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- Cover Story
- Features
- <u>Dispatches</u>
- Culture & Critics
- <u>Departments</u>
- Poetry

Cover Story

• Joan Didion's Magic Trick
What was it that gave her such power? -- Caitlin Flanagan

| Next section | Main menu |



Joan Didion's Magic Trick

Joan Didion's Magic Trick

By Caitlin Flanagan

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"Think of this as a travel piece," she might have written. "Imagine it in *Sunset* magazine: 'Five Great California Stops Along the Joan Didion Trail "

Or think of this as what it really is: a road trip of magical thinking.

I had known that Didion's Parkinson's was advancing; seven or eight months earlier, someone had told me that she was vanishing; someone else had told me that for the past two years, she hadn't been able to speak.

I didn't want her to die. My sense of myself is in many ways wrapped up in the 40 essays in <u>Slouching Towards Bethlehem</u> and <u>The White Album</u>. I don't know how many times I've read <u>Democracy</u>.

"Call me the author," she writes in that novel. "Let the reader be introduced to Joan Didion."

There are people who admire Joan Didion, and people who enjoy reading Joan Didion, and people who think Joan Didion is overrated. But then there are the rest of us. People who can't really explain how those first two collections hit us, or why we can never let them go.

I picked up *Slouching Towards Bethlehem* in 1975, the year I was 14. I had met Didion that spring, although she wasn't famous yet, outside of certain small but powerful circles. She'd been a visiting professor in the Berkeley English department, and my father was the department chair. But I didn't read her until that summer. I was in Ireland, as I always was in the summer, and I was bored out of my mind, as I always was in the summer, and I happened to see a copy of *Slouching Towards Bethlehem* in a Dublin living room. I read that book and something changed inside me, and it has stayed that way for the rest of my life.

Over the previous two years people kept contacting me with reports of her decline. I didn't want to hear reports of her decline. I wanted to hear about the high-ceilinged rooms of the Royal Hawaiian Hotel, and about all the people who came to parties at her house on Franklin Avenue. I wanted to go

with her to pick out a dress for Linda Kasabian, the Manson girl who drove the getaway car the night of the murders. I wanted to spend my days in the house out in Malibu, where the fever broke.

In 1969, Didion wanted to go to Vietnam, but her editor told her that "the guys are going out," and she didn't get to go. When her husband had been at *Time* and asked to go, he was sent at once, and he later wrote about spending five weeks in the whorehouses of Saigon.

Being denied the trip to Vietnam is the only instance I know of that her work was limited by her gender. She fought against the strictures of the time—and the ridiculous fact of being from California, which in the 1950s was like being from Mars, but with surfboards.



Joan Didion on the deck of her Malibu home in 1976 (John Bryson / Getty)

She fought all of that not by changing herself, or by developing some ball-breaking personality. She did it by staying exactly as she was—unsentimental, strong, deeply feminine, and a bit of a seductress—and writing sentence after sentence that cut the great men of New Journalism off at the knees. Those sentences, those first two collections—who could ever compete with them?

Slouching Towards Bethlehem and The White Album created a new vocabulary of essay writing, one whose influence is on display every day of the week in the tide of personal essays published online by young writers. Those collections changed the way many people thought about nonfiction, and even the way they thought about themselves.

A thousand critics have addressed the worthy task of locating the errors of logic in those essays and calling out the various engines that turn the wheels: narcissism, whiteness, wealth. Frustrated by the entire cult of Didion, they've tried to crash it down by making a reasonable case against its foundational texts. God knows, none of that is heavy lifting. Joan Didion: guilty as charged.

But what no one has ever located is what makes so many people feel possessive not just of the stories, but also of their connection to the writer. What is it about these essays that takes so many people hostage?

At a certain point in her decline, I was gingerly asked if I would write an obituary. No, I would not. I was not on that particular train. I was on the train of trying to keep her alive.

I wanted to feel close to her—not to the mega-celebrity, very rich, New York Joan Didion. I wanted to feel close to the girl who came from Nowhere, California (have you ever been to Sacramento?), and blasted herself into the center of everything. I wanted to feel close to the young woman who'd gone to Berkeley, and studied with professors I knew, and relied on them—as I had once relied on them—to show her a path.

The thing to do was get in the car and drive. I would go and find her in the places where she'd lived.

The trip began in my own house in Los Angeles, with me doing something that had never occurred to me before: I Googled the phrase *Joan Didion's house Sacramento*. Even as I did, I felt that it was a mistake, that something as solid and irrefutable as a particular house on a particular street might put a rent in what she would have called "the enchantment under which I've lived my life." What if it was the wrong kind of house? Too late: A color photograph was already blooming on the screen. 2000 22nd Street is a

5,000-square-foot home in a prosperous neighborhood with <u>a wraparound</u> <u>porch and two staircases</u>. The Didions had moved there when Joan was in 11th grade. It was a beautiful house. But it was the wrong kind of house.

The Joan Didion of my imagination didn't come from a wealthy family. How did I miss the fact that what her family loved to talk about most was property—specifically, "land, price per acre and C-2 zoning and assessments and freeway access"? Why didn't I understand the implications of her coming across an aerial photograph of some land her father had once thought of turning into a shopping mall, or of the remark "Later I drive with my father to a ranch he has in the foothills" to talk with "the man who runs his cattle"?

Perhaps because they came after this beautiful line:

On my first morning in Sacramento, there was a cold, spitting rain, and my husband drove me to the grand house on 22nd Street, where people are always dropping by asking to look at "Joan Didion's home." It was the largest house on the block, and it was on a corner lot. ("No magical thinking required," the headline on Realtor.com had said when it was listed for sale in 2018.)

I stood in the rain looking up at the house, and I realized that something was wrong. She had described going home to her parents' house to finish each of her first four novels, working in her old bedroom, which was painted carnation pink and where vines covered the window. But it was hard to imagine vines growing over the upstairs windows of this house; they would have had to climb up two very tall stories and occlude the light in the downstairs rooms as well.

Later, I spoke with one of Didion's relatives, who explained that the family left the house on 22nd Street not long after Joan graduated from high school. The house where she finished her novels, and where she brought her daughter for her first birthday, was in the similarly expensive area of Arden Oaks, but it has been so thoroughly renovated as to be almost unrecognizable to the family members who knew it. In fact, the Didions had owned a series of Sacramento houses. But myths take hold in a powerful

and permanent way, and the big house on 22nd Street is the one readers want to see.

The neighborhood was very pretty, and the gardens were well tended. But Joan Didion wasn't there.

In some ways, Sacramento seemed to me like a Joan Didion theme park. In less time than it takes to walk from Mr. Toad's Wild Ride to the Pirates of the Caribbean, you could get from the Didions' house on 22nd Street to a house they had lived in earlier, on U Street.

We drove around looking at places that I had read about almost all my life. Nothing seemed real, and there was almost no sign that Joan Didion had grown up there. If I lived in Sacramento, I would rename the capitol building for her. I would turn a park into the Joan Didion Garden, with wide pathways covered in pea gravel, as in the Tuileries.

I never imagined that I would see the two governor's mansions she describes in "Many Mansions." The essay contrasts the old governor's mansion—a "large white Victorian gothic"—with the new, 12,000-square-foot one that was to be the Reagans' home, but that was left unfinished after his second term. During this period she loathed the Reagans, but not for political reasons. She hated their taste.

The size of the house was an affront to Didion, as was the fact that it had "no clear view of the river." But above all, she hated the features built into the mansion, things representative of the new, easy "California living" she abhorred. The house had a wet bar in the formal living room, a "refreshment center" in the "recreation room," only enough bookcases "for a set of the World Book and some Books of the Month," and one of those kitchens that seems designed exclusively for microwaving and trash compacting.

She didn't just hate the house; she feared it: "I have seldom seen a house so evocative of the unspeakable," she wrote. (This is why some people hate Joan Didion, and I get it. I get it.)

Then there's the old mansion, which she used to visit "once in a while" during the term of Governor Earl Warren, because she was friends with his daughter Nina. "The old Governor's Mansion was at that time my favorite house in the world," she wrote, "and probably still is."

In the essay, she describes taking a public tour of the old mansion, which was filled with the ghosts of her own past and also the crude realities of the present. The tourists complained about "all those stairs" and "all that wasted space," and apparently they could not imagine why a bathroom might be big enough to have a chair ("to read a story to a child in the bathtub," of course) or why the kitchen would have a table with a marble top (to roll out pastry).

It is one of those essays where Didion instructs you on the right kind of taste to have, and I desperately wanted to agree. But in my teenage heart of hearts, I had to admit that I wanted the house with the rec room. I kept this thought to myself.

When my husband and I arrived at the old governor's mansion, I started laughing. Nobody would want to live there, and certainly nobody in the boundless Googie, car-culture future of 1960s California. (It looked like the *Psycho* house, but with a fresh coat of paint.) That said, we drove over to the house that was originally built for the Reagans and that the state had since sold, and <u>it was a grim site</u>: It looked like the world's largest Taco Bell.

The funny thing about all of this is that at the time Didion wrote that essay, Jerry Brown was the governor of California, and he had no intention of living in any kind of mansion. Instead he rented an apartment and slept on a mattress on the floor, sometimes with his girlfriend, Linda Ronstadt. And—like every California woman with a pulse—Didion adored him.

This is Joan Didion's magic trick: She gets us on the side of "the past" and then reveals that she's fully a creature of the present. The Reagans' trash compactor is unspeakable, but Jerry Brown's mattress is irresistible.

Before we left Sacramento we made a final stop, at C. K. McClatchy Senior High School, Didion's alma mater. There was one thing I wanted to see: a

bronze plaque set into cement at the top of a flight of stairs. I couldn't believe that it hadn't been jackhammered out, but there it was.

These plaques were once all over the state at different civic institutions, and especially in schools. The Native Sons of the Golden West is a still-extant fraternal organization founded to honor the pioneers and prospectors who arrived in California in the middle of the 19th century. The group's president proclaimed in 1920 that "California was given by God to a white people." The organization has since modernized, but you cannot look at the pioneers' achievements without taking into account the genocide of California's actual Native peoples. "Clearing the land" was always a settler's first mission, and it didn't refer to cutting down trees.

People from the East often say that Joan Didion explained California to them. Essays have described her as the state's prophet, its bard, its chronicler. But Didion was a chronicler of *white* California. Her essays are preoccupied with the social distinctions among three waves of white immigration: the pioneers who arrived in the second half of the 19th century; the Okies, who came in the 1930s; and the engineers and businessmen of the postwar aerospace years, who blighted the state with their fast food and their tract housing and their cultural blank slate.

In *Slouching Towards Bethlehem*, there's an essay called "Notes From a Native Daughter"—which is how Joan Didion saw herself. It's generally assumed that she <u>began to grapple with her simplistic view of California history</u> only much later in life, in *Where I Was From*. But in this first collection, she's beginning to wonder how much of her sense of California is shaped by history or legend—<u>by stories</u>, <u>not necessarily accurate</u>, that are passed down through the generations.



Didion in 1943 with her parents and younger brother, James (Courtesy of the estate of Joan Didion)

"I remember running a boxer dog of my brother's over the same flat fields that our great-great-grandfather had found virgin and had planted," she writes. And she describes swimming in the same rivers her family had

swum in for generations: "The Sacramento, so rich with silt that we could barely see our hands a few inches beneath the surface; the American, running clean and fast with melted Sierra snow until July, when it would slow down."

She's writing about a feeling of deep rootedness not just to the land but to the generations of her own family who lived on it. But she already knows that it won't last. "All that is constant about the California of my childhood is the rate at which it disappears," she writes.

When my husband and I had arrived in town, we'd stopped for a cup of coffee at the McDonald's at Old Auburn Road and Sunrise Boulevard. You could see how flat the terrain was and how obviously it had once been ranchland. Who had sold that beautiful land to the McDonald's Corporation? The Didions. Then we went to a clutch of small, unlovely tract houses, and found the street sign I was looking for: Didion Court. The tract houses were there because, according to the author Michelle Chihara, Joan and her family had once again sold a parcel of land.

What happened to the yellow fields and the cottonwoods and the rivers rising and falling? None of my business, I guess.

Sacramento was a bust. I had the feeling that I could stay on the road forever and not understand Joan Didion. But as soon as we got on the freeway, it stopped raining, and after a while there were actual patches of sunshine and dry cement.

In Berkeley, things would begin to look familiar.

I was sitting on the floor of the "television room" in the Tri Delta sorority house on Warring Street in Berkeley. I hadn't been in a sorority house in 40 years, but it all came back to me: the sleepy, underwater feel of the house at midday; the muffled sounds of a meal being prepared in the kitchen; the constant effort to keep a mild depression from growing; and the endless interest in candies and snacks.

The house was large and attractive, dove gray and—like all sorority houses—fortified. A gate, a locked door, a security camera, and a housemother,

busy on the phone. The chapter's president, Grace Naylor, gave me a tour and we chatted with a few girls sitting in the TV room. There was a wide staircase with a landing, perfect for making a dramatic entrance in a new dress or storming upstairs in a fit of anger. The rooms on one side looked out onto pretty Warring Street; the ones on the other side were filled with the view burned into the retinas of everyone who has ever lived in Berkeley: the beautiful campus and campanile, the flatlands, and beyond them the Golden Gate and the bay, the alluring city on the other side.

Naylor told me that until she'd gotten my email, no one had known that Joan Didion had lived in the house, although several members were fans of her writing. How could they possibly not know that, I wondered, and then was faced with the obvious answer: Didion had lived there 70 years ago.

When we sat down in the television room, I suddenly realized that I didn't have a single question I could ask. What is it like to live in a sorority house that you recently discovered Joan Didion once lived in? I was at a loss. But Naylor was the chapter president of a top-tier sorority, and she certainly knew how to organize a house visit.

"All our old scrapbooks are in here," she said, gesturing toward some cupboards, and I glanced at them, suddenly on high alert. Would I like to look through them to see if we could find one from Didion's years in the house?

I thought two things simultaneously: *Eureka!* (which is the California state motto) and *This is the most exciting thing that has ever happened to me*.

The scrapbooks were piled in the cupboards and weren't necessarily in the best condition—what were the chances of finding one from 70 years ago? They were at once just some old scrapbooks of minor sociological interest, and also a slice of Didion's life that the other vultures hadn't yet picked over. Regarding Joan Didion, Tri Delt, I was vulture No. 1.

We started shuffling through the crumbling scrapbooks, and then suddenly the 1954 volume appeared. Because Joan Didion is cool, and because UC Berkeley is cool, many people assume she was in some way part of the revolution. But she arrived at Berkeley a decade too early.

The 1954 scrapbook was a testament to the Tri Delt house being the next right place for a rich girl from Sacramento who had gone to ballet class and Sunday school. It contained a photograph of the winners of a father/daughter look-alike contest, and a press clipping describing "one of the Gayest Parties for the young set," which had taken place "in the Pebble Beach home of Dr. and Mrs. A. Carol McKenny." It also contained so many engagement announcements that marriage seemed to be not just one tacit aim of ballet class, Sunday school, and Tri Delt but the entire point.

Toward the end of the scrapbook and with the vague suggestion that even our tiny, troubled Joan Didion had something of her own to look forward to: a *Daily Cal* clipping announcing that two Berkeley undergrads were headed to New York to take part in the *Mademoiselle* magazine program. Didion's selection for the program revealed, if nothing else, that the people who chose the winners had an uncanny ability to spot early talent, all the way from Sylvia Plath in the '50s to Mona Simpson in the late '70s. The famous era was the 1950s. Girls from around the country were brought to the city of dreams, housed in the Barbizon Hotel, taught about layouts and martinis, and—should the worst happen—given the names of certain Park Avenue doctors.

Didion's editorship took place between her junior and senior years of college; when she returned to Berkeley, she moved out of the Tri Delt house and into an apartment. I didn't have much hope for the little brown-shingled apartment building she had lived in after the Tri Delt house. The house on 22nd Street in Sacramento had been interesting, but cold. The sorority house had presented me with a historically accurate picture, but a remote one.

Yet I pulled open the wooden gate of 2520 Ridge Road and stepped into a little garden that was shaded and filled with dark-green plants—and just like that, her living ghost rushed past me. She lingered for a few moments, and then she left, stepping into the vivid past, wearing her dirty raincoat and heading to the seminar that most freighted and engaged her: the writing class of the great Mark Schorer, whom I knew very well when I was growing up. He was a very kind person and also a peerless literary critic, and he found in Didion's early work evidence not just of a great writer.

"One thinks of the great *performers*—in ballet, opera, circuses," he said. "Miss Didion, it seems to me, is blessed with everything."

And then Berkeley was over, and she headed back to New York because she had won the really big prize in the world of women's magazines: the Prix de Paris at *Vogue*, which led to a job at the magazine. This was a marker of being the right kind of young woman—of having the right family, or the right schools, or the right wardrobe—in New York in the glamorous 1950s.

It had begun.

Joan Didion's greatest essay is "Goodbye to All That." It's about the excitement and intoxication of being young in New York, from the moment she got off the plane "and some instinct, programmed by all the movies I had ever seen and all the songs I had ever heard sung and all the stories I had ever read about New York, informed me that it would never be quite the same again. In fact it never was."

She had "come out of the West and reached the mirage," and the epigraph to the essay is part of an old nursery rhyme:

For years it was known as the greatest leaving—New York essay of all time. It's about the revolving door, the way you can arrive there young, innocent, and new, but the very process of adapting to the city will coarsen and age you.

In 1996, a writer for *New York* magazine revealed something that had been carefully protected from the press, and that gives the essay a completely different meaning: What's tearing her apart is a love affair that has ended. With that reading, you understand the essay's insistently romantic tones: She can no longer bear to look at blue-and-white-striped sheets, to smell certain perfumes or Henri Bendel jasmine soap. "I cut myself off from the one person who was closer to me than any other," she wrote.

Soon after coming to the city, she had fallen for a figure on the New York literary scene, Noel Parmentel, a southerner who attended several parties a night, where he was famous for getting drunk, insulting hostesses and guests, and letting loose with ethnic slurs. The heart wants what it wants.

In 2014, Parmentel agreed to be interviewed about the relationship by Tracy Daugherty, who wrote the indispensable biography of Didion, *The Last Love Song*. "She was better than all of them," Parmentel said of the *Vogue* editors. "Far above those people in every way." A lot of her colleagues at *Vogue* were jealous of her, he said: "This little nobody from Sacramento shows up in her little dresses and outshines them all. She's smarter. Mannered. Better-bred."

He helped her sell her first novel, which was in part dedicated to him, and which has an epigraph from the Robert Lowell poem "Man and Wife." He would call her service and leave long messages; he would insult her, forget about her, reappear—but he wouldn't marry her.

"This is the guy you ought to marry," he famously told her about his mentee John Gregory Dunne. And—after visiting Dunne's family home and noting the orderliness of its routines and the impeccable way that his mother kept house—she did.

The marriage "was a very good thing to do but badly timed," Didion wrote. She was emotionally devastated, she didn't know what to do with herself, and one night she and John ended up getting ferociously drunk at a party. They went to a diner for breakfast, and she cried. Later that day, he called her from his office at *Time* and asked her, "Do you mind if I quit?" She said no, and soon they were in California for a six-month trial that lasted 24 years.

How many miles to Babylon? One and a half, as it turned out, but I didn't know it yet.

I moved to Los Angeles in 1988 with a new job, a first husband, my Joan Didion books, and the gray-and-pink jersey dress I'd worn to my rehearsal dinner. Every day I drove through Hollywood on my way to the Valley, and I'd cross Franklin and think to myself, *That must be the same Franklin Avenue that Joan Didion lived on*.

I never went looking for the house, because Didion had explained in *The White Album* that it had been slated for demolition: "The owners were only

waiting for a zoning change to tear the house down and build a high-rise apartment building."

Once, it had been the most happening place in a certain world, the absolute crossroads of thrilling, louche Hollywood and the crackling world of ideas that were pouring in from the East.

Franklin Avenue Joan Didion is the one we all fell in love with. In that house she became the woman who walked barefoot on hardwood floors and onto airplanes, and went to the supermarket wearing a bikini. She's the reason so many readers misunderstood the obvious fact of her conservatism—because she was cool. (How conservative? Throughout the '60s she was famous for telling Hollywood friends that if she could she would vote for Barry Goldwater over and over again.)

She's the one who paid the babysitter who told her she had death in her aura, then opened the French doors and went to sleep in the dark of a "senseless-killing neighborhood." This is the Joan Didion who invented Los Angeles in the '60s as an expression of paranoia, danger, drugs, and the movie business. The Joan Didion who took amphetamines to work and bourbon to relax, the tiny girl who was entirely in command of the helpless ardor she inspired.

The parties. How to account for what a huge hit the couple were almost as soon as they got to Hollywood? And also, how to account for Joan Didion, one of the century's greatest prose stylists, doing all of that cooking, while being pestered by Nora Ephron for her Mexican-chicken recipe, keeping in mind the eccentric drinks orders of various rock-and-roll people (brandy and Benedictine for Janis Joplin), and clearing the drug takers from the landing outside her daughter's bedroom?

Those parties were something to see. But in 1979, Didion published *The White Album* and revealed that this period had been the hardest time in her life. In the opening pages of that collection, she reproduces part of her psychiatrist's report, which caused a sensation; it was an advertisement for whichever idea you had of Joan Didion, either that she was bravely exposing what others might work hard to conceal, or that she was an exhibitionist.

In the report, she is said to have an "increasing inability of the ego to mediate the world of reality and to cope with normal stress," and a "fundamentally pessimistic, fatalistic, and depressive view of the world around her. It is as though she feels deeply that all human effort is foredoomed to failure." She is, the report reveals, being pushed "further into a dependent, passive withdrawal."

Didion writes that things she had been taught all her life no longer seemed to apply, that the script for how she had been raised to lead her life was never meant to be improvised on. "It was hard to even get my attention," she says; her mind was on other things.

It was also in this place—and in this heavy weather—that she raised her only child, Quintana, from infancy through age 5. The couple had adopted the little girl a few days after her birth at Saint John's Hospital in Santa Monica, and she appears throughout these essays as a dream, a perfect child, almost as an abstraction. Her name alone—Quintana Roo, the name of a Mexican state—seemed to me, at 14, the perfect name for a baby: unique, mysterious, feminine. The kind of name a girl would give to a doll.

What really happened during those years? There is no reason, now, not to ask.

"We are here on this island in the middle of the Pacific in lieu of filing for divorce."

Everyone who loves Joan Didion remembers that sentence—the shock of it, the need to race back up to the top of the essay to see if you'd missed something. "I had better tell you where I am, and why," that essay, "In the Islands," begins. She's at the Royal Hawaiian Hotel in a high-ceilinged room, the trade winds making the long, translucent curtains billow. She's with her husband and 3-year-old Quintana, "blond and barefoot, a child of paradise in a frangipani lei."

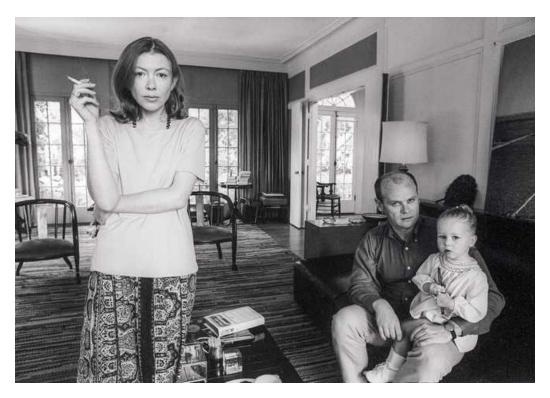
But Didion hasn't gone to Honolulu merely for the flowers or the trade winds. She is there "trying to put my life back together."

When I first read *The White Album*, I was in my bedroom in my parents' house and it was the deep middle of the night, and there it was, this flaming arrow. What could I do? Reach for my cellphone and type *Did Joan Didion get divorced?* There were no cellphones then. Reading, in those days, was just you and the writer, and all she had to reel you in with was a line of words. When I fell in love with Joan Didion, it was just the two of us and all of those electric sentences, and that was enough.

Everyone remembers that line about divorce, but no one seems to remember a different and perhaps more consequential line that appears later. She reports that during that week in Honolulu, husband and wife were considerate of each other, and no mention was made of "kicked-down doors, hospitalized psychotics, any chronic anxieties or packed suitcases."

Kicked-down doors?

We all know about the famous and in many ways marvelous (in the sense of the miraculous, the supernatural) marriage of Joan Didion and John Gregory Dunne. We know about it from *The Year of Magical Thinking* and from countless interviews and profiles and perhaps from personal experience. We know that their lives and writing careers were so deeply intertwined that they were rarely apart. They kept to a daily schedule that was like a dream writing life, each writing in the morning, then breaking for lunch; each returning to work until the early evening, when they had drinks and dinner together. If Joan went to get her teeth cleaned, John read the newspapers in the waiting room.



Didion, John Gregory Dunne, and Quintana Roo Dunne at their Franklin Avenue home in 1968 (Julian Wasser)

Dunne was fantastic company; he loved gossip and he always had A-plus intel. Calvin Trillin wrote a novel, *Floater*, in which a character is based on Dunne. When they both worked at *Time*, Dunne was forever coming into Trillin's office, dramatically holding up his hand, and saying, "*This* you will not believe." The Didion-Dunnes' marriage was one long conversation between two writers completely in sync about their beliefs on writing and always interested in what the other had to say.

But Dunne also had a legendary and vicious temper, and he was an incredibly mean drunk. Even his pals reported as much, because it would be impossible to assess the man without admitting to these central facts of his nature. They had read about the kicked-down doors, and many who were close to the couple had witnessed more examples of his rage.

Susanna Moore, who was the couple's close friend and lived with them for a while on Franklin Avenue, writes in her memoir, *Miss Aluminum*, that there was "love between them, and respect." But she adds that Joan "was also afraid of him, given the violence of his temper."

Moore recounts a time when she was out to dinner with the couple, and she mentioned a bit of gossip she'd heard: There was talk in town that Jann Wenner was gay. Dunne exploded in rage, and took after her in such a manner that he had to excuse himself from the table. As he walked away, Moore started to get out of her chair. "Joan grabbed my arm and begged me to stay, making me promise that I would not leave her alone with him."

There weren't words in those days for how a man's rage could shape the life of a woman who lived with him, but we have one now: *abuse*.

Didion never spoke openly about Dunne's rage until near the end of her life. In 2017 her nephew, Griffin Dunne, made a documentary about his aunt, *The Center Will Not Hold*, which is full of photographs and family memories. As far as I know, the interviews she gave him are, poignantly, her last statements to the public.

At one point, she's talking about marrying Dunne and the idea of falling in love, and she almost flinches. "I don't know what falling in love means. It's not part of my world."

Later, she adds: "He had a temper. A horrible temper."

What would set him off? Griffin asks.

"Everything would set him off."

Someone recently told me that the house on Franklin was, in fact, still there—and when I thought about it, I remembered that at the very end of the street, the apartments give way to rambling 1920s houses. That's where she lived.

I drove west on Franklin until I got to Camino Palmero, where the zoning changes. I parked down the street from the house, realizing I'd been walking right past it for 30 years. With each step closer, I felt more emotional. And there it was, in better shape than when Didion had lived in it, the cracked front path now covered in smooth pavement, the house freshly painted white, the lawn in perfect condition. It's a healing center now, for a new-age spiritual group.

I stood looking at it as though I had found the way to Manderley, as though it were possible to take something out of the dream of reading and into the bricks and mortar of the other thing. Life. The tall French doors looked into the living room where there had been so many parties, the doors Joan had opened before going to sleep.

The house on Franklin was the only one that brought tears to my eyes. But of course they were tears for myself, not her. When she was in New York, there was a song on all the jukeboxes: "But where is the schoolgirl who used to be me?"

Gone, gone, gone.

When Joan Didion was living in Malibu, she learned that in one of the canyons there was a nursery that grew only orchids, and she began to visit it. Even as a child she had loved greenhouses; once she was informed that the purchase of a five-cent pansy did not entitle her to "spend the day."

The orchid nursery was owned by the Hollywood producer Arthur Freed and his brother Hugo, but it was in the care of Amado Vazquez, a gentle and courtly person, transmitting, "in his every movement, a kind of 'different' propriety, a correctness, a cultural reserve." She spent hours in those greenhouses filled with "the most aqueous filtered light, the softest tropical air, the most silent clouds of flowers." Vazquez seemed to assume she had her own reasons for being there, and he would speak only to offer her "a nut he had just cracked, or a flower cut from a plant he was pruning."

This was before orchids were widely cloned, imported by the millions, and sold in Walmart and Trader Joe's. This was when orchids were rare, expensive, often propagated by hand. And, as Didion eventually realized, Vazquez was "one of a handful of truly great orchid breeders in the world."



Quintana Roo, having tea with her stuffed animals on the terrace of her family's home in Malibu in 1972 (Henry Clarke / Condé Nast / Shutterstock)

Didion learned how to read the labels of the hybrids he was growing, two orchids cross-pollinated and resulting—with luck, and after four years—in a new variety: Amabilis x Rimestadiana = Elisabethae. Eventually, she learned that the orchids there were worth "ten thousand to more than three-quarters of a million dollars," and occasionally she would watch "serious men in dark suits" come to talk with Hugo, their voices hushed, "as if they had come to inspect medieval enamels, or uncut diamonds."

The passage about the nursery comprises some of the final pages of *The White Album*, and I have thought about it so many times. From the tumult of *Slouching Towards Bethlehem* and the near divorce to the danger of living in the "senseless-killing neighborhood" in a rented house slated for destruction—after all of that, she wants us to know, she had gotten to safety.

After seven years in Malibu, and very much against her own desires, she and Dunne moved to Brentwood—carefully groomed, hugely expensive, and with easy access to the best private schools—which was the beginning of the end of my great interest in her.

But in Malibu there was the house, and the crashing ocean, and Quintana was a little girl in elementary school, whose troubles had yet to emerge. Of all the things receding from Didion, Quintana was always the most urgent. Didion wrote two novels—*A Book of Common Prayer* and *Democracy*—about a daughter leaving her mother.

A few months after Didion and her family moved away, the notorious Agoura-Malibu firestorm roared through the canyons. Birds exploded in midair; more than 200 houses were destroyed; people waited on the beach to be rescued, because nowhere else was safe.

Shortly before the fire, Amado Vazquez had saved enough money to buy out the Freed brothers, and now the greenhouses were destroyed. He and Didion stood in the ruins, almost in tears. Years of his work destroyed, a fortune in stud plants.

One winter day, my husband and I made good time up the Pacific Coast Highway to Joan's house. It had 132 private stairs down to the beach, and a long driveway. From the street, all you could see was the house number, 33428, on a simple, weathered sign. It wasn't the kind of sign you associate with Malibu; it was the kind you associate with Stinson Beach or any of the other Northern California beaches where underplaying your hand is the thing to do, and putting your house number on a piece of driftwood nailed to the fence is the right way to do it. The setting was perfect. But the old house that she loved so much was gone, replaced with the modern one that's there now.





Top: Joan Didion's Malibu living room in 1972. Bottom: Didion with her family in Malibu in 1976. (Henry Clarke / Condé Nast / Shutterstock; John Bryson / Getty)

The Didion-Dunnes would sometimes drive over the Ventura County line to eat fried fish. We did the same, eating in the huge open-air dining room at Neptune's Net—established in 1956—and feeling very cheerful. That's the thing about marriage: You can go for two whole weeks thinking, *That's it, we've gotten to the very bottom of things to talk about*, but then you go for a drive on a sunny day and there you are, same as you ever were.

I hadn't looked up the house on Franklin Avenue, because I thought it had been destroyed, and I had never looked up Vazquez's nursery, because how could he have ever rebuilt it? But a few days before heading up the coast, I looked up the name—Zuma Orchids—and found it, about a mile up Zuma Canyon from the beach.

When I was young, I was so troubled for so long. My mind would rage beyond my control, and many times I would think of those trembling clouds of blossoms and that soft tropical air and wish I could go there, and now here I was, driving down a canyon road, all but deserted—and there it was.

I almost wanted to turn around. I realized—perhaps the lesson of the whole excursion—that I didn't want these places to be real, because they lived so vividly in my mind. But I stepped through the greenhouse door and landed in Oz: more color and beauty than I could take in. An extremely kind man —Oliverio Alvarado—chatted with us. He had worked with Vazquez, who had died about a decade ago, and he welcomed us to look at the flowers. There were some of the common moth orchids, but there were other orchids, some so delicate and unusual that they lifted the flowers entirely out of the realm of Walmart and Trader Joe's and once again elevated them to something precious and rare.

My husband picked out a few plants, and I worried that they would cost \$10,000, but they didn't. They were beautiful orchids, not stud plants. At one point Alvarado asked us how we had heard of the nursery—he must have seen something of the reverence I had for the plants, my sense of wonder.

I said that I had read about the nursery in a book by Joan Didion.

"Oh yes," he said, brightening. "Amado made a hybrid for her."

For a moment everyone was alive—Amado and also Joan and John and Quintana. But they're all gone, of course. The difficult husband she adored, the difficult daughter she shaped her life around, and then Joan herself.

When I looked for the Joan Didion orchid, I couldn't find it. But then I realized that I'd been looking for the wrong name.

"When John Wayne rode through my childhood, and perhaps through yours," Joan Didion wrote in *Slouching Towards Bethlehem*, "he determined forever the shape of certain of our dreams."

The only John Wayne movie I've ever seen all the way through is *The Searchers*. But when Didion walked through the front door of my parents' house when I was 14 years old, that's what she did for me. She was a hot stock rising and I was a young girl falling, and she broke my fall.

She was in Berkeley as a Regents' Lecturer, and because my father was then the chair of the English department, he was sort of serving as her host. She came to our house for dinner, and she hardly said a word. But a week or so later, when my father said, "There's something *weird* going on with Joan Didion and women," that got my attention. Apparently, her office hours—usually the most monastic of an academic's life—were being mobbed. Not just by students; by women from the Bay Area who had heard she was there and just wanted to see her. All of these women felt that *Slouching Towards Bethlehem* had changed them.

It wasn't a book that was supposed to change anyone. Not only because that was by no means Joan Didion's intent, but also because—look at the subjects. How can an essay about Alcatraz (as an attractive, mostly deserted place, not as a statement on either incarceration or the land theft perpetrated against California's Indian tribes); an essay about a baby's first birthday party; a forensic investigation of the marital tensions that led Lucille Miller to kill her husband—how can all of those add up to something lifechanging?

Because in 1968, here was a book that said that even a troubled woman, or a heartbroken woman, or a frightened woman could be a very powerful person. In "Why I Write"—which was, in fact, the Regents' Lecture—she famously described writing as an act of aggression, in which a writer takes control of a reader and imposes her own opinions, beliefs, and attitudes on that reader. A woman could be a hostage-taker, and what she held you hostage to were both shocking public events and some of the most interior and delicate thoughts a woman can have. This woman with the vanda orchid in her hair and her frequent states of incapacitation could put almost anyone under her power.

I had no power growing up, but I did have books and ideas, and I could be funny. I know I could have ended up being a magazine writer without ever having that chance experience. But what Joan Didion taught me was that it didn't matter that I had such a messy, unenviable life—I could sit down, all alone, and write enough drafts to figure out what I thought about something and then punch it out into the culture.

Two years after her lecture, Mark Schorer died, and the year after that, my parents sold the house we lived in on Bret Harte Road. For reasons I don't know, the current owner has allowed the house to return to nature. My mother's flower beds are gone, and the lemon and lime trees, and the two glazed ceramic pots on either side of the front door that were always filled with flowers. Over the years, it's been returning to the ground at the same rate I seem to be. When I was in Berkeley this fall, I only slowed down when I drove past it, because everyone was inside—Mark and my parents and so many of the professors who were in many ways my own professors. The only people who weren't in there were my sister and me. The Flanagan girls—somehow the point of the whole thing.

I didn't cry the day in December I learned <u>Joan Didion had died</u>, because I'd been told by so many people that it was going to happen soon. But I realized that in some part of my mind, I thought she'd pull it off, that she'd show illness and death a thing or two.

A couple of months later, during one of my endless Google searches, I came across one of those companies that track down addresses and phone numbers and public records. "We found Joan Didion!" it said, and offered to provide access to her cellphone number, address, email, and even "more!"

And for some reason, that was when I finally cut my losses.

I hadn't gone looking for the actual Joan Didion or your Joan Didion or even "the reader's" Joan Didion. I went looking for the Joan Didion who was partly a historical figure, and partly a great writer, and partly a fiction of my own design. And she lives right where she always has.

This article appears in the <u>June 2022</u> print edition with the headline "Chasing Joan Didion." When you buy a book using a link on this page, we receive a commission. Thank you for supporting The Atlantic.

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Features

• <u>Did James Parsons Kill His Wife?</u>
A bloodstain expert's testimony helped put him in prison. But can forensic science be trusted?

-- Barbara Bradley Hagerty

| Next section | Main menu | Previous section |



Did James Parsons Kill His Wife?

Can Forensic Science Be Trusted?

By Barbara Bradley Hagerty

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On February 12, 1981, 16-year-old Sherry Parsons returned home from high school in the small town of Norwalk, Ohio, and found a strangely quiet house. She called out for her mother, Barbara; hearing no response, she climbed the stairs and walked into her parents' bedroom. "Then my eyes focused on the blood on the bed," she recalled when I spoke with her recently. "I saw my mother on the floor, bludgeoned to death. I dropped my schoolbooks and started screaming."

Blood soaked her mother's nightgown and the bedsheets, and covered the walls and the ceiling. The police in Norwalk interviewed James Parsons, Barbara's husband and Sherry's father. There had been marital problems, but Parsons had a strong alibi: He had picked up breakfast at a coffee shop

on the way to work at his auto-repair shop, where he saw customers throughout the morning. Police did not seriously investigate any other suspects.

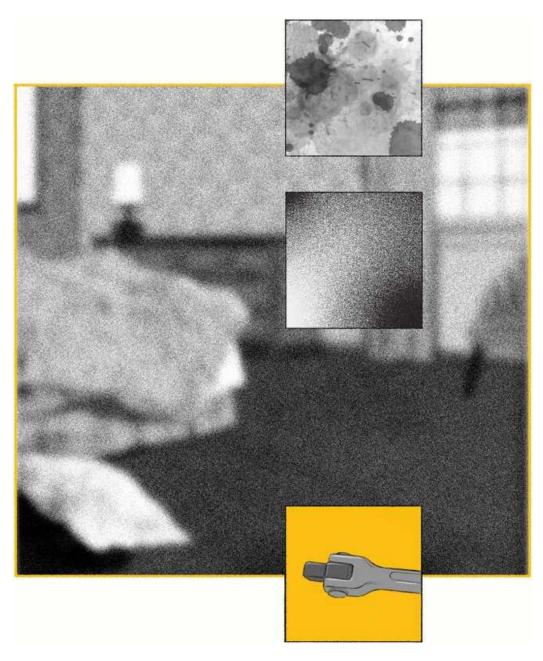
The case was cold for about a decade, until Sergeant Mike White, in Norwalk, began looking into the murder. White wondered if he could connect the bedsheets to what he believed might have been the murder weapon: a Craftsman breaker bar—a heavy tool with a long handle, used to unscrew tight bolts—that had been found in a car that James Parsons had once owned. White approached the Cuyahoga County coroner's office, in Cleveland. The technicians there examined the bedsheets and the tool, which had no traces of blood on it, and said they could not conclusively rule out the breaker bar as the murder weapon or connect it to the crime.

White then brought the matter to the Ohio Bureau of Criminal Investigation, where the case was assigned to a forensic scientist named G. Michele Yezzo, a bloodstain specialist. Yezzo proved to be more helpful. She believed she could make out a letter N, consistent with the appearance of the same letter in the word *Craftsman* on the breaker bar, imprinted on a bedsheet. She also believed that some stains on the victim's nightgown which are not easy to decipher—appeared to be similar in shape to the head area of the bar. She sprayed a chemical on the bedsheet and the nightgown to enhance the stains and raise any other impressions. As she watched, more detail emerged. She later testified that she was able to see "individualizing" characteristics"—marks seemingly unique to that breaker bar—on the nightgown. She also testified that the letter S rose to the surface of the bedsheet—likewise consistent with the appearance of that letter in the word Craftsman. But Yezzo failed to photograph the newly visible image, and it faded. Moreover, the chemical process used to bring out the bloodstain markings—all of them, on both the bedsheet and the nightgown—made replication by the defense impossible. When asked, years later, why she had failed to photograph what she said she'd seen on the enhanced bedsheet, Yezzo replied, "This is one time that I didn't manage to get it soon enough." She added: "Operator error."

In 1993, 12 years after the crime, James Parsons was indicted for the murder of his wife. The largely circumstantial case rested in no small part

on G. Michele Yezzo—that is, on her credibility as an expert, including her unverifiable memory of what she may have seen when she conducted her experiment. Yezzo's testimony provided a crucial physical link between Parsons and the crime. At trial, Yezzo acknowledged that other Craftsman tools—of which there are millions—were imprinted with the same logo. "I want to see more to be able to say it's that bar, absolutely, to the exclusion of all others," she said. But, she testified, "my opinion is that there is nothing that makes it inconsistent with this bar."

If you are a semanticist, parsing carefully, those words mean little. In court, they can come across as definitive: Nothing rules out the possibility. The words were deployed as definitive by prosecutors—"the evidence is uncontroverted by the scientist, totally uncontroverted"—and understood that way by the jury. Parsons was found guilty and given a prison term of 15 years to life. Michael Donnelly, now a justice on the Ohio Supreme Court, did not preside over this case, but he has had ample exposure to the use of forensic evidence. "As a trial judge," he told me, "I sat there for 14 years. And when forensics experts testified, the jury hung on their every word."



James Parsons was found guilty of murdering his wife based in part on bloodstain evidence that prosecutors said connected the crime to a Craftsman

br/>
tool. (Illustration by Isabel Seliger. Source: Sepia)

Two decades later, in 2013, the Ohio Innocence Project decided to look into the case. Parsons was still in prison. Because his conviction rested substantially on Yezzo's testimony, the Innocence Project requested her personnel file from the Bureau of Criminal Investigation. "It was really just a Hail Mary," Donald Caster, a professor at the University of Cincinnati College of Law and a staff attorney at the Ohio Innocence Project, told me

recently. The legal team, he said, had noticed "squirrelly things" in a couple of other Yezzo cases. In early 2015, the Innocence Project received the bureau's personnel file—all 449 pages of it. "People just don't have personnel files that are hundreds of pages long," Caster noted. "It's not really a thing."

The allegations in the personnel file detailed a long, acrimonious history. Among them: Yezzo had threatened to kill her co-workers, had threatened to kill herself, had threatened to bring a gun to work, had hurled a property-room key attached to a six-inch metal plate at a colleague, and had used a racial slur to describe a Black co-worker. With respect to her scientific analysis: "Her findings and conclusions regarding evidence may be suspect," Daniel Chilton, the assistant superintendent of the Bureau of Criminal Investigation, had written in a memo to his boss in May 1989. "She will stretch the truth to satisfy a department." Another note, written a few days before she was to testify in the Parsons trial, stated that Yezzo had a "reputation of giving dept. answer [it] wants if [you] stroke her." In the same documents, analysts reworking some of Yezzo's cases questioned her conclusions on a blood analysis and a partial-footprint analysis.

In <u>an article about the personnel file that appeared in *The Columbus* <u>Dispatch</u> in 2016, Yezzo denied using a racial slur. She acknowledged problems with her behavior, citing personal pressures and overwork, but stated that her performance on the job had been unaffected.</u>

The Bureau of Criminal Investigation documents revealed a suspicious timeline. Because of the allegations about her workplace behavior, Yezzo had been put on administrative leave two months before the Parsons trial. But her testimony was going to be needed. Yezzo was reinstated shortly before the trial. Parsons's attorney was never told about the administrative leave or the bureau's concern that her analyses might tilt in a single direction: toward law enforcement. "She should have never even testified," Sherry Parsons told me. "But they got her to come back the day of the trial."

In April 2016, after being presented with the new findings, an Ohio judge <u>vacated Parsons's conviction</u>—not on the grounds that Yezzo's analysis had been explicitly discredited but because the state had not revealed what it

knew about possible bias. "This evidence could have been very useful to the defense in its cross-examination of Ms. Yezzo," Judge Thomas Pokorny observed in an opinion from the bench. "Ultimately, these failures undermined his right to a fair trial." He declared the guilty verdict "unworthy of confidence." Parsons was released 23 years after his conviction, a fragile man suffering from heart disease, cancer, and dementia. He died 10 months later, at age 79. Sherry Parsons and her sister have now brought a civil suit against Yezzo, alleging that she violated James Parsons's civil rights by fabricating evidence and withholding information about her administrative leave. (In a court filing in March, Yezzo denied these allegations. The case is ongoing.)

Forensic science, which drives the plots of movies and television shows, is accorded great respect by the public. And in the proper hands, it can provide persuasive insight. But in the wrong hands, it can trap innocent people in a vise of seeming inerrancy—and it has done so far too often. What's more, although some forensic disciplines, such as DNA analysis, are reliable, others have been shown to have serious limitations.

A number of cases involving G. Michele Yezzo's work in Ohio offer an entry point into the subject. I have read thousands of pages of court and other documents related to Yezzo's career. Her alleged professional and personal shortcomings are a matter of record. That said, it is important to be clear about what she does and does not represent.

Yezzo is not like Annie Dookhan, a chemist in a Massachusetts crime laboratory who boosted her productivity by falsifying reports and by "dry labbing"—that is, reporting results without actually conducting any tests. At one trial, <u>Dookhan testified that</u> the substance a man had been caught with was crack cocaine when it in fact was a piece of peanut. The man served 15 months. Massachusetts has <u>dismissed convictions in more than 20,000 cases</u> <u>Dookhan was involved in</u>.

Nor is Yezzo like Michael West, a forensic odontologist who claimed that he could identify bite marks on a victim and then match those marks to a specific person. In their book, *The Cadaver King and the Country Dentist*, Radley Balko and Tucker Carrington recount how, in a videotaped autopsy of a 23-month-old girl, West was seen pressing a dental mold that he had

made of a suspect into the toddler's cheek, elbow, and arm. (West has called allegations that he was tampering with evidence "a damn lie.")

The deeper issue with forensic science lies not in malfeasance or corruption—or utter incompetence—but in the gray area where Yezzo can be found. Her alleged personal problems are unusual: Only because of them did the details of her long career come to light. And yet the career itself is not as unusual as one might wish. It highlights how tenuous many forensic findings can be; how easy it is for prosecutors to make them appear solid to a jury; how closely some analysts work with law-enforcement colleagues, to the point of alignment; how rarely an analyst's skills are called into question in court; and how seldom the performance of crime labs is subjected to any true oversight. All of this combines to create a dangerous prosecutorial weapon.

Brandon Garrett, a professor at Duke University's law school and the author of <u>Autopsy of a Crime Lab</u>, told me recently that when he examined the forensic testimony in hundreds of wrongful convictions, he found "a blizzard of error." To take a single metric: More than half of those exonerated by post-conviction DNA testing had been wrongly convicted based on flawed forensic evidence.

When asked to explain why forensics goes wrong, critics cite three factors. First, some commonly used forensic methods have not been rigorously evaluated; their validity has not been established. Second, the overwhelming majority of crime labs are not independent but tucked into police departments or state law-enforcement agencies. They depend on law enforcement for funding and operate under ever-present financial and psychological pressure to collaborate in securing convictions. Third, no one from the outside is rigorously checking the work done by forensic analysts, who may or may not have adequate scientific training. Many labs participate in voluntary accreditation programs, but, Garrett noted, accreditation largely focuses on having the right procedures spelled out on paper; proficiency tests given to lab analysts are extremely easy. Only in a few states are the regulations and controls that govern clinical labs and hospitals extended to crime labs as well. The quality of the work done in crime labs is almost never audited

Even the best forensic scientists can fall prey to unintentional bias. A case widely cited by criminal-justice experts involved the FBI. In 2004, a series of explosions tore apart four trains in Madrid, killing nearly 200 people. The bombing was the work, it was believed, of Islamist terrorists. The Spanish National Police recovered a partial, smudged fingerprint on a bag of detonators and asked the FBI to analyze it. "Partials" are not ironclad and leave considerable room for interpretation. The FBI's fingerprint database offered up 20 possible matches. An FBI examiner found minutiae in the fingerprint that led him to identify a U.S. citizen named Brandon Mayfield as the man who had touched the detonator bag. After reviewing the comparison, two other examiners agreed with this analysis. The FBI launched an investigation into Mayfield and learned that he was a lawyer in Oregon who had converted to Islam and once represented a Muslim man (in a child-custody case) who was later convicted of terrorism. Mayfield was soon in custody. The Spanish police never agreed with the FBI analysis, but their arguments initially went nowhere; ultimately the Spanish identified the print as belonging to an Algerian national. Two weeks after bringing Mayfield in, the FBI admitted its error and released him; the federal government later paid Mayfield \$2 million in a settlement. A 2006 <u>Inspector General report</u> acknowledged that Mayfield's background likely contributed to the FBI's failure to reconsider its position after "legitimate questions" were raised.

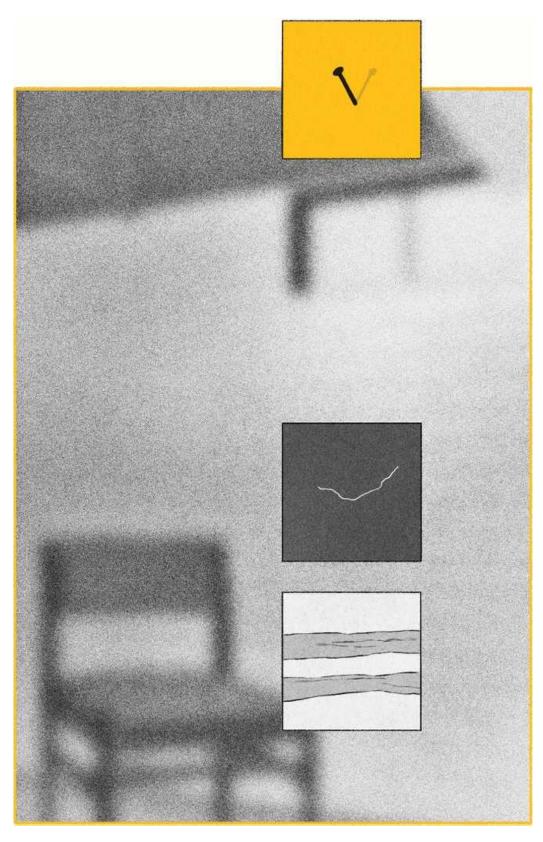
Study after study has demonstrated the power of cognitive bias. Itiel Dror, a cognitive neuroscientist at University College London, found that forensic examiners analyzing a DNA mixture in a gang-rape case were <u>far more likely to discern a possible link to a specific individual if they had already been told that the individual was a suspect</u>. In a recent study, forensic anthropologists were also far more likely to wrongly conclude that a femur came from a female when they were shown staged images of a recovery scene containing a bra.

Cognitive bias can of course affect anyone, in any circumstance—but it is particularly dangerous in a criminal-justice system where forensic scientists have wide latitude as well as some incentive to support the views of prosecutors and the police.

Timothy Howard's account of what happened on the morning of April 1, 2006, seemed straightforward. He had found his wife, Delilah, hanging from the belt of her pink terry-cloth bathrobe in the basement of their home in Franklin County, Ohio. Howard, a 44-year-old house painter, said that he'd cut Delilah down. He'd called 911. He'd performed CPR. But she was gone. After the police arrived, he'd gathered his three children—two daughters, 18 and 22, and a son, 11—and they'd settled in a bedroom. "One of the kids was looking on the dresser and found there was four notes, one to me and one to each of the three kids," Howard told me recently at the public defender's office in Columbus. "And they explained that she was sorry, but she can't—couldn't—go on."

The marriage was strained, but Howard had no record of violence—indeed, no police record of any kind—and his wife had a history of depression. She had tried to commit suicide twice before. Nevertheless, Howard was charged with murder. Prosecutors alleged that Howard had strangled his wife with her bathrobe belt and staged the death as a suicide, advancing a bizarre theory that he had planted notes that Delilah had written in a previous suicide attempt.

Howard's trial, in 2008, quickly turned into a battle of the experts. The state's witness from the coroner's office—not yet board-certified—concluded that Delilah had died from ligature strangulation. She ruled the death a homicide. Howard's lawyers presented their own pathologist, who testified that the angle of the marks on her neck pointed to a classic hanging injury. The state presented an expert who insisted that Delilah weighed too much for a nail to hold. A defense expert disagreed.



Timothy Howard said he found his wife, Delilah, hanging from the belt of her bathrobe in their basement. He was later convicted of murder in a case that involved fiber evidence. (Illustration by

When G. Michele Yezzo, from the Bureau of Criminal Investigation, was called to the stand, she focused tightly on the fiber evidence. Yezzo explained that she had examined the "tape lifts" that had picked up debris on three nails near the spot where Howard said he'd found Delilah hanging. The tape lifts "failed to reveal any fiber samples that were consistent with the belt" from the robe. The prosecutor went over the point again, more bluntly this time, asking Yezzo to confirm that she had not found "any fibers." She answered, "That is correct." Howard's defense relied in part on connecting the belt with a nail. Yezzo's assessment was therefore crucial. "It's easy to see how that testimony could have essentially been the tiebreaker," Joanna Sanchez, the director of the Ohio public defender's Wrongful Conviction Project, told me, "and pushed the jury to think, *Okay, the physical evidence isn't matching up with what he said.*" Howard was convicted and given a prison term of 23 years to life.

In 2011, Sanchez began looking into Howard's conviction. After agreeing to handle his case, she filed numerous public-records requests. Among the documents she received were Yezzo's handwritten notes about her investigation. The notes indicated the presence of "no fine pink fibers"—as she had testified—but there were a few additional words: "some red noted but microscopically different in color." Whatever the source and nature of the fibers, the fact of their existence had been omitted from Yezzo's official report. She did not mention it in courtroom testimony when asked by the prosecutor about the presence of "any fibers," thinking, she later explained, that the question was about the fibers she considered "consistent with" the belt. Sanchez believes that information about the presence of fibers would have been used to devastating effect by Howard's defense team.

In 2012, a far more experienced coroner in Franklin County took a second look at the forensic findings, along with the health-care records that described Delilah's previous suicide attempts. The coroner changed the manner of death from "homicide" to "undetermined." With that, the state's case was significantly undermined. Prosecutors fought for another five years, but in 2017, at age 56, Howard was released. While awaiting a hearing to be granted a new trial, he accepted what is known as an Alford

plea: He was given his freedom in return for a guilty plea that included an assertion of his innocence.

In 2015, after James Parsons's lawyers had requested Yezzo's personnel files, Mike DeWine, at the time Ohio's attorney general and now its governor, appointed a special prosecutor to investigate the forensic analyst's performance. The audit largely focused on six years during which formal complaints had been made about Yezzo's behavior, but even this limited review raised questions about her 32-year tenure. Of the 126 "death related" cases that involved Yezzo during this period, auditors flagged 18 for further review. In these instances, the audit took issue with Yezzo's documentation—in some cases, for instance, because her notes were "minimal"; in some other cases because her findings did not support her final conclusions. Although Yezzo usually passed proficiency tests, in the 2000s, she failed tests involving hair and glass, and was reprimanded for a quality issue in a paint analysis; supervisors ordered dozens of her cases to be reexamined by other forensic scientists.

Yezzo had difficulty getting along with colleagues, but law-enforcement officers and prosecutors showered her with praise. "If you were here right now, I would give you a heartfelt hug and kiss for Valentine's Day," one prosecutor wrote. "There were several turning points in the trial. Your testimony was one of those critical times for us." Another prosecutor called her "an important member of our law enforcement team." A third referred to a successful prosecution as "a real collaborative venture." This kind of reinforcement is not atypical. "Forensic experts get to know the prosecutors and they get to know the police," Justice Donnelly, of the Ohio Supreme Court, observed during a recent conversation. "The lines can be blurred, and it begins to take on the semblance of a team effort. You're all part of 'Team Ohio."

Yezzo maintains that she was never pro-prosecution; the audit put in motion by DeWine found "no indication of foul play or intentional deception" on Yezzo's part and recommended that no further action be taken. But by that time Yezzo was long gone. She had been reprimanded by her superintendent in 2009 for "interpretational and observational errors" that

"could lead to a substantial miscarriage of justice." Yezzo resigned "in anticipation of retirement" a month later.

Prosecutors have noted that Yezzo's testimony may not always have been pivotal. Ryan Stubenrauch, an attorney and former adviser to DeWine, told me that, with the exception of DNA evidence, "in your average case, it is not one piece of forensic evidence that makes or breaks" a prosecution. Witness testimony, motive, circumstantial evidence, other physical evidence—these combine to build to a conviction. Yet, as criminal law recognizes, one can't simply remove a piece of load-bearing evidence after the fact and insist that the edifice would have remained standing anyway. Prosecutions are like a game of Jenga, Donald Caster, the Ohio Innocence Project attorney, observed. The government presents layers of evidence to create a tower of culpability. "If you pull the wrong piece out, the whole thing comes tumbling down," he said. "And that's what happens once you take Yezzo's testimony out of a lot of these cases."

Perhaps no single case demonstrates the outsize role that questionable forensic science can play in a defendant's fate better than the murder trial of Kevin Keith, a case that also illustrates the difficulty of true legal redress.

On February 13, 1994, at about 8:45 p.m., a man came to the door of an apartment in the small city of Bucyrus, Ohio, about an hour north of Columbus. The man spoke briefly with a woman named Linda Chatman, who had just arrived; the apartment belonged to Marichell Chatman, Linda's niece. Whoever the man was, he was known to Linda and Marichell. He walked inside, asked who was winning the basketball game on television, then pulled a 9-mm handgun and ordered all six people there —three adults, three children—to lie on the ground. "What are you doing?" Marichell asked, according to later trial testimony. "You ain't going to hurt us while the children are here. I don't want anything to happen to those children." "You should have thought about this before your brother started ratting on people," the man replied, and shot Marichell in the head. Then he trained his gun on the others. When he was done, Linda, Marichell, and Marichell's young daughter lay dead. Marichell's boyfriend and two young cousins were badly wounded but would survive. Glancing out her front door, a resident of the complex saw a husky Black man careening out of the parking lot in a cream-colored automobile. It skidded into a snowbank and eventually sped off after the driver got out of the car and rocked it free.

Police immediately suspected a man named Kevin Keith. Keith was a small-time drug dealer who had recently been charged with drug trafficking, thanks to evidence supplied by Marichell's brother Rudel Chatman. Police arrested Keith two days after the crime as he sat on his couch watching TV. When I visited him last year at the medium-security prison in Marion, Ohio, he told me he'd thought they were picking him up for selling "a little weed." He went on: "The next thing I know, I'm being read murder charges."

At Keith's trial, in 1994, the prosecutor promised a case supported by numerous eyewitness accounts and compelling forensic evidence. Jurors got something else. One of the young cousins who survived the attack, a 6-year-old girl, had told police explicitly that Keith was not the culprit. "It looks like him but that's not him," she said. When it came to identifying the perpetrator, witnesses contradicted one another and themselves, and even disagreed about whether or not he had been masked. No physical or biological evidence—blood, hair, fibers, fingerprints—connected Keith to the crime scene. Could Keith at least be connected to the snowbank? The getaway car had left tire-tread impressions and a partial license-plate impression—the numbers 043.

When Keith's girlfriend came to visit him in jail, the police took notice of the license plate on the car she was driving: MVR043. However, the car was not cream-colored—it was green. And it was not Keith's car or even his girlfriend's car—it was her grandfather's car. Moreover, the tires on the car did not match the tread marks in the snow. The only possibly good news for the prosecution was that the tracks in the snow seemed to resemble those from a type of tire, Triumph 2000s, that the grandfather had once owned—the police had found a receipt. The state's theory seemed to be that Keith had replaced the Triumph 2000s with some other kind of tire after the crime. Or maybe that he had put them on to commit the crime and then changed them back. "Why would somebody change the tires on a car and not the license plate?" Rachel Troutman, an attorney at the Ohio public defender's office, asked when I spoke with her recently.

To fortify its case, the prosecution relied on Yezzo, who testified by deposition. She had herself conducted some of the analyses that found no physical link between Keith and the murder, but a Bucyrus police captain had sent her a brochure advertising Triumph 2000 tires along with a copy of the grandfather's receipt, and had scrawled a note: "Hope this will do the trick for us." Yezzo never looked at the actual tires that the state alleged had made the impression in the snowbank—the ones that the grandfather had once bought but that were not on the car when the police examined it. Rather, she simply compared photographs and a plaster cast of the tire-tread impressions with images from the brochure. She testified that the tracks in the snow were similar to the tread design on the type of tire that had once been on the grandfather's car: "Its similarity is it would have originated from the Triumph 2000," she stated. (Yezzo has taken issue with the court transcript, believing that she would have said "could have.") As for the number sequence on the license plate, Yezzo reported that the impression in the snowbank had "spacing and orientation similar to the license plate 'MVR043," meaning that, in her judgment, the numbers came at the far right of the license plate—a conclusion unfriendly to Keith and one that effectively ruled out anyone whose license plate had 043 on the far left. Even so, there were 17 other cars in tiny Bucyrus, and a total of 130 in Crawford County and nearby Richland County, that had the sequence 043 at the far right of their license plate.

Looking back at Yezzo's testimony, Justin Herdman, a former U.S. attorney for the Northern District of Ohio, told me: "Comparing photographs is about the worst possible way you could ever think of to make a scientific determination about commonalities or draw connections. That's not science. That's somebody on the back of a cocktail napkin drawing conclusions." Nonetheless, Keith was convicted and sentenced to death.

When Rachel Troutman first met Keith, in 2007, she was skeptical of his claim of innocence. She would soon change her mind. She discovered radio logs and police reports that called into question the veracity of witnesses and police officers. She found that the Bucyrus police had received two subpoenas for phone logs and other records that could have been exculpatory; someone had scrawled "Ignore" across the subpoenas. As outlined in a motion for a new trial, she also found that police had

suppressed information from an informant about a man who allegedly told a friend he'd been paid to "cripple" Rudel Chatman, Marichell's brother, because he was a snitch. This man, who had served time for murder when he was a minor, owned a light-colored car and had a license plate containing the sequence 043, though the numbers did not occur at the end, where Yezzo had said they ought to be.

Every time Troutman discovered new exculpatory evidence, the court declined to consider it. As Keith's execution date drew near, in 2010, the parole board unanimously rejected a bid for clemency. Troutman finally appealed to Governor Ted Strickland. Thirteen days before Keith was to be executed, Strickland commuted his sentence to life without parole, noting that he was troubled by "important questions" about the forensic evidence and the failure to fully investigate "other credible suspects."

Prominent members of the Ohio bar have moved into Kevin Keith's camp. Justin Herdman is now a member of his legal team. Lee Fisher, Ohio's attorney general when Keith was tried, filed an affidavit in court on Keith's behalf: "I am deeply concerned that Ms. Yezzo's conclusions and testimony led to a miscarriage of justice in Mr. Keith's case," he wrote. In another affidavit, Strickland stated, "I have become convinced that Kevin Keith is very likely an innocent man."

G. Michele Yezzo agreed to speak with me last year. We met at a deli, in a strip mall in Columbus. She is in her late 60s, with brown hair and bangs cut straight across her forehead. She wore a rainbow-colored T-shirt in support of efforts to combat autism. Although Yezzo would not talk about any of the allegations that appear in her personnel file, she insisted that she had never skewed her findings. She also said that she had sometimes testified for the defense. If a prosecutor uses her words a certain way, Yezzo maintained, she should not be held responsible. "I do the analysis to the best of my ability, and if anything, I'm conservative."

Yezzo is already being sued for her role in the Parsons conviction, and other lawsuits may be in the offing. The Ohio attorney general's office declined to comment about Yezzo, citing the ongoing litigation, and added that since Yezzo's retirement, the Bureau of Criminal Investigation has developed "several quality controls." When I mentioned her name to John Lenhart,

who ran the bureau back in the early '90s, he groaned. Lenhart had put Yezzo on administrative leave in 1993, shortly before the Parsons trial; she was reinstated without his knowledge, and kept her job for another 16 years, giving testimony in hundreds of criminal cases. Lenhart left the bureau in 1994 and returned to state government years later, as Ohio's director of law enforcement. He was surprised to be told that Yezzo was still there. "I'm going, 'You've got to be kidding me," he recalled.

When I spoke with Yezzo, she sought to diminish her influence over any particular outcome. "I am not the one to say, 'That person did it,'" she explained. "I can say: 'This is what I have from the physical evidence.' That being the case, I'm not judge and jury, and never will be, and never have been." None of this changes the fact that Yezzo's judgments *were* given an imprimatur of expertise and certainty by prosecutors, or that juries *did* convict in part because of them.

Questions of forensic judgment aside, jurors and the public do not appreciate the fact that the "science" of forensics may not warrant the label. In 2009, in a comprehensive report called "Strengthening Forensic Science in the United States," the National Academy of Sciences delivered a withering assessment. Under the academy's auspices, experts of all kinds had been brought together to examine disciplines including the analysis of fingerprints, firearms, bite marks, and bloodstains. They drilled down on the question *How good is forensic science at connecting a piece of evidence to a specific individual or source?* The answer: Only DNA could reliably do this. Other disciplines had not yet been backed up by robust research.

Consider bite marks. For years, the American Board of Forensic Odontology claimed that it was possible to match a suspect's teeth to the bite marks on a victim's body with "virtual certainty," despite the fact that skin is elastic and bite marks change over time. Some studies have found that forensic dentists match bite marks to the wrong person about 15 percent of the time. (Dental experts sometimes can't agree whether a mark came from a human being.) Bloodstain analysts, who look at patterns of blood to re-create the backstory of physical violence—an assault by, say, a six-foot-tall, right-handed man with a hammer, standing over the victim—have fared little better than the dentists. In a recent study, forensic experts

were shown photographs of a bloody scene for which the study's authors knew the "ground truth"—that is, how the patterns had been created. The experts got it wrong about 11 percent of the time. Perhaps the most alarming finding involves comparative hair analysis using microscopes. This technique has now been largely superseded by DNA analysis, but it helped put untold numbers of people in prison and dozens on death row. By 2015, the FBI had reviewed hundreds of criminal cases in which FBI examiners had testified that hair found at a crime scene incriminated a suspect. The FBI concluded that its experts had provided scientifically invalid testimony in 96 percent of the cases—including 33 of the 35 death-penalty cases. "It's hard to be *that* wrong," Mark Godsey, the head of the Ohio Innocence Project, told me.

That doesn't mean that "all forensic science is worthless," Sandra Guerra Thompson, the author of *Cops in Lab Coats*, explained when I spoke with her. "Many disciplines are solid, but we just don't have enough proof yet to fully support others." She pointed out that serology, toxicology, chemical analysis, and of course DNA analysis rest on secure foundations. The larger problem, experts say, involves pattern-matching disciplines, which still overwhelmingly lack established methods or standards. They also require judgment calls—essentially, comparing two pieces of evidence and determining whether, for instance, a smudged, partial tread mark at a crime scene might have been made by a suspect's shoe, or whether a fiber found in a suspect's car could reasonably have come from a victim's sweater. These comparisons may be more prone to bias or error.

The 2009 National Academy of Sciences report was a bombshell, at least among forensic professionals. But it had little impact, and proposed reforms, such as removing crime laboratories from state and local lawenforcement agencies and making them independent, rarely gained traction. When a presidential advisory council reported in 2016 that many forensic disciplines did not yet pass scientific muster, the Justice Department essentially rejected the report. The National Commission on Forensic Science, created in 2013 to raise the standards of the science used in courts, was disbanded during the Trump administration. The story of G. Michele Yezzo reveals not that Ohio's crime lab is uniquely bad—it is highly regarded, in fact—but that it is not unique at all. "There are so many

different ways that forensics can go wrong," Duke University's Brandon Garrett told me. It's not just about unreliable forensic methods and it's not just about biased experts: "It's about the whole forensics enterprise and how poorly we regulate it." Garrett keeps a running tab of scandals at crime laboratories. Hardly a month goes by, he said, when he doesn't find another lab to add to the list, whether for specific cities (Cleveland, New York, San Francisco, Detroit) or for entire states (West Virginia, Montana). Some crime labs have been closed; others, including in Washington, D.C., have lost their accreditation and have had to outsource their work.

When properly conducted and modestly characterized, forensic science has a clear role in the criminal-justice system. And a few labs have made changes that might preserve its utility while mitigating its problems. One bright spot is Houston. In 2003, after it became clear that faulty forensic work by Houston's police crime lab would lead to an exoneration, *The New York Times* described the lab as "the worst" in the country. Auditors discovered that technicians were poorly trained, kept shoddy records, misinterpreted data, and submitted reports based on evidence that they hadn't bothered to test—this in a state that puts more people to death than any other. "Houston was a hot, stinking mess," Peter Stout, who took over as president of the laboratory in 2017, told me. "It got bad enough that everybody said, 'Okay, we've got to do something different.""

The old crime lab was scrapped. Taking its place was the Houston Forensic Science Center. No longer part of the police department, the center is a "local government corporation," Stout told me, with a board of directors that includes defense attorneys and even one exoneree. The Forensic Science Center analyzes evidence for both the defense and the prosecution. It steers clear of dubious techniques, such as hair analysis, bite-mark comparisons, and bloodstain analysis. Crucially, it employs blind testing: Periodically, the lab's managers slip a sample into the stream of evidence for which they know the ground truth in advance—this sample is cocaine; the owner of this latent print is in the database; this DNA mixture involves these three people. With such exercises, Houston can determine whether analysts are arriving at the correct answers. These kinds of procedures will not prevent every mistake. But they do introduce an element of forensic

neutrality—and, over time, will perhaps lead jurors to a more realistic view of what weight to place on forensic analysis.

Meanwhile, only seven states have laws that explicitly allow a prisoner to challenge a conviction on grounds of discredited forensic science. Ohio is not one of them, and the path to a new trial in states without such laws can be difficult. As for attempting to bring a case in federal court, that too is often a dead end. In 1996, at the urging of President Bill Clinton, Congress passed a law that makes it nearly impossible for federal courts to overturn state convictions. For Kevin Keith, this means that even though his lawyers have discovered new information, he almost certainly cannot get relief. In 2021, after considering Yezzo's testimony, the wealth of new evidence, and the applicable law, U.S. District Court Judge Solomon Oliver Jr. denied Keith a new day in court. He had no jurisdiction. "This case, more than most, demonstrates the tragic result" of the 1996 law, Oliver wrote. But his hands were tied. He had to apply the law as it is, "not as the court wishes it to be." Kevin Keith remains in prison.

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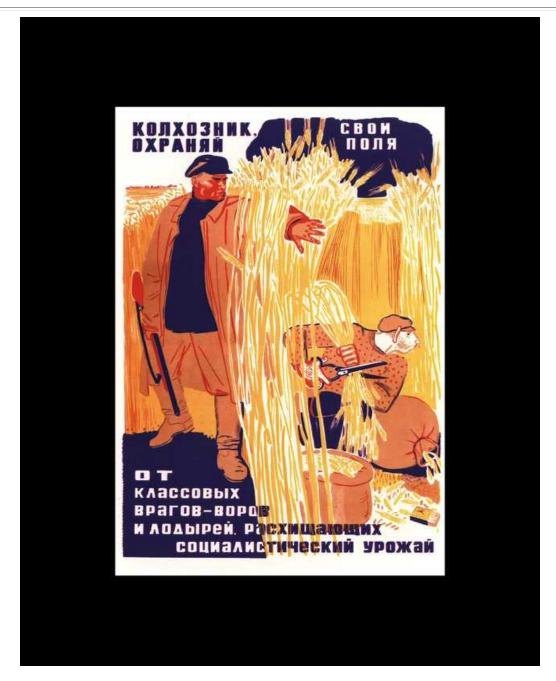
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| Section menu | Main menu |

Dispatches

• Ukraine and the Words That Lead to Mass Murder
First comes the dehumanization. Then comes the killing. -- Anne Applebaum

| Next section | Main menu | Previous section |



"Kolkhoznik, guard your fields against the class enemies." A Soviet propaganda poster from the 1930s.

Ukraine and the Words That Lead to Mass Murder

Ukraine and the Words That Lead to Mass Murder

By Anne Applebaum

In the terrible winter of 1932–33, brigades of Communist Party activists went house to house in the Ukrainian countryside, looking for food. The brigades were from Moscow, Kyiv, and Kharkiv, as well as villages down the road. They dug up gardens, broke open walls, and used long rods to poke up chimneys, searching for hidden grain. They watched for smoke coming from chimneys, because that might mean a family had hidden flour and was baking bread. They led away farm animals and confiscated tomato seedlings. After they left, Ukrainian peasants, deprived of food, ate rats, frogs, and boiled grass. They gnawed on tree bark and leather. Many resorted to cannibalism to stay alive. Some 4 million died of starvation.

At the time, the activists felt no guilt. Soviet propaganda had repeatedly told them that supposedly wealthy peasants, whom they called kulaks, were saboteurs and enemies—rich, stubborn landowners who were preventing the Soviet proletariat from achieving the utopia that its leaders had promised. The kulaks should be swept away, crushed like parasites or flies. Their food should be given to the workers in the cities, who deserved it more than they did. Years later, the Ukrainian-born Soviet defector Viktor Kravchenko wrote about what it was like to be part of one of those brigades. "To spare yourself mental agony you veil unpleasant truths from view by half-closing your eyes—and your mind," he explained. "You make panicky excuses and shrug off knowledge with words like exaggeration and hysteria."

He also described how political jargon and euphemisms helped camouflage the reality of what they were doing. His team spoke of the "peasant front" and the "kulak menace," "village socialism" and "class resistance," to avoid giving humanity to the people whose food they were stealing. Lev Kopelev, another Soviet writer who as a young man had served in an activist brigade in the countryside (later he spent years in the Gulag), had very similar reflections. He too had found that clichés and ideological language helped him hide what he was doing, even from himself:

There was no need to feel sympathy for the peasants. They did not deserve to exist. Their rural riches would soon be the property of all.

But the kulaks were not rich; they were starving. The countryside was not wealthy; it was a wasteland. This is how Kravchenko described it in his memoirs, written many years later:

That reality, a reality he had seen with his own eyes, was strong enough to remain in his memory. But at the time he experienced it, he was able to convince himself of the opposite. Vasily Grossman, another Soviet writer, gives these words to a character in his novel <u>Everything Flows</u>:

Nine decades have passed since those events took place. The Soviet Union no longer exists. The works of Kopelev, Kravchenko, and Grossman have long been available to Russian readers who want them.

In the late 1980s, during the period of glasnost, their books and other accounts of the Stalinist regime and the Gulag camps were best sellers in Russia. Once, we assumed that the mere telling of these stories would make it impossible for anyone to repeat them. But although the same books are theoretically still available, few people buy them. Memorial, the most important historical society in Russia, <a href="https://has.been.forced.com/has.

Nowadays, less violence is required to misinform the public: There have been no mass arrests in Putin's Russia on the scale used in Stalin's Russia. Perhaps there don't need to be, because Russian state-run television, the primary source of information for most Russians, is more entertaining, more sophisticated, more stylish than programs on the crackly radios of Stalin's era. Social media is far more addictive and absorbing than the badly printed newspapers of that era, too. Professional trolls and influencers can shape online conversation in ways that are helpful to the Kremlin, and with far less effort than in the past.

The modern Russian state has also set the bar lower. Instead of offering its citizens a vision of utopia, it wants them to be cynical and passive; whether they actually believe what the state tells them is irrelevant. Although Soviet leaders lied, they tried to make their falsehoods seem real. They got angry when anyone accused them of lying, and they produced fake "evidence" or counterarguments. In Putin's Russia, politicians and television personalities play a different game, one that we in America know from the political campaigns of Donald Trump. They lie constantly, blatantly, obviously. But if you accuse them of lying, they don't bother to offer counterarguments. When Malaysia Airlines Flight MH17 was shot down over Ukraine in 2014, the Russian government reacted not only with a denial, but with multiple stories, plausible and implausible: The Ukrainian army was responsible, or the CIA was, or it was a nefarious plot in which 298 dead people were placed on a plane in order to fake a crash and discredit Russia. This constant stream of falsehoods produces not outrage, but apathy. Given so many explanations, how can you know whether anything is ever true? What if nothing is ever true?

Instead of promoting a Communist paradise, modern Russian propaganda has for the past decade focused on enemies. Russians are told very little about what happens in their own towns or cities. As a result, they aren't forced, as Soviet citizens once were, to confront the gap between reality and fiction. Instead, they are told constantly about places they don't know and have mostly never seen: America, France and Britain, Sweden and Poland—places filled with degeneracy, hypocrisy, and "Russophobia." A study of Russian television from 2014 to 2017 found that negative news about Europe appeared on the three main Russian channels, all state-controlled, an average of 18 times a day. Some of the stories were invented (the German government is forcibly taking children away from straight families and giving them to gay couples), but even true stories were picked to support the idea that daily life in Europe is frightening and chaotic, Europeans are weak and immoral, the European Union is aggressive and interventionist.

If anything, the portrayal of America has been worse. U.S. citizens who rarely think about Russia would be stunned to learn how much time Russian state television devotes to the American people, American politics, even

American culture wars. In March, the Russian president, Vladimir Putin, displayed an alarmingly intimate acquaintance with Twitter arguments about J. K. Rowling and her views on transgender rights at a press conference. It's hard to imagine any American politician, or indeed almost any American, talking about a popular Russian political controversy with the same fluency. But that's because no American politician lives and breathes the ups and downs of Russian partisan arguments in the same way that the Russian president lives and breathes the battles that take place on American cable networks and on social media—battles in which his professional trolls and proxies compete and take sides, promoting whatever they think will be divisive and polarizing.

Within the ever-changing drama of anger and fear that unfolds every night on the Russian evening news, Ukraine has long played a special role. In Russian propaganda, Ukraine is a fake country, one without history or legitimacy, a place that is, in the words of Putin himself, nothing more than the "southwest" of Russia, an inalienable part of Russia's "history, culture and spiritual space." Worse, Putin says, this fake state has been weaponized by the degenerate, dying Western powers into a hostile "anti-Russia." The Russian president has described Ukraine as "fully controlled from the outside" and as "a colony with a puppet regime." He invaded Ukraine, he has said, in order to defend Russia "from those who have taken Ukraine hostage and are trying to use it against our country and our people."





Top: Women walk past people dying of starvation during the Ukrainian famine in the early 1930s. Bottom: Ira Gavriluk stands among the bodies of family members who were killed outside her home in Bucha, on the outskirts of Kyiv, in April. (Sovfoto / UIG / Bridgeman Images; Felipe Dana / AP)

In truth, Putin invaded Ukraine in order to turn it into a colony with a puppet regime himself, because he cannot conceive of it ever being anything else. His KGB-influenced imagination does not allow for the possibility of authentic politics, grassroots movements, even public opinion. In Putin's language, and in the language of most Russian television commentators, the Ukrainians have no agency. They can't make choices for themselves. They can't elect a government for themselves. They aren't even human—they are "Nazis." And so, like the kulaks before them, they can be eliminated with no remorse.

The relationship between genocidal language and genocidal behavior is not automatic or even predictable. Human beings can insult one another, demean one another, and verbally abuse one another without trying to kill one another. But while not every use of genocidal hate speech leads to genocide, all genocides have been preceded by genocidal hate speech. The modern Russian propaganda state turned out to be the ideal vehicle both for carrying out mass murder and for hiding it from the public. The gray apparatchiks, FSB operatives, and well-coiffed anchorwomen who organize and conduct the national conversation had for years been preparing their compatriots to feel no pity for Ukraine.

They succeeded. From the first days of the war, it was evident that the Russian military had planned in advance for many civilians, perhaps millions, to be killed, wounded, or displaced from their homes in Ukraine. Other assaults on cities throughout history—Dresden, Coventry, Hiroshima, Nagasaki—took place only after years of terrible conflict. By contrast, systematic bombardment of civilians in Ukraine began only days into an unprovoked invasion. In the first week of the war, Russian missiles and artillery targeted apartment blocks, hospitals, and schools. As Russians occupied Ukrainian cities and towns, they kidnapped or murdered mayors, local councilors, even a museum director from Melitopol, spraying bullets and terror randomly on everyone else. When the Ukrainian army recaptured Bucha, to the north of Kyiv, it found corpses with their arms tied behind their backs, lying in the road. When I was there in mid-April, I saw others that had been dumped into a mass grave. In the first three weeks of the war alone, Human Rights Watch documented cases of summary execution, rape, and the mass looting of civilian property.

Mariupol, a mostly Russian-speaking city the size of Miami, was subjected to almost total devastation. In a powerful interview in late March, the Ukrainian president, Volodymyr Zelensky, noted that in previous European conflicts, occupiers hadn't destroyed everything, because they themselves needed somewhere to cook, eat, wash; during the Nazi occupation, he said, "movie theaters were operating in France." But Mariupol was different: "Everything is burned out." Ninety percent of the buildings were destroyed within just a few weeks. A massive steelworks that many assumed the conquering army wanted to control was totally flattened. At the height of the fighting, civilians were still trapped inside the city, with no access to food, water, power, heat, or medicine. Men, women, and children died of starvation and dehydration. Those who tried to escape were fired upon. Outsiders who tried to bring in supplies were fired upon as well. The bodies of the dead, both Ukrainian civilians and Russian soldiers, lay in the street, unburied, for many days.

Yet even as these crimes were carried out, in full view of the world, the Russian state successfully hid this tragedy from its own people. As in the past, the use of jargon helped. This was not an invasion; it was a "special military operation." This was not a mass murder of Ukrainians; it was "protection" for the inhabitants of the eastern-Ukrainian territories. This was not genocide; it was defense against "genocide perpetrated by the Kyiv regime." The dehumanization of the Ukrainians was completed in early April, when *RIA Novosti*, a state-run website, published an article arguing that the "de-Nazification" of Ukraine would require the "liquidation" of the Ukrainian leadership, and even the erasure of the very name of Ukraine, because to be Ukrainian was to be a Nazi: "Ukrainianism is an artificial anti-Russian construct, which does not have any civilizational content of its own, and is a subordinate element of a foreign and alien civilization." The existential threat was made clear on the eve of the war, when Putin reprised a decade's worth of propaganda about the perfidious West, using language familiar to Russians: "They sought to destroy our traditional values and force on us their false values that would erode us, our people from within, the attitudes they have been aggressively imposing on their countries, attitudes that are directly leading to degradation and degeneration, because they are contrary to human nature."

For anyone who might have accidentally seen photographs of Mariupol, explanations were provided. On March 23, Russian television did broadcast film of the city's ruins—drone footage, possibly stolen from CNN. But rather than take responsibility, they blamed the Ukrainians. One television anchorwoman, sounding sad, described the scene as "a horrifying picture. [Ukrainian] nationalists, as they retreat, are trying to leave no stone unturned." The Russian Defense Ministry actually accused the Azov battalion, a famously radical Ukrainian fighting force, of blowing up the Mariupol theater, where hundreds of families with children had been sheltering. Why would über-patriotic Ukrainian forces deliberately kill Ukrainian children? That wasn't explained—but then, nothing is ever explained. And if nothing can be known for certain, then no one can be blamed. Maybe Ukrainian "nationalists" destroyed Mariupol. Maybe not. No clear conclusions can be drawn, and no one can be held accountable.

Few feel remorse. Published recordings of telephone calls between Russian soldiers and their families—they are using ordinary SIM cards, so it's easy to listen to them—are full of contempt for Ukrainians. "I shot the car," one soldier tells a woman, perhaps his wife or sister, in one of the calls. "Shoot the motherfuckers," she responds, "as long as it's not you. Fuck them. Fucking drug addicts and Nazis." They talk about stealing television sets, drinking cognac, and shooting people in forests. They show no concern about casualties, not even their own. Radio communications between the Russian soldiers attacking civilians in Bucha were just as cold-blooded. Zelensky himself was horrified by the nonchalance with which the Russians proposed to send some trash bags for the Ukrainians to wrap the corpses of their soldiers: "Even when a dog or a cat dies, people don't do this," he told journalists.

All of this—the indifference to violence, the amoral nonchalance about mass murder, even the disdain for the lives of Russian soldiers—is familiar to anyone who knows Soviet history (or German history, for that matter). But Russian citizens and Russian soldiers either don't know that history or don't care about it. President Zelensky told me in April that, like "alcoholics [who] don't admit that they are alcoholic," these Russians "are afraid to admit guilt." There was no reckoning after the Ukrainian famine, or the Gulag, or the Great Terror of 1937–38, no moment when the

perpetrators expressed formal, institutional regret. Now we have the result. Aside from the Kravchenkos and Kopelevs, the liberal minority, most Russians have accepted the explanations the state handed them about the past and moved on. *They're not human beings; they're kulak trash*, they told themselves then. *They're not human beings; they're Ukrainian Nazis*, they tell themselves today.

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| <u>Section menu</u> | <u>Main menu</u> |

Culture & Critics

• How Primate Research Was Hijacked by Sexist Ideologues
The shared history of apes and humans has long been put to political use. -- Rebecca Giggs

| Next section | Main menu | Previous section |



How Primate Research Was Hijacked by Sexist Ideologues

How Primate Research Was Hijacked by Sexist Ideologues

By Rebecca Giggs

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One morning in January 1961, following a breakfast of baby cereal, condensed milk, and half an egg, a male chimpanzee from Cameroon known to his handlers as Ham was strapped into a pressure-controlled capsule, loaded aboard a NASA rocket, and shot into space. No human had yet been where he was headed. At the time of Ham's foray to the stars, physicians still feared that crucial bodily functions (<u>including swallowing</u> and cardiac activity) might not weather the weightlessness of astronautic flight. When Ham returned to Earth's surface with only a bruised nose to show for the adventure, he entered history as the first hominoid to endure outer space.

Chimpanzees—along with their cousins the bonobos—are our closest living relatives. Little wonder we are prone to view them as human prototypes. At least 96 percent of our DNA is shared, and we have many anatomical traits in common, including some of the same blood groups and skeletal features such as delicate sinuses. Using a chimpanzee to aid in "human rating" a NASA space vehicle for astronauts was a test of our mutual fragility. It was also a symbolic gesture, marking space travel as the culmination of our evolutionary trajectory into social beings and tool-users sophisticated enough to leave Earth. One way to understand the moment when Ham was flung into that inhuman realm where the universe skims the planet would be to say that we were, as a species, looking to our ancestral past to forge the frontiers of our future.

The story of our evolutionary congruence with primates is perhaps our most powerful collective origin myth. It has a lineage that is scientific: The prehistoric ancestry of *Homo sapiens* shares a bough of the tree of life with several primates, including gorillas and orangutans, but most recently forked from that of the chimpanzees and bonobos, about 6 million to 8 million years ago. But that lineage isn't purely a matter of science. The conjoined heritage of apes and humans has been put to political use, invoked by those seeking to explain aspects of human society as an intractable function of our inner ape. Others have been motivated by that

very debate to assert fundamental differences between people and our primate kin.

Now in his 70s, Frans de Waal, the preeminent Dutch American primatologist, has a career's worth of perspective on the major through lines of simian research, and an abiding interest in how his field's findings have been drawn on to support narratives of intrinsic human tendencies. De Waal's own work with chimpanzees in the 1980s loaned the term *alpha male* to the zeitgeist. He has <u>decried its contemporary connotations</u> of chest-beating chauvinism as a departure from the actual strategies of chimp leadership, which can include more generous and prosocial deeds than acts of bullying.

Issues of sex and gender have been on de Waal's mind for decades. In <u>Different: Gender Through the Eyes of a Primatologist</u>, de Waal is concerned with the ways in which we look to primates for precedents of communal life and social cohesion, dynamics that are intimately tied up with movements for equality in our human world. Until surprisingly recently, the notion that the prehistory of patriarchy stretches back to a time before humans were human—that a zoology of patriarchy exists—was leveraged to perpetuate discriminatory aspects of culture, situating them as daunting or obdurate scripts of nature. To understand how primatology was partway captured by sexist ideologues, and how it is being freed from those strictures, *Different* suggests, we must look not just to scientists' shifting mindsets, but also to social and political concerns that inevitably shape research and its reception.

When Ham arrived back at Cape Canaveral the next day, he was delivered to a scrum of reporters and photographers. He screamed with such ungoverned agitation that he soon had to be removed. However distressing Ham's outbursts appeared, onlookers may not have been surprised to see him acting beastly. The earliest accounts of chimpanzee temperament portrayed the animals as placid, forest-dwelling frugivores, but their profile started to shift during the Cold War, based on observations of males in the wild vying ferociously with one another over territory and status. Scattered reports of infanticide among primates were later borne out by fieldwork.

After World War II, the brutality of apes had become <u>an anthropological</u> <u>preoccupation</u> that promised answers to the question: Does our capacity for depravity divide us from the animal kingdom, or does violence lie at the core of our nature, an upshot of our evolution? Such unease only intensified as the brinkmanship of nuclear powers threatened to tilt into even more catastrophic conflict. Against this backdrop, a corrosive vision of primate life grew more vivid: Front and center was a portrait of male tyranny, aggression, antagonism.

Fuel for this conviction can be traced back to the 1920s and the notorious carnage at Monkey Hill, a captive-primate colony at the London Zoo. The Monkey Hill enclosure had been designed with the latest thinking on animal welfare in mind. Rather than consigning apes to stuffy, shadowy cages where lung diseases ran rife, the open-air attraction featured artificial-rock monoliths furnished with heat and light. To this impressive diorama, the zoo sought to introduce an equally impressive animal. Amid a popular craze for all things Egyptian (King Tut's tomb had lately been discovered), it settled on the hamadryas baboon, a creature that appears in hieroglyphics and, rendered as a deity, on pharaonic jewelry.

With the benefit of hindsight, as de Waal tells it, the exhibit was doomed from the get-go. In their natural habitats in countries such as Somalia and Ethiopia, hamadryas baboons form polygynous groups. Marauding, virile males snatch juvenile females from their kin before they become reproductively mature and amass "harems." But the zoo wanted only resplendent males, which can weigh nearly twice as much as females and sport a frost-gray ruff around a narrow, pumice-pink face. About 100 were ordered. When the baboons arrived, the zoo staff found that the batch included a handful of surplus females. On release, a bloody furor unfolded. The males grievously injured or killed one another; they butchered or maimed more than half the females, and some copulated with corpses. The event would be retold over the years as an archetypal narrative of male supremacy and barbarity and abject female subservience. This, some were quick to pronounce, was what the animal within us looked like: We're naturally led to dominate and oppress, or to be oppressed.

But what if we hadn't anchored this debate in the behavior of chimpanzees and baboons, and had begun otherwise, with different members of the primate family? De Waal is joined in pursuing this provocative line of inquiry by Lucy Cooke, a British documentary filmmaker with zoological credentials (and the author, in 2018, of *The Truth About Animals: Stoned* Sloths, Lovelorn Hippos, and Other Tales From the Wild Side of Wildlife). Her new book, <u>Bitch: On the Female of the Species</u>, ranges more widely across natural history, species, and varieties of sexual relationships than Different does. Cooke charts the rising influence of feminism on the "phallocracy" of evolutionary biology over the past several decades, arguing for the power of more recent female-led science to, for example, reframe core beliefs about sexual selection, maternal instinct and selfsacrifice, and proclivities for monogamy or nymphomania. In doing so, she introduces us to a marvelous zoetrope of animals—not just primates, but venomous intersex moles, hyenas that give birth through their clitoris, filicidal mother meerkats, and postmenopausal orcas. Where Cooke and de Waal come together is on the subject of bonobos, our lesser-known close relations, and what their biological blueprint may have to tell us about our own.

Bonobos, rain-forest dwellers that live wild exclusively in the Democratic Republic of Congo, were distinguished from chimps only in 1929. Before that, they had been deemed pygmy chimpanzees, and were believed to mirror chimps in all ways save their diminutive size. Behaviorally, the species are poles apart. A bonobo troop is organized around ranking coalitions of females; power is stratified according to matriarchal authority, and so is access to food. High-up bonobo mothers make matches between their own sons and females to whom they are allied. They wield this control even though males are larger and stronger than females. What gels the community is not physical coercion, implicit or otherwise; it is sex. Bonobos are rightly famous for engaging in frequent sexual activity, much of it nonreproductive (occurring in same-sex pairings or during windows when females cannot conceive).

They kiss. They French kiss. Bonobos practice oral sex and frottage; on one occasion, a female bonobo was observed making use of a knobbled stick as a stimulatory toy for masturbation. Females <u>are said to orgasm</u>, which was

once thought a rarity in the animal kingdom, though evidence now supports the theory that female chimps, orangutans, rhesus monkeys, stumptail and Japanese macaques, and even tiny tamarins also experience pleasure and possibly climax. Bonobo copulations are short, about 13 seconds, but the animals often position themselves face-to-face and hold eye contact throughout. This comparatively harmonious suite of behaviors proved so challenging to androcentric models of primate dominance that early researchers, seeking to integrate bonobos into their existing frameworks, were forced to rely on patently contrived explanations: They chalked up female preeminence, for example, to strategic male deference, or ape chivalry.

Had we learned of bonobos first, <u>de Waal observed in 2006 in Scientific American</u>, we would "most likely believe that early hominids lived in female-centered societies, in which sex served important social functions, and in which warfare was rare or absent." Our picture of the monopolist alpha-male chimp might also have changed if a wider set of observations had colored it. Many of the data on <u>wild-chimpanzee interactions come from East Africa</u>, but troops living in the Taï forest, in Ivory Coast, clash less frequently; their <u>conflicts are not so brutal</u> and the females are subject to less of a power differential—a dynamic de Waal partially attributes to the greater vigilance and cooperation needed to fend off predatory leopards. Male chimps at West African sites have also been seen adopting the dependent young of a deceased or missing parent, a shouldering of fatherly duty at odds with newborn killings witnessed elsewhere.

A corrective is now under way, and if female dominance in the animal kingdom was once overlooked or quashed, in some quarters it is lauded with the language of empowerment. Yet, as de Waal observes, and as Cooke amplifies, there is something reductive in its own way about supposing that a matrilineal society will tend toward a cordial sorority of disseminated power, in which consensus is brokered by affinity. To hold that women are natural peacemakers given to placation is to neuter women's rage, to turn "female" into a partial, defanged category, foreclosing on the full range of motivations available to males—including status seeking, resource hoarding, nepotism, and vanity. Intransigence, too, is human.

Female ascendancy in the animal kingdom does not, as a matter of course, result in nonviolence. Both books show that aggression exists in bonobo society, directed principally by females. Scuffles might end with fingers or toes bitten clean off, punctured testicles, and deep lacerations. Among western lowland gorillas, Cooke writes, females will sometimes harass silverback males and interrupt their copulations with subordinate females. In the late 1970s, Jane Goodall's research on chimpanzees in Gombe, Tanzania, showed that infanticide wasn't only a male prerogative: The mother-daughter pair Pom and Passion also attacked the young of others, and ate them.

The most striking example of female-to-female intimidation comes from savanna baboons. Cooke describes ascendant females tormenting their underlings, obstructing access to water and food, and snatching their babies away only to overhandle and then neglect the infants. This hierarchy has a physiological effect: Lower-ranked female baboons breed later in their development and ovulate less frequently. What's more, because female baboons pass their status on to their daughters, subordinate ones are best served by having sons, who not only are spared the raids but are more able to climb the social ladder. And biology accommodates: Through an evolutionary mechanism yet to be fully explained, these baboons give birth to more males than females; their social position essentially sex-selects their fetuses.

Were we to seek out a broader vantage on simian life, as Cooke suggests we must, we would find several other paradigms of sexual difference and interrelation. New World monkeys—tailed primates that inhabit the Americas—offer alternative snapshots of collaboration and cooperation. Male black-headed owl monkeys share equal, if not more, duties in rearing their offspring. During the pregnancy of his mate, a male cotton-top tamarin also puts on weight—he will shed it later, carrying their twins on his back. His levels of estrogen and prolactin (hormones associated with birth and bonding) rise in tandem with hers. Some lemurs, natives of Madagascar, have shared child-care arrangements that permit mothers to socialize, forage, and eat without distraction. They build nests for their young, where sentinel adults—typically unrelated, not only females—watch over them.

Cooke and de Waal are both invested in showcasing a range of animal behaviors—including mate choice and gender expression—that usefully redraw the boundaries of "natural" sex difference. In *Different* we meet Donna, a captive chimp that de Waal describes in our human parlance as asexual and gender-nonconforming. Whether identity markers like "butch" and "femme" have any currency for chimpanzees is clearly an inscrutable matter, but as de Waal is at pains to point out, the norms of gender are impressed upon young chimps by their elders. Sex-typical customs are not entirely a matter of biological destiny: Some are nurtured, some are learned; extraordinarily, there are gendered habits that resemble fashions. De Waal collects anecdotes of female-chimp self-adornment—grass blades tucked inside an ear and crushed fruit smeared over the upper body. Labor can be gendered, and can stem from expertise that is taught. Daughter chimps will pay keen attention to their mother's efforts to extract termites from a mound using twigs selected for the task. Mothers share their favored grub-spearing tools with their female offspring and instruct them, but not so much their sons: Male chimps are less likely to master the skill, or even attempt it. If these can be said to be cultural phenomena, then they are not coercive; chimps that diverge from the settled habits of their sex are not fated to be pariahs.

De Waal's accounts of chimpanzee interactions show some aspects of gender to be performative and communal in animal worlds, and he resists categorical absolutes when it comes to the sexes, eager to unpack the pronounced inequalities they have led to in the human world. At the same time, though, he emerges sure that, at root, biological sex and gender are linked—that sex difference is neither the pure product of upbringing and socialization nor a matter of choice. One lesson de Waal takes from his studies is that striving for a genderless society is more than anathema; he regards it as arrogant. In his view, sex and power can be decoupled, but to do away with difference altogether is to cut ties with nature and suppose ourselves to be beyond animality.

Cooke, too, argues that greater respect should be paid to difference—but where de Waal frames *Homo sapiens* as a tailless ape, she is motivated to find new ways for humans to see themselves reflected in nature. With a broader set of examples to pull from, she dedicates more attention to

nonbinariness, sexual fluidity, and queerness in species of crustaceans, reptiles, birds, and fish. As it turns out, the planet's wildlife abounds with varied examples of family-making, shape-shifting, and connectedness (or celibacy) that can help recalibrate pejorative and exclusionary understandings of who is entitled to see themselves reflected in nature.

As I read *Different*, and *Bitch* too, I was struck by the number of instances in which the traditionally gendered behavior and biological functions of humans mold the lives of primates in care or captivity. Women are brought into zoos to breastfeed their babies as a demo for naive apes with young who do not yet know how to nurse. Cooke does a stint as a stand-in mother for a juvenile monkey that nests in her hair as she sleeps—an experience that brings her to reflect on her own maternal urgings, or lack thereof. In *Different*, an orangutan male stalls in his development and fails to acquire the fleshy flanges (cheek pads) of maturity until after the retirement of a senior zookeeper, when the change is at last triggered—as it would be in the wild, following the decline or death of a dominant orangutan male.

I came to wonder whether primates of different species within audible and olfactory range—if not in visual contact, as at a zoo—also influence one another. If chimpanzees have a worldview inflected by what we call patriarchy, are they blind to the sisterhood of bonobos? If bonobos have a matriarchy, would they consider the sexual obstructions of female lowland gorillas to be traitorous? These triangulations are playful, of course, though they illuminate one thing apes could contribute to the development of human society: an expansion of empathy arising from our affinity with the animal kingdom.

Yet not all affinities are helpful; some are harmful. Having retired from the U.S. space program, Ham had difficulty settling into the life of a zoo animal, given how habituated he had become to people. And it's perhaps worth noting that our evolutionary closeness with primates has changed human sex lives, in ways that have radically altered the course of history: We can't forget that AIDS is a zoonosis, a disease that crossed species, from chimpanzees to human beings. At their core, *Different* and *Bitch* both pursue a question that does, in the end, set us apart from the animal

kingdom. We are the sole primate to explore how much our self-knowledge owes to a history of science.

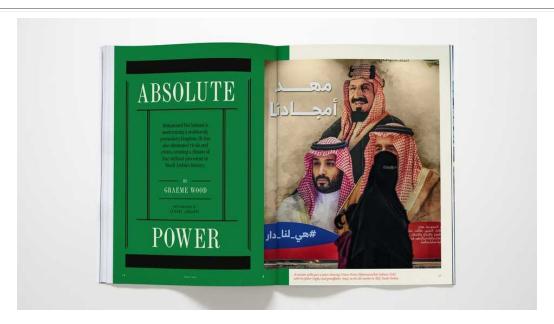
This article appears in the <u>June 2022</u> print edition with the headline "Blaming Our Inner Ape."

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Departments

- Why Interview an Autocrat?
 Readers respond to our April 2022 cover story and more. --
- An Ode to Chewing Gum
 Have a stick. -- James Parker

| Next section | Main menu | Previous section |



Why Interview an Autocrat?

The Atlantic June 2022 Issue: Readers Discuss Mohammed Bin Salman and COVID Skeptics

Graeme Wood's article is the best argument I've read in some time for why the West needs to wean itself off oil. Mohammed bin Salman is very scary, and holds great power only because of our oil addiction. The prospect of him being in power for 40 to 50 years is truly chilling, and should be all the incentive we need to move to renewable energy now.

Thomas Cannon

Leicester, N.C.

No sooner had I read Graeme Wood's fascinating article on absolute power in Saudi Arabia than I saw the news that 81 people had been executed in one day in the country.

Wood concludes his article with great care and skill, yet suggests that the U.S. must find a modus vivendi to work with the crown prince. Is this possible?

Frank Vogl

Author, The Enablers Washington, D.C.

I have read *The Atlantic* for years. While I appreciate that your publication often presents a differing perspective from my own, I find the nature of this interview unconscionable.

I would love to know why, in your opinion, MBS agreed to cooperate for this article. Do you think he likes the attention? Do you think he knew his team could cherry-pick pieces of praise from it? Do you think he thought it could whitewash his tarnished legacy? It seems to me that it did all three.

Alex Chapman

New Orleans, La.

There are no words for what *The Atlantic* has done here. The U.S. intelligence community has concluded that MBS approved the gruesome murder of Jamal Khashoggi. Saudi Arabia has an unelected, authoritarian regime that brutally suppresses dissent. The status of women there remains subordinate, and the recent "reforms" hardly even qualify as cosmetic. Saudi Arabia's brutal war in Yemen has created one of the world's most horrific humanitarian disasters. MBS has not condemned Vladimir Putin's slaughter of innocent Ukrainian civilians. There is no excuse for coddling authoritarian murderers.

Gary Stewart

Laguna Beach, Calif.

I've never written a letter to the editor before, but felt compelled to after reading Graeme Wood's recent article "Of Course Journalists Should Interview Autocrats," written in response to criticism of his April cover story. Both this article and Mr. Wood's original profile of MBS were really important pieces of journalism that informed me about a world leader and an accused assassin who has largely fallen out of the news as outrage over Jamal Khashoggi's murder has ebbed.

That's why I was disappointed to read that Mr. Wood's article had caused a bit of a stir among Western journalists. He was 100 percent correct when he wrote in his follow-up article, "Any publication bragging that it is too sanctimonious to accept an invitation to interview the crown prince of Saudi Arabia is admitting it cannot cover Saudi Arabia." Although Mr. Wood's words may have been used by Saudi propagandists and caused controversy here in the West, I am proud of both him and *The Atlantic* for interviewing MBS.

Eric Wells

Miami. Fla.

It was amazing to me how much character was revealed by the quotations that Graeme Wood chose to put in his frightening portrait of Saudi Arabia's leader without ever making a statement of his own opinion.

Bruce C. Miller

Alexandria, Va.Richard Russo had run out of sympathy for COVID skeptics, <u>he wrote</u> in April—until he remembered his father.

Thanks for Richard Russo's thoughtful essay about loss of sympathy for anti-vaxxers. The way Russo related this global issue to his personal experience with his in-laws, and the sometimes-outdated views his late father espoused from his barstool, reaffirmed why he is one of my favorite writers. And his point about how lack of access to good health care has contributed to the anti-vax movement is something I hadn't fully considered.

However, the bigger problem remains: Those who spread COVID skepticism—or racism, like Russo's dad—don't just hurt themselves; they damage society at large. Perhaps, as Russo suggests, writing about others, and reading about them, can give us the empathy many seem to be lacking.

Adam Idelson

New York, N.Y.

Just before reading Richard Russo's beautiful essay, I was reviewing my students' answers to various multiple-choice questions on a recent quiz. Just

about everyone got most of the questions right, but for one particular question, half of the students selected the wrong answer. When that happens, either the question was phrased in a confusing way or the instructor failed to communicate the underlying principle effectively. It would clearly be inappropriate to conclude that because they selected the wrong response, half of the students must be fools. As Russo so artfully points out, the same is true of refusals to wear a mask or receive inoculations to protect against COVID-19. If a large share of the population refuses to follow public-health recommendations, then something is wrong either with the way important messages are delivered or with the way many people's life experiences are understood. As a society, we must learn to do better on both fronts. Along the way, Russo's comments may help restore an appropriate level of compassion for those who suffer needlessly.

Steve Weissman

Lecturer, UC Berkeley Goldman School of Public Policy Berkeley, Calif.

In"<u>Can Forensic Science Be Trusted?</u>" Barbara Bradley Hagerty writes about the public's reverence for forensic science, a field that was given new prominence when the series *CSI* became a hit in the early aughts. That long-running show, as well as its many spin-offs and look-alikes, offered viewers a glossy, high-tech vision of forensics—a world where compelling evidence is almost always available and savvy investigators produce conclusive findings.

A number of studies about the so-called *CSI* effect find that familiarity with the show does not seem to sway jurors' verdicts. Still, research suggests, watching *CSI* can influence jurors' expectations about what kind of evidence should be presented in court.

Prosecutors, defense attorneys, and judges are all alert to the potential pitfalls of such expectations—as I saw in trial transcripts I read while fact-checking Hagerty's article. During a 2008 murder trial, an Ohio prosecutor asked prospective jurors if they could set aside their assumptions—"not feeling like Horatio [the protagonist on *CSI: Miami*] would have done this and that, and the other thing."

Such approaches are not uncommon, as the law professor Tamara F. Lawson has noted. One Florida judge routinely asks jurors before selection if they realize that some tests performed on *CSI* aren't possible in real life, and confirms that they'd be willing to convict without *CSI*-style evidence. A Maryland judge has reminded jurors that "there is no legal requirement that the State utilize any specific investigative technique or scientific test to prove its case." Anticipating that jurors will expect fingerprint evidence, prosecutors now frequently have a fingerprint examiner testify, even in cases where no prints were found.

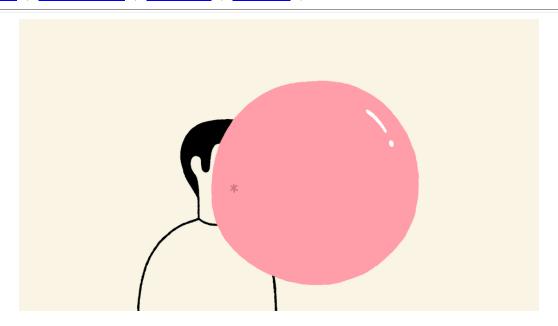
As a prosecutor put it in his closing argument in that 2008 murder trial: "We live in a *CSI* age. We put on the show."

Stephanie Hayes, Deputy Research Chief

In "<u>Chasing Joan Didion</u>," Caitlin Flanagan sets out on a journey to visit some of the places in California where the late writer lived. For the magazine's cover, we wanted to re-create her in a vivid light. We asked the artist Wayde McIntosh to portray her on the beach, in Malibu. McIntosh's Didion meets our gaze before a backdrop of rich yellows, blues, and greens that evoke the Southern California hills where she once resided.

Gabriela Pesqueira, Associate Art DirectorThis article appears in the <u>June</u> <u>2022</u> print edition with the headline "The Commons."

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An Ode to Chewing Gum

Have a Stick: An Ode to Chewing Gum

By James Parker

Ever broken a piece of gum? Broken its spirit, I mean. Chewed it for so long, and with such absentminded, mechanical fury, that its molecular structure finally collapses and it dissolves into a kind of traumatized putty in your mouth. I've done this only once in my life, after a night of what we used to call "raving" (dance floors, chemicals) in London, but it impressed me greatly.

First I was impressed with myself, the up-all-night masticating lunatic. Then I began to think about the piece of gum. Its elasticity. Its resilience. How many hours of thoughtless gnashing had it given me, before I killed it with my power jaws? Its tiny dowry of flavor—spearmint? cinnamon?—was exhausted in the first five minutes; after that it was pure endurance, pure interior technology, shifting and resisting, on and on until dawn rose whitely and everything sort of fell to pieces.

Gum is not exactly a handmaiden to the arts—it's not opium or Earl Grey—but it does enhance concentration. It helps you get on with things. Maybe because it feels almost autonomic, like something our body is taking care of without us, the act of chewing-for-the-sake-of-chewing smooths out anxiety and irrigates the brain. "Dad," my son asked me last week, "do you think you have ADHD?" "No," I said, "but I am quite lazy." If the choice is between two hours of rapturous flow-state composition and a 43rd viewing of *Scent of a Woman*, I'll pick the latter. So I need my gum. It lets me know I'm working.

Of course, once it's served its purpose, it's rather disgusting. Used gum, chewed gum. "What I do is me: for that I came," wrote Gerard Manley Hopkins, a huge fan of Trident Original Flavor. And gum's grand refusal to surrender its form, to be anything but what it is, becomes in the end a bit of a problem. How to dispose of it? Me, I like to throw it from the window of a moving vehicle. Not really a long-term solution.

Someone told me at school that if you swallowed a piece of gum it would wrap itself around your heart. Amazing image. So chew on, humans. Those knobs of used gum—they're tiny monuments to contemplation, really. They memorialize passages of the mind. The thoughts are flown, but the gum remains. Get some on your shoe, wrap it round your heart, and think of me.

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Poetry

• <u>Hi-Fi</u>
-- Sydney Lea

| <u>Main menu</u> | <u>Previous section</u> |



Hi-Fi

Sydney Lea: 'Hi-Fi'

By Sydney Lea

As yet there was only one sister, still too young for school.
We three brothers weren't much older.

I suspect that what I say is more than a bit sentimental and may not have a basis

in what was real back then. So be it but let me keep it, the four of us hearing the tune,

the strings and horns so alive. It's good to be where we are, near our parents' new hi-fi, which spills into every corner.
The fidelity—almost shocking.
They've told us about its wonders,

and now at last they own one. Having adjusted some knob, they stand stone-still for a moment,

as if in a sort of trance. Of course, they're both in the grave now and of course they no longer dance,

cheeks touching—or anyhow—but as long as I say so they do. Indeed the song I hear now

is precisely "Cheek to Cheek."

Now, why would it talk about swimming in a river or a creek?

Or maybe it's actually fishing. Who cares? Strange bliss pours forth as long as the record keeps spinning.

Sickness, regret, and death will all arrive in time.
And rancor. I won't forget

the rancor. This evening, however, we siblings sit and watch, enchanted, four children together

on the couch with the fancy lace while our faithful parents glide in what looks like a fond embrace.

This poem appears in the <u>June 2022</u> print edition.