\(film\)](https://en.wikipedia.org/wiki/Tea_and_Sympathy_(film))) (last visited August 7, 2019).
105. *Ibid.*
106. Herman Raucher, *supra* note 1, p. 241.
107. *Ibid.*, p. 242 (emphasis in original).
108. See, e.g., Nathaniel Rich, *The Mayor’s Tongue*. Riverhead Trade, 2009.
109. See, e.g., Nathaniel Rich, *San Francisco: The City in Film Noir From 1940 to the Present*: Little Bookroom, 2005).
110. Nathaniel Rich, *The Insane Boys Blew It*, N.Y. Rev. Bks., pp. 30, 30-31, May 26, 2011.
111. *Ibid.*, p. 31.
112. Herman Raucher, *Summer of ’42*. Dell, 1970 (paperback); (http://www.Amazon.com/Summer-42-Herman-Raucher/dp/1300450PIL_O/ref=wikipedia/sr_/_/6?s=bo).
113. *Summer of ’42* (http://en.wikipedia.org/wiki/Summer_of_’42).
114. Herman Raucher, *Summer of ’42* (New York: Putnam Pub. Group (T), 1971) (1st ed.) ISBN 039910770) (hardcover); (<http://www.infibeam.com/Books/summer-42-herman-raucher/978039910.7771.html>).

115. See, e.g., Sean Astin, *There and Back Again: An Actor's Tale*: St. Martin's Griffin, 2005).
116. Coyne Steven Sanders and Tom Gilbert, *Desilu: The Story of Lucille Ball and Desi Arnez*, p. 356: It Books, 2011) (“brief but widely-publicized affair, culminating with the birth of a son”).
117. Kathleen Brady, *Lucille: The Life of Lucille Ball*, p. 315: Billboard Books, 2001). “(...) I was going to divorce him if I couldn’t get an annulment (which I did receive about a year later) (...)” Patty Duke, *Call Me Anna: The Autobiography of Patty Duke*, p. 232 (New York: Bantam Books, 1988).
118. Kathleen Brady, *supra* note 117, p. 314; Patty Duke, *supra* note 117, p. 220 (“I was screwing around with jailbait”).
119. Coyne Steven Sanders and Tom Gilbert, *supra* note 116, p. 315.
120. *Ibid.*
121. *Ibid.*
122. As William Styron appears somewhat to track Raucher's *Summer of '42*, so Raucher's 1971 dual screenplay-novelization appears to have tracked not only Robert Anderson's *Tea and Sympathy* play and filmization, but Eric Segal's 1970 *Love Story* dual screenplay- novelization. This is evidenced in the Styron study which this investigation tracks. George Steven Swan, *supra* note 26, pp. 323-331.
123. See, e.g., *The War of the Worlds: Mars’ Invasion of Earth, Inciting Panic and Inspiring Terror from H.G. Wells to Orson Welles and Beyond*: Sourcebooks; Kathleen Krull and Christopher Santoro, *The Night the Martians Landed: Just the Facts (Plus the Rumors) about Invaders from Mars*: Harper Collins, 2003); Hadley Cantril and Albert Cantril, *The Invasion from Mars: A Study in the Psychology of Panic*: Transaction Publishers, 2005); *Complete War of the Worlds: Mars’ Invasion of Earth from H. G. Wells to Orson Welles*: Diane Publishing Company, 2001) (Brian Holmsten and Alex Lubeertozzi eds.).