The War on Nostalgia

What will it take to end the myth of the Lost Cause?

By Clint Smith





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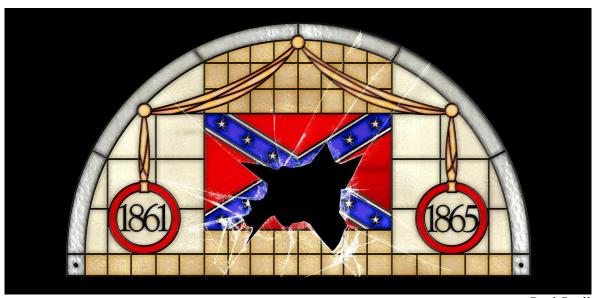
Cover Story

• Why Confederate Lies Live On
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Why Confederate Lies Live On

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Paul Spella

- Story by <u>Clint Smith</u>
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ost of the people who come to Blandford Cemetery, in Petersburg, Virginia, come for the windows—masterpieces of Tiffany glass in the cemetery's deconsecrated church. One morning before the pandemic, I took a tour of the church along with two other visitors and our tour guide, Ken. When my eyes adjusted to the hazy darkness inside, I could see that in each window stood a saint, surrounded by dazzling bursts of blues and greens and violets. Below these explosions of color were words that I couldn't quite make out. I stepped

closer to one of the windows, and the language became clearer. Beneath the saint was an inscription honoring the men "who died for the Confederacy."

Outside, lawn mowers buzzed as Black men steered them between tombstones draped in Confederate flags. The oldest marked grave at Blandford dates back to 1702; new funerals are held there every week. Within the cemetery's 150 acres are the bodies of roughly 30,000 Confederate soldiers, one of the largest mass graves of Confederate servicemen in the country.

From 1866 into the 1880s, Ken told us, a group of local women organized the tracking-down and exhuming of those bodies from nearby battlegrounds. "They felt that the southern soldier had not been treated with the same dignity and honor that the northern soldiers had," and they wanted to do something about it. Most of the bodies were not identifiable; sometimes all that was left was a leg or an arm. Nonetheless, the remains were dug up and brought here, and the ladies refurbished the old church as a memorial to their fallen husbands, sons, and brothers.

Tiffany Studios cut them a deal on the stained glass: \$350 apiece instead of the usual price of about \$1,700 (\$51,000 today). Thirteen southern states donated funds. Ken outlined the aesthetic history of each window in meticulous detail, giving each color and engraving his thorough and intimate attention. But he said almost nothing about why the windows were there—that the soldiers memorialized in stained glass had fought a war to keep my ancestors in chains.

Almost all of the people who come to Blandford Cemetery are white. "It's not that a Black population doesn't appreciate the windows," Ken, who is white, told me. "But sometimes in the context of what it represents, they're not as comfortable." He went on: "In most cases we try and fall back on the beauty of the windows, the Tiffany-glass kind of thing."

But I couldn't revel in the windows' beauty without reckoning with what those windows represented. I looked around the church again. How many of the visitors to the cemetery today, I asked Ken, are Confederate sympathizers?

"I think there's a Confederate *empathy*," he replied. "People will tell you, 'My great-great-grandmother, my great-great-grandfather are buried out here.' So they've got long southern roots."

We left the church, and a breeze slid across my face. Many people go to places like Blandford to see a piece of history, but history is not what is reflected in that glass. A few years ago, I decided to travel around America visiting sites that are grappling—or refusing to grapple—with America's history of slavery. I went to plantations, prisons, cemeteries, museums, memorials, houses, and historical landmarks. As I traveled, I was moved by the people who have committed their lives to telling the story of slavery in all its fullness and humanity. And I was struck by the many people I met who believe a version of history that rests on well-documented falsehoods.

For so many of them, history isn't the story of what actually happened; it is just the story they want to believe. It is not a public story we all share, but an intimate one, passed down like an heirloom, that shapes their sense of who they are. Confederate history is family history, history as eulogy, in which loyalty takes precedence over truth. This is especially true at Blandford, where the ancestors aren't just hovering in the background—they are literally buried underfoot.

e went over to the visitors' center, where Ken introduced me to his boss, Martha, a kind-looking woman with tortoiseshell glasses.

She said her interest in women's history had drawn her to Blandford. "This is how they helped to get through their grief," she told me. "And this is what their result was, this beautiful chapel." She added, "I think you could take the Civil War aspect totally out of it and enjoy the beauty."

I asked her whether Blandford was concerned that, by presenting itself in such a positive light, it might be distorting its connection to a racist and treasonous cause.

She told me that a lot of people ask why the war was fought. "I say, 'Well, you get five different historians who have written five different books; I'm going to have five different answers.' It's a lot of stuff. But I think from the

perspective of my ancestors, it was not slavery. My ancestors were not slaveholders. But my great-great-grandfather fought. He had federal troops coming into Norfolk. He said, 'Nuh-uh, I've got to join the army and defend my home state."

As we spoke, I looked down at the counter and reached for one of the flyers stacked there. Martha's gaze followed my hand. Her face turned red and she thrust her hand down to flip the paper over, attempting to cover the rest of the leaflets. "Don't even look at this. I'm sorry," she said. "I will tell you, from a personal standpoint, I'm kind of bothered."

I looked at the flyer again, trying to read between her fingers. It was a handout for a Memorial Day event at Blandford hosted by the Sons of Confederate Veterans. Paul C. Gramling Jr., then the commander in chief of the group, would be speaking. It was May 2019, and the event was just a few weeks away.



Illustration by Paul Spella; images from Library of Congress / Corbis / Getty

"I don't mind that they come on Memorial Day and put Confederate flags on Confederate graves. That's okay," she said. "But as far as I'm concerned,

you don't need a Confederate flag on—" She stumbled over a series of sentences I couldn't follow. Then she collected herself and took a deep breath. "If you're just talking about history, it's great, but these folks are like, 'The South shall rise again.' It's very bothersome."

She told me that she'd attended a Sons of Confederate Veterans event once but wouldn't again. "These folks can't let things go. I mean, it's not like they want people enslaved again, but they can't get over the fact that history is history."

More people were coming into the visitors' center, and I didn't want to keep Ken and Martha from their work. We shook hands, and I made my way out the door. Before getting back in my car, I walked across the street, to another burial ground, this one much smaller. The People's Memorial Cemetery was founded in 1840 by 28 members of Petersburg's free Black community. Buried on this land are people who were enslaved; a prominent antislavery writer; Black veterans of the Civil War, World War I, and World War II; and hundreds of other Black residents.

There are far fewer tombstones than at Blandford. There are no flags on the graves. And there are no hourly tours for people to remember the dead. There is history, but also silence.

fter my visit to Blandford, I kept thinking about the way Martha had flipped over the Memorial Day flyer, the way her face had turned red. If she hadn't responded like that, I don't know that I would have felt so curious about what she was trying to hide. But my interest had been piqued. I wanted to find out what Martha was so ashamed of.

Founded in 1896, the Sons of Confederate Veterans <u>describes itself</u> as an organization of about 30,000 that aims to preserve "the history and legacy of these heroes, so future generations can understand the motives that animated the Southern Cause." It is the oldest hereditary organization for men who are descendants of Confederate soldiers. I was wary of going to the celebration alone, so I asked my friend William, who is white, to come with me.

The entrance to the cemetery was marked by a large stone archway with the words our confederate heroes on it. Maybe a couple hundred people were sitting in folding chairs around a large white gazebo. Children played tag among the trees; people hugged and slapped one another on the back. I felt like I was walking in on someone else's family reunion. Dixie flags bloomed from the soil like milkweeds. There were baseball caps emblazoned with the Confederate battle flag, biker vests ornamented with the seals of seceding states, and lawn chairs bearing the letters *UDC*, for the United Daughters of the Confederacy. In front of the gazebo were two flags, one Confederate, one American, standing side by side, as if 700,000 people hadn't been killed in the epic conflagration between them.

William and I stood in the back and watched. The event began with an honor guard—a dozen men dressed in Confederate regalia, carrying rifles with long bayonets. Their uniforms were the color of smoke; their caps looked as if they had been bathed in ash. Everyone in the crowd stood up as they marched by. The crowd recited the Pledge of Allegiance, then sang "The Star-Spangled Banner." After a pause came "Dixie," the unofficial Confederate anthem. The crowd sang along with a boisterous passion: "Oh, I wish I was in the land of cotton / Old times there are not forgotten / Look away! Look away! Look away! Dixie Land."

I glanced around as everyone sang in tribute to a fallen ancestral home. A home never meant for me. Speakers came to the podium, each praising the soldiers buried under our feet. "While those who hate seek to remove the memory of these heroes," one said, "these men paid the ultimate price for freedom, and they deserve to be remembered."

More than a few people turned around in their seat and looked with puzzlement, and likely suspicion, at the Black man they had never seen before standing in the back of a Sons of Confederate Veterans crowd. A man to my right took out his phone and began recording me. The stares began to crawl over my skin. I had been taking notes; now I slowly closed my notebook and stuck it under my arm, doing my best to act unfazed. Without moving my head, I scanned the crowd again. The man in front of me had a gun in a holster.

A man in a tan suit and a straw boater approached the podium. His dark-blond hair fell to his shoulders, and a thick mustache and goatee covered his lips. I recognized him as Paul C. Gramling Jr. from the flyer. He began by sharing a story about the origins of Memorial Day. "I don't know if it's true or not, but I like it," he said, before reading aloud the account of a ceremony that took place on April 25, 1866, in Columbus, Mississippi, when a group of women "decorated the graves of both Union and Confederate soldiers." Those soldiers, he continued, had "earned their rightful place to be included as American veterans. We should embrace our heritage as Americans, North and South, Black and white, rich and poor. Our American heritage is the one thing we have in common."

Gramling's speech was strikingly similar to those at Memorial Day celebrations after the end of Reconstruction, when orators stressed reconciliation, paying tribute to the sacrifices on both sides of the Civil War without accounting for what the war had actually been fought over.

Gramling then turned his attention to the present-day controversy about Confederate monuments—to the people who are "trying to take away our symbols." In 2019, according to a report from the Southern Poverty Law Center, there were nearly 2,000 Confederate monuments, place names, and other symbols in public spaces across the country. A follow-up report after last summer's racial-justice protests found that more than 160 of those symbols had been removed or renamed in 2020.

Gramling said that this was the work of "the American ISIS." He looked delighted as the crowd murmured its affirmation. "They are nothing better than ISIS in the Middle East. They are trying to destroy history they don't like."

I thought about friends of mine who have spent years fighting to have Confederate monuments removed. Many of them are teachers committed to showing their students that we don't have to accept the status quo. Others are parents who don't want their kids to grow up in a world where enslavers loom on pedestals. And many are veterans of the civil-rights movement who laid their bodies on the line, fighting against what these statues represented. None of them, I thought as I looked at the smile on Gramling's face, is a terrorist.

Gramling urged all who were present to understand the true meaning of the Confederacy and to "take back the narrative." When his speech ended, two men in front of William and me started swinging large Confederate flags with unsettling fervor. Another speech was given. Another song was sung. Wreaths were laid. The honor guard then lifted its rifles and fired into the sky three times. The first shot took me by surprise, and my knees buckled. I shut my eyes for the second shot, and again for the third. I felt a tightening of muscles inside my mouth, muscles I hadn't known were there.

don't know if it's true or not, but I like it"—I kept coming back to Gramling's words. That comment was revealing. Many places in the South claim to be the originator of Memorial Day, and the story is at least as much a matter of interpretation as of fact. According to the historian David Blight, the <u>first Memorial Day</u> ceremony was held in Charleston, South Carolina, in May 1865, when Black workmen, most of them formerly enslaved, buried and commemorated fallen Union soldiers.

Confederates had converted Charleston's Washington Race Course and Jockey Club into an outdoor prison for captured Union soldiers. The conditions were so terrible that nearly 260 men died and were buried in a mass grave behind the grandstand. After the Confederates retreated, Black men reburied the dead in proper graves and erected an archway bearing the words martyrs of the race course. An enormous parade was held on the track, with 3,000 Black children singing "John Brown's Body," the Union marching song. The first Memorial Day, as Blight describes it, received significant press coverage. But it faded from public consciousness after the defeat of Reconstruction.

It was then, in the late 1800s, that the myth of the Lost Cause began to take hold. The myth was an attempt to recast the Confederacy as something predicated on family and heritage rather than what it was: a traitorous effort to extend the bondage of millions of Black people. The myth asserts that the Civil War was fought by honorable men protecting their communities, and not about slavery at all.

Read: Ta-Nehisi Coates on the Confederate cause in the words of its leaders

We know this is a lie, because the people who fought in the Civil War told us so. "Our position is thoroughly identified with the institution of slavery—the greatest material interest of the world," Mississippi lawmakers declared during their 1861 secession convention. Slavery was "the immediate cause of the late rupture and present revolution," the Confederate vice president, Alexander Stephens, said, adding that the Confederacy was founded on "the great truth that the negro is not equal to the white man."

The Lost Cause asks us to ignore this evidence. Besides, it argues, slavery wasn't even that bad.

The early 1900s saw a boom in Confederate-monument building. The monuments were meant to reinforce white supremacy in an era when Black communities were being terrorized and Black social and political mobility impeded. They were also intended to teach new generations of white southerners that the cause their ancestors had fought for was just.

That myth tried to rewrite U.S. history, and my visit to Blandford showed how, in so many ways, it had succeeded.

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After the speeches, I began talking with a man named Jeff, who had a long salt-and-pepper ponytail and wore a denim vest adorned with Confederate badges. He told me that several of his ancestors had fought for the Confederacy. I asked what he thought of the event. "Well," he said, "I think if anyone never knew the truth, they heard it today."

He spoke about the importance of the Confederate flag and monuments, contending that they were essential pieces of history. "They need to be there for generations in the future, because they need to know the truth. They can't learn the truth if you do away with history. You'll never learn. And once you do away with that type of thing, you become a slave."

I was startled by his choice of words but couldn't tell whether it was intentionally provocative or rhetorical coincidence.

"I think everybody should learn the truth," Jeff said, wiping the sweat from his forehead.

"What is that truth?" I asked.

"Everybody always hears the same things: 'It's all about slavery.' And it wasn't," he said. "It was about the fact that each state had the right to govern itself."

He pointed to a tombstone about 20 yards away, telling me it belonged to a "Black gentleman" named Richard Poplar. Jeff said Poplar was a Confederate officer who was captured by the Union and told he would be freed if he admitted that he'd been forced to fight for the South. But he refused.

Poplar, I would learn, is central to the story many people in Petersburg tell about the war. The commemoration of Poplar seems to have begun in 2003, when the local chapter of the Sons of Confederate Veterans pushed for an annual "Richard Poplar Day." In 2004, the mayor signed a proclamation establishing the holiday; she called Poplar a "veteran" of the Confederate Army. The tombstone with his name on it was erected at Blandford.

But the reality is that Black men couldn't serve in the Confederate Army. And an 1886 obituary suggests that Poplar was a cook for the soldiers, not someone engaged in combat.

Some people say that up to 100,000 Black soldiers fought for the Confederate Army, in racially integrated regiments. No evidence supports these claims, as the historian Kevin M. Levin has pointed out, but appropriating the stories of men like Poplar is a way to protect the Confederacy's legacy. If Black soldiers fought for the South, how could the war have been about slavery? How could it be considered racist now to fly the Dixie flag?

One Confederate general, Patrick Cleburne, actually did float the idea of using enslaved people as soldiers, but he was scoffed at. A senator from Virginia is reported to have asked, "What did we go to war for, if not to protect our property?" General Howell Cobb was even more explicit: "If

slaves will make good soldiers, our whole theory of slavery is wrong." In a desperate move just weeks before General Robert E. Lee's surrender, the Confederacy approved legislation that would allow Black people to be used in battle. But by then it was too late.

Read: The myth of the kindly General Lee

I asked Jeff whether he thought slavery had played a role in the start of the Civil War. "Oh, just a very small part. I mean, we can't deny it was there. We know slave blocks existed." But only a small number of plantations even had slaves, he said.

It was a remarkable contortion of history, reflecting a century of Lost Cause propaganda.

Two children ran behind me, chasing a ball. Jeff smiled. He told me that he doesn't call it the "Civil War," because that distorts the truth. "We call it the 'War Between the States' or 'of Northern Aggression' against us," he said. "Southern people don't call it the Civil War, because they know it was an invasion... If you stayed up north, ain't nothing would've happened."

When Jeff said "nothing would've happened," I wondered if he had forgotten the millions of Black people who would have remained enslaved, those for whom the status quo would have meant ongoing bondage. Or did he remember but not care?

A mosquito buzzed by Jeff's ear, and he swatted it away. He told me that 78 of his family members were buried in the cemetery, dating back to 1802, and he had been coming here since he was 4 years old.

"Some nights I just sit there and just watch the deer come out," he said, pointing to the gazebo, his voice becoming soft. "I just enjoy the feeling. I reminisce... I want to preserve history and save what I can for my granddaughters.

"This is a place of peace," he said. "The dead don't bother me. It's the living that bother me."

little later, I was speaking with a mother and son about how often they came to events like these when a man in a Confederate uniform, carrying a saber in his left hand, approached us and stood a few feet away. I watched him from the corner of my eye, unsure whether he was trying to intimidate me or join the conversation.

I turned toward him, introducing myself and getting his name: Jason. He had a thick black beard and a mop of hair underneath his gray cap. He told me that "Civil War reenactor" had sounded like a cool job. "I didn't realize it's all volunteer," he said with a laugh.

I asked him what he believed the cause of the Civil War had been. "How do I put this gently?" he said. "People are not as educated as they should be." They're taught that "these men were fighting to keep slavery legal, and if that's what you grow up believing, you're looking at people like me wearing this uniform: 'Oh, he's a racist." He said he'd done a lot of research and decided the war was much more complicated.

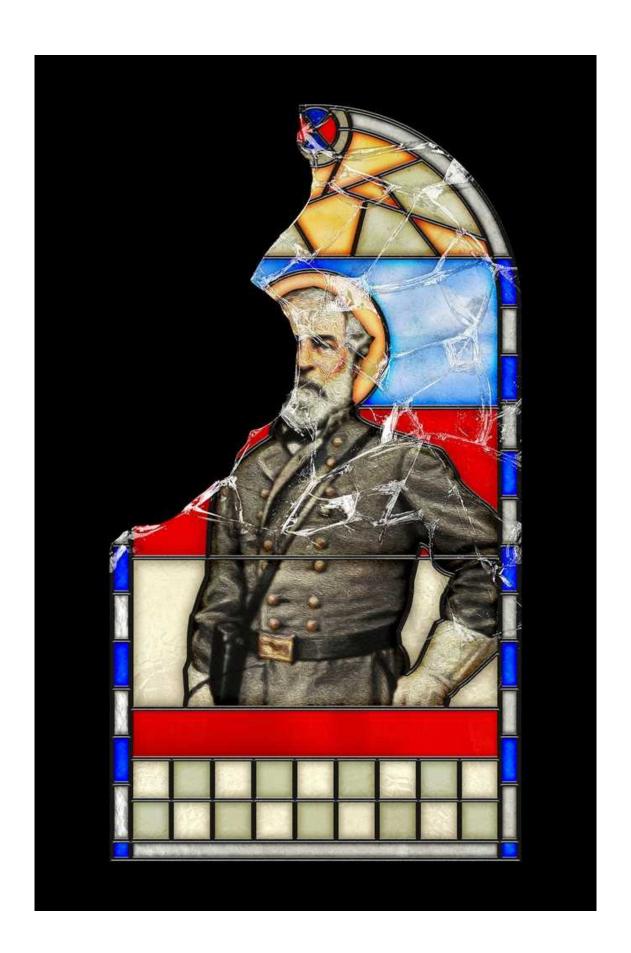
"We used to be able to stand on the monuments on Monument Avenue [in Richmond, Virginia]—those Lee and Jackson monuments. We can't do it anymore, 'cause it ain't safe. Someone's gonna drive by and shoot me. You know, that's what I'm afraid of."

I thought that scenario was unlikely; cities have spent <u>millions of dollars on police protection for white nationalists and neo-Nazis</u>, people far more extreme than the Sons of Confederate Veterans. I found it a little ironic that these monuments had been erected in part to instill fear in Black communities, and now Jason was the one who felt scared.

The typical Confederate soldier hadn't been fighting for slavery, he argued. "The average age was 17 to 22 for a Civil War soldier. Many of them had never even seen a Black man. The rich were the ones who had slaves. They didn't have to fight. They were draft-exempt. So these men are going to be out here and they're going to be laying down their lives and fighting and going through the hell of camp life—the lice, the rats, and everything else—just so this rich dude in Richmond, Virginia, or Atlanta, Georgia, or Memphis, Tennessee, can have some slaves? That doesn't make sense ... No man would do that."

Read: Why "most Confederate soldiers never owned a slave" is misleading

But the historian Joseph T. Glatthaar has challenged that argument. He analyzed the makeup of the unit that would become Lee's Army of Northern Virginia and pointed out that "the vast majority of the volunteers of 1861 had a direct connection to slavery." Almost half either owned enslaved people or lived with a head of household who did, and many more worked for slaveholders, rented land from them, or had business relationships with them.



Many white southerners who did not own enslaved people were deeply committed to preserving the institution. The historian James Oliver Horton wrote about how the press inundated white southerners with warnings that, without slavery, they would be forced to live, work, and inevitably procreate with their free Black neighbors.

The *Louisville Daily Courier*, for example, warned nonslaveholding white southerners about the slippery slope of abolition: "Do they wish to send their children to schools in which the negro children of the vicinity are taught? Do they wish to give the negro the right to appear in the witness box to testify against them?" The paper threatened that Black men would sleep with white women and "amalgamate together the two races in violation of God's will."

These messages worked, Horton's research found. One southern prisoner of war told a Union soldier standing watch, "You Yanks want us to marry our daughters to niggers"; a Confederate artilleryman from Louisiana said that his army had to fight against even the most difficult odds, because he would "never want to see the day when a negro is put on an equality with a white person."

The proposition of equality with Black people was one that millions of southern white people were unwilling to accept. The existence of slavery meant that, no matter your socioeconomic status, there were always millions of people beneath you. As the historian Charles Dew put it, "You don't have to be actively involved in the system to derive at least the psychological benefits of the system."

Jason and I were finishing our conversation when another man, with a thick gray beard and a balding head, walked up to us. We shook hands as he and Jason greeted each other warmly. "He's a treasure trove of information," Jason said. I mentioned that I had seen him talking with my friend William. "I been in his ear good," the man said, telling me that he'd even given him his phone number. I said that was very generous. He looked at me, his eyes searching. His face shifted. "I told him, if you write about my ancestors"—the air trembled between us—"I want it to be correct. I'm concerned about the truth, not mythology."

here.

ike Blandford Cemetery, the Whitney Plantation in Louisiana has a church. It is large and white and flaked with a thin coat of dirt. The door whistles as it opens, and the wooden floor moans under your feet as you step inside. There are no stained-glass windows

Instead, scattered throughout the church's interior—standing next to the pews, sitting on the floor, hiding in the corners—are statues. There are more than two dozen of them, life-size sculptures of children with eyes like small, empty planets. The boys wear shorts or overalls; the girls, simple dresses. When I saw them I was startled because, at first glance, I thought they were real. Each one was so alive despite its inanimateness, intricately detailed from the contours of the lips to the bridge of the nose. They look like they're listening, or waiting. They are The Children of Whitney, designed for the plantation by the artist Woodrow Nash.

Once one of the most successful sugarcane enterprises in all of Louisiana, the Whitney is surrounded by a constellation of former plantations that host lavish events—bridal parties dancing the night away on land where people were tortured, taking selfies in front of the homes where enslavers lived. Visitors bask in nostalgia, enjoying the antiques and the scenery. But the Whitney is different. It is the only plantation museum in Louisiana with an exclusive focus on enslaved people. The old plantation house still stands—alluring in its decadence—but it's not there to be admired. The house is a reminder of what slavery built, and the grounds are a reminder of what slavery really meant for the men, women, and children held in its grip.

On a plot of earth tucked into a corner of the property, between a white wooden fence and a redbrick path, are the dark heads of 55 Black men, impaled on silver stakes. Their eyes are shut, their faces peaceful or anguished. They're ceramic, but so lifelike that the gleam of the sun could as easily be the sheen of blood and sweat. These heads represent the rebels in the largest slave revolt in American history, which took place not far from here in 1811. Within 48 hours, local militia and federal troops had suppressed the uprising. Many rebels were slaughtered, their heads cut off and posted on stakes lining the Mississippi River.

Like Blandford, the Whitney also has a cemetery, of a kind. A small courtyard called the <u>Field of Angels</u> memorializes the 2,200 enslaved children who died in St. John the Baptist Parish from 1823 to 1863. Their names are carved into granite slabs that encircle the space. My tour guide, Yvonne, the site's director of operations, explained that most had died of malnutrition or disease. Yvonne, who is Black, added that there were stories of some enslaved mothers killing their own babies, rather than sentencing them to a life of slavery.

At the center of the courtyard is <u>a statue of an angel down on one knee</u>. Her chest is bare and a pair of wings juts from her back. Her hair is pulled into thick rows of braids and her head is bent, eyes cast downward at the limp body of the small child in her hands.

My own son was almost 2 at the time, and his baby sister was a couple of weeks from making her way into the world. This child, cradled in the angel's hands, evoked in me a surge of grief I had not expected. I felt the blood leave my fingers. I had to push out of my head the image of my own child in those hands. I had to remind myself to breathe.

"There's so many misconceptions about slavery," Yvonne said. "People don't really consider the *children* who were brought over, and the children who were born into this system, and the way to get people to let their guard down when they come here is being confronted with the reality of slavery—and the reality of slavery is child enslavement."

Before the coronavirus pandemic, the Whitney was getting more than 100,000 visitors a year. I asked Yvonne if they were different from the people who might typically visit a plantation. She looked down at the names of the dead inscribed in stone. "No one is coming to the Whitney thinking they're only coming to admire the architecture," she said.

Did the white visitors, I asked her, experience the space differently from the Black visitors? She told me that the most common question she gets from white visitors is "I know slavery was bad... I don't mean it this way, but... Were there any good slave owners?"

She took a deep breath, her frustration visible. She had the look of someone professionally committed to patience but personally exhausted by the toll it takes.

"I really give a short but nuanced answer to that," she said. "Regardless of how these individuals fed the people that they owned, regardless of how they clothed them, regardless of if they never laid a hand on them, they were still sanctioning the system ... You can't say, 'Hey, this person kidnapped your child, but they fed them well. They were a good person.' How absurd does that sound?"

But so many Americans simply don't want to hear this, and if they do hear it, they refuse to accept it. After the 2015 massacre of Black churchgoers in Charleston led to renewed questions about the memory and iconography of the Confederacy, Greg Stewart, another member of the Sons of Confederate Veterans, told *The New York Times*, "You're asking me to agree that my great-grandparent and great-grandparents were monsters."

So much of the story we tell about history is really the story we tell about ourselves. It is the story of our mothers and fathers and their mothers and fathers, as far back as our lineages will take us. They are the stories Jeff tells as he sits watching the deer scamper among the Blandford tombstones at dusk. The stories he wants to tell his granddaughters when he holds their hands as they walk over the land. But just because someone tells you a story doesn't make that story true.

Would Jeff's story change, I wonder, if he went to the Whitney? Would his sense of what slavery was, and what his ancestors fought for, survive his coming face-to-face with the Whitney's murdered rebels and lost children? Would he still be proud?

This article has been adapted from Clint Smith's new book, <u>How the Word Is Passed: A Reckoning With the History of Slavery Across America</u>. It appears in the June 2021 print edition with the headline "The War on Nostalgia."



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Is Brett Kavanaugh Out for Revenge?

Three years after his polarizing confirmation hearings, the Supreme Court's 114th justice remains a mystery.



Illustration by Oliver Munday; images from Chip Somodevilla; Saul Loeb / AFP; Michael Reynolds / Getty

- Story by McKay Coppins
- <u>June 2021 Issue</u> Politics

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he suburban gentry of Chevy Chase, Maryland, had some difficulty making sense of Brett Kavanaugh's descent into villainy that fall. He had always seemed so nice and nonthreatening to his neighbors, so *normal*—the khaki-clad carpool dad who coached the girls' basketball team and yammered endlessly about the Nats. It was true that his politics were unusual for the neighborhood, the kind of place where No Justice / No Peace signs stand righteously in front of million-

dollar homes. But Brett was not a scary Republican, of the kind who had recently invaded Washington. He was well educated and properly socialized, a friend of the Bushes, a stalwart of the country club. When his nomination to the Supreme Court was first announced, the neighborhood had largely welcomed the news. People gave interviews attesting to his niceness; the owner of the Chevy Chase Lounge said that he would add Brett's photo to the wall of famous patrons.

But then came the first accusation, and the next accusations, and the cable-news pile-on, and the Donald Trump tweets, and the satellite trucks on Thornapple Street, and the regrettable Senate hearings in which their neighbor appeared on national TV, his face twisted into an aggrieved snarl, his voice torqued up to an unnatural shout, ranting through tears about the political enemies who were trying to destroy his life—and, well, suddenly what to think about Brett wasn't so clear anymore.

Stories of his shunning circulated among neighbors, accompanied by a mix of pity and schadenfreude: the woman at La Ferme who heckled him after dinner; the taunting message on the diner marquee that he passed each morning on his commute. Even at the Shrine of the Most Blessed Sacrament, where people were usually so good about setting aside political differences, the Kavanaugh case proved divisive. Poor Father Foley was swamped with letters and emails, while parishioners parsed the details of Brett's alleged youthful sins—*What was a devil's triangle, anyway?*—and grumbled about watching him receive Communion.

Brett was confirmed in the end, of course, becoming the 114th justice to serve on the Supreme Court, but his photo never made it onto the wall at the Chevy Chase Lounge. And maybe it was just their imagination, but some of his neighbors swore that Brett was different now—harder, further away. He wore a baseball cap when he left the house, and started dining out more at the country club, where security was tight and access was limited. He canceled a planned trip to the annual Harvard–Yale game and turned down invitations to lectures and conferences, hosting small groups of students in his chambers instead.

For months, he seemed to float quietly through the neighborhood like a spectral figure, a ghost of culture wars past, condemned to haunt Chevy

Chase. Sightings at the grocery store became moments of morbid fascination disguised as friendly concern: *How did he look? What was his mood? Does he seem okay—you know, after everything?*

Then one day, about six months after he was sworn in, Brett did something strange. It was Easter Sunday, and he had come to Blessed Sacrament for Mass with his family. When the service ended, he made his way outside, positioned himself at Father Foley's elbow, and proceeded to greet parishioners as they filed out of the church—laughing and glad-handing and thanking them for coming, as though Brett were the priest and they were his flock.

This odd little spectacle lent itself to multiple interpretations. Was he reaching out in fellowship to his enemies? Making a show of contrition (or forgiveness)? Or was he perhaps signaling something more ominous? "I read it as a flex," says one parishioner who huffily steered his family away from the scene. "I read it as *I'm right here, in the middle of everything, and I'm not going away. I won.*"

strange irony of Brett Kavanaugh's ruinous 2018 confirmation battle is that for all the attention it commanded—and all the certainty it instilled in both supporters and opponents—Kavanaugh remained more or less a mystery when it was over. What did he believe? Whose interests was he serving? And what exactly happened in that suburban-Maryland bedroom all those years ago? Christine Blasey Ford's accusation that he'd sexually assaulted her in high school—and the judge's denial—foregrounded debates over predation and privilege, even as Kavanaugh himself seemed to blur into abstraction. Nearly three years later, questions remain, not only about past behavior but about the future. The cold reality is that Kavanaugh is now on the bench. And there is reason to ask whether his bitter path to the Court might influence what he does with a lifetime appointment.

Kavanaugh's confirmation cemented a conservative majority on the Court that got even stronger last year when he was joined by Amy Coney Barrett. Kavanaugh now sits at the Court's ideological center—illustrating how far to the right the center has shifted. Any judicial victory that liberals hope to

achieve in the coming years will likely require winning over the justice whose nomination they fought most ferociously to defeat.

As much as the modern Court clings to its image as an apolitical institution—enlightened, black-robed figures dispensing wisdom from on high, guided by love of country and Constitution—the truth is that its members have always been swayed by politics, ego, and grievance. After Clarence Thomas's confirmation was nearly quashed in 1991 by accusations of sexual harassment, he retreated into a cocoon of allies and ideologues, rarely speaking in public even as he became one of the most right-wing justices in recent history. Some wonder whether Kavanaugh will follow the same trajectory. It was he, after all, who spoke in that infamous Senate hearing about the country reaping "the whirlwind" and suffering "consequences" in a way that led many to believe he was issuing threats. "As we all know," he told the senators who were questioning him, "in the United States political system of the early 2000s, what goes around comes around."

While Kavanaugh's allies insist that those comments were misinterpreted, they also say that he still privately seethes over the "smear campaign" he believes he endured. "He's made an effort to say, 'Look, I'm not bitter about this. I'm moving forward," one friend told me. "But I assume, when he's lying in bed at night, it's hard not to think about it." Another friend put it more bluntly: "He was really angry at Democrats for what they did to him and his family." And yet, those same friends also describe a competing impulse in Kavanaugh—a burning desire to gain readmission into polite society and enjoy all the perks associated with one of the world's most prestigious jobs.

The Court is poised to tackle a range of consequential issues in the near future—from the regulatory power of federal agencies to voting rights to the fate of *Roe v. Wade*. And for all of America's illustrious constitutional scaffolding and its ideals about the rule of law, a generation of jurisprudence could come down to an unnerving question: Is Justice Kavanaugh out for revenge?

rett Michael Kavanaugh learned the virtues of partisanship long before he discovered politics. As a kid, he rooted fanatically for the teams he inherited, the Redskins and the Bullets; as a teen, he developed a close-knit group of

friends at Georgetown Prep and performed his allegiance with try-hard zeal. Although Kavanaugh was not a standout athlete, he relished being part of a team—the nicknames and the inside jokes, the camaraderie born of a common cause, no matter how pointless or juvenile. When his friends set a goal of drinking 100 kegs during the year leading up to graduation, few gave more to the effort than Kavanaugh. Acquaintances prone to armchair psychoanalysis would later speculate that his fixation on the fraternal grew out of his status as an only child. "He's very good in groups of male friends," a former classmate told me.

If Kavanaugh had grown up somewhere else, he might have joined a cult or a street gang; because he grew up in Bethesda, he <u>pledged a fraternity at Yale</u>. The elite pedigree of Delta Kappa Epsilon—past members include five presidents and a handful of Supreme Court justices—belied its essential frattishness. To join, Kavanaugh reportedly endured a series of ritual humiliations, including an order to hop around campus in a leather football helmet while grabbing his crotch and chanting, "I'm a geek, I'm a geek, I'm a power tool. / When I sing this song, I look like a fool."

While Yale was not known for its robust Greek culture, the "Dekes" had a reputation for debauchery. They boisterously waved flags made of women's underwear, read aloud from *Penthouse* in the quad, and threw legendarily boozy parties. Once, with a frat brother, Kavanaugh got into a bar fight after a UB40 concert, and wound up being questioned by the New Haven police. (According to a police report obtained by *The New York Times*, Kavanaugh was not charged.) Decades later, episodes like these would become fodder during Kavanaugh's confirmation battle. Democrats discerned a violent, misogynistic streak that supported the allegations against him; Republicans dismissed it all as youthful bravado. But to those who knew Kavanaugh, the stories also revealed the blinkered recklessness of a young man intoxicated by the thrill of belonging.

Kavanaugh showed few signs of ideological fervor as an undergraduate. In fact, his former classmate told me, even at Yale Law School most of his fellow students had no sense of his politics until he started conspicuously cultivating relationships with influential conservative professors. This abrupt political coming-out prompted more than a little cynicism among his peers, who suspected careerism (a mode not exactly foreign to the Yale Law

School set): In a field clogged with liberals, the path to coveted clerkships and jobs was much more open if you were coming from the right. "The question is, how conservative was he? I don't think even Brett knew at the time," the classmate said.



Illustration by Oliver Munday; images from Wikimedia; Gabriella Demczuk / Getty

After Kavanaugh completed an unremarkable clerkship, one of his professors recommended him for a prestigious spot with the libertarian Judge Alex Kozinski, on the Ninth Circuit, which then propelled him to a clerkship with Justice Anthony Kennedy. In an arena where Supreme Court clerkships command significant bonuses at big law firms—<u>upwards of \$400,000 today</u>—Kavanaugh's talent for picking the right mentors paid off.

Yet even as he climbed the ladder of Washington's conservative legal establishment, Kavanaugh remained staunchly nonpartisan in his schmoozing. "He was the kind of conservative you could go out to dinner with," says Ruth Marcus, a liberal columnist at *The Washington Post* who

knew Kavanaugh early in his career and later wrote a book about him called *Supreme Ambition*. So when he joined the newly formed special prosecutor's office investigating some possibly shady real-estate deals made by Bill and Hillary Clinton, his friends took little notice. The job was supposed to last six months at most, after which he would move on to the lucrative career that awaited him.

The early days of Ken Starr's investigation were relatively quiet. The office was small, and the scope of the inquiry was narrow. Kimberly Wehle, a member of Starr's team at that time, recalls Kavanaugh as bright and fair and absurdly hardworking. "I remember thinking to myself, *That is the kind of person who belongs on the Supreme Court*," she told me. But as the investigation dragged on, growing and mutating and accumulating new targets—from the suicide of Vince Foster to the accusations against President Clinton by Paula Jones to the curious case of a certain White House intern—the environment in the office changed. Starr himself, once considered a leading prospect for the Supreme Court, came to be seen in Washington as a sanctimonious partisan hell-bent on taking down the Clintons. The lawyers who worked for him were recast as foot soldiers in a "vast right-wing conspiracy"—and some of them started to act like it.

Around this time, Kavanaugh went out on a date with Colleen Covell, a young Democratic prosecutor in D.C. When they got to the bar, Covell recalls, Kavanaugh started draining beers at an impressive pace. The more he drank, the more candid he became in his commentary on the Clintons, until eventually he was shouting things like "I can't believe you voted for him!" and "They're total crooks!" The intensity of his animus was startling, Covell told me. "I just remember thinking, *Whoa, he really hates them.*"

By the time Starr's team turned its attention to Monica Lewinsky, the hothouse environment of the office had taken a toll on Kavanaugh, who had now been there well past six months. Once, amid a debate over whether the president should be asked sexually explicit questions under oath, Kavanaugh fired off a memo to his colleagues advocating for an X-rated line of inquiry. Among his proposed questions: "If Monica Lewinsky says that you inserted a cigar into her vagina while you were in the Oval Office area, would she be lying?" (Robert Bittman, who also worked on Starr's team, told me that

Kavanaugh had written the memo in a fog of sleep deprivation, and that he later expressed regret for its tone.)

The investigation effectively launched Kavanaugh's career. For all the office's blunders, the young lawyer was able to forge relationships and bank favors with powerful Republicans, guaranteeing him a plum spot in the next GOP administration. After a stint on the Bush campaign's legal team during the 2000 Florida recount, Kavanaugh joined the White House counsel's office. George W. Bush took a liking to him, and eventually nominated him to serve on the prestigious D.C. Circuit Court of Appeals.

Over the next 12 years, Kavanaugh worked to reinvent himself as a respectable, and thoroughly unbiased, jurist with friends in both parties. He appeared frequently on legal panels and was hired to teach at Harvard Law School by its then-dean, Elena Kagan. He even publicly repented for his role in the Starr investigation, writing it off as a kind of youthful indiscretion. As a judge, he spent most of his time on wonky regulatory cases, which meant his conservative voting record attracted little attention in the culture wars. And when a politically charged case did fall into his lap, in 2017—involving an undocumented 17-year-old immigrant seeking an abortion in Texas—Kavanaugh tried to find a middle course. Rather than rule decisively on whether the abortion could proceed, he argued that the government should be given more time to find the young woman a "sponsor" who could help her make the decision. The ruling pleased no one, but it suggested an instinct for caution that made his brand of conservatism palatable in Washington.

Kavanaugh's rebranding campaign was so successful that, when he was selected for the Supreme Court, an array of bipartisan validators lined up to sing his praises. Amy Chua, the author and legal scholar, wrote <u>an op-ed hailing his mentorship of female clerks</u>. (In fact, her daughter would go on to clerk for Kavanaugh.) Akhil Reed Amar, a liberal law professor at Yale, said <u>Democrats would be hard-pressed to find a conservative nominee better than Kavanaugh</u>.

But some who had closely followed Kavanaugh's career remained suspicious. "He thinks very much as a partisan," Garrett Epps, a law professor emeritus at the University of Baltimore, told me. "What has Kavanaugh ever been except the guy clutching onto the greasy pole?"

he Supreme Court is a notoriously opaque institution. Justices rarely give interviews to the press (Kavanaugh declined my request), and clerks are expected to abide by a code of omertà that prevents them from publicly discussing what goes on behind closed doors. This culture of secrecy is encouraged by the Court's members, who are invested in maintaining the perception that their work is done beyond the reach of rank politics.

But people who have seen the inner workings of the Court say it's nothing if not political. Tit-for-tat dealmaking is commonplace. Alliances are formed and rivalries fester. In the 1940s, infighting among President Franklin D. Roosevelt's appointees got so bad that Hugo Black and William O. Douglas are said to have threatened to resign if Robert Jackson was made chief justice. In the 1970s, Potter Stewart leaked damaging stories about his colleagues to the journalist Bob Woodward.

While the judicial sausage-making may be more discreet on today's Court, a range of people close to the justices—including friends, confidants, and former clerks—told me that Kavanaugh's arrival in the fall of 2018 occasioned a round of careful internal maneuvering by his new colleagues.

Most of the justices already knew Kavanaugh, and some of them even liked him. He was a regular at holiday parties and the swearing-in ceremonies for new Supreme Court lawyers (often lingering until the last guest left, according to one person). They also knew that he had been nominated at an overheated moment in American politics, by a president whose only inclination was to raise the temperature further. Even before the assault allegations, the regular partisan forces seemed especially girded for war: The day Kavanaugh's name was put forward, the organizers of the Women's March accidentally released a fill-in-the-blank statement they had prewritten condemning Trump's "nomination of XX to the Supreme Court."

In private, Kavanaugh had expressed his own misgivings about the president who nominated him, even as he went through the requisite motions of flattery and fealty. "He was no fan of Donald Trump," one friend told me. "But he's not going to say no to the nomination. He had to kiss the ring to get there."



Illustration by Oliver Munday; images from Leah Millis; Tom Williams / Getty

Kavanaugh's future colleagues were primed for sympathy. The justices had long been united in a shared disdain for the confirmation process. The grandstanding senators, the bloodthirsty reporters, the political groups churning out attack ads—to the men and women of the Supreme Court, the whole thing felt like a high-stakes hazing ritual, and they were inclined to give one another the benefit of the doubt. "It's a highly partisan process, and you have to kind of therefore take the slings and arrows with a grain of salt," a person close to the Court told me. More to the point, some of the justices recognized an opportunity in Kavanaugh's uniquely contentious confirmation.

Kagan, an Obama appointee known inside the Court as a deft strategic operator, was quick to make a move. Sensing that Kavanaugh, in this vulnerable moment, might welcome allies wherever he could find them, she launched a quiet charm offensive. While he was still moving into his chambers, Kagan stopped by and offered to host a dinner party in his honor

at her Washington apartment. They were seen together frequently—whispering and laughing during oral arguments or talking baseball over lunch in the justices' private dining hall, where she liked to joke that their conversation was a reprieve from the Shakespearean forays favored by Kavanaugh's predecessor, Anthony Kennedy. "She saw him as up for grabs," said one person with knowledge of the Court's internal dynamics.

The other liberal women on the bench followed Kagan's lead. Sonia Sotomayor gave an interview in which she welcomed Kavanaugh's arrival: "This is our work family, and it's just as important as our personal family." Ruth Bader Ginsburg praised her new colleague at an event in Washington as "very decent and very smart." These comments upset some on the left, but they had a strategic purpose. The liberal justices knew Kavanaugh wouldn't vote with them on a regular basis, but they hoped they could pick off his vote occasionally, when it mattered. Having a relationship would help.

Clarence Thomas, meanwhile, was running his own game. Though he had refused to watch the hearings on principle, he felt he understood better than most what Kavanaugh had gone through. "He had been there," Armstrong Williams, a longtime friend of Thomas's, told me. "It was like déjà vu all over again." Thomas was eager to impart the lessons he'd taken from his own confirmation experience—most important, in his view, that trying to ingratiate yourself with your character assassins was a fool's errand. "It took Justice Thomas a few years to figure that out," Williams said. "But now he lets what he does on the Court speak for him—his rulings, his opinions, his dissenting opinions. He can't do anything about how people talk about him." According to Williams, Thomas hoped to be an example to Kavanaugh and would indeed be "a good mentor."

From the September 2019 issue: Deconstructing Clarence Thomas

But the justice to whom Kavanaugh gravitated, according to people close to him, was John Roberts. The two men had moved in similar social circles for years—they belonged to the same country club, played in the same poker game—and Kavanaugh had long considered him a role model. He made little secret of his fanboy status: In his D.C. Circuit chambers, a blown-up photograph of himself and "the chief" had hung on the wall. "Brett idolizes

John Roberts," a friend of Kavanaugh's told me. "If you're looking for soulmate types, that's them."

Court watchers varied on whether the feeling was mutual, but Roberts had his own reasons to cultivate Kavanaugh. The chief justice is an ardent believer in the idea that the Court's credibility rests on its image as an apolitical institution. "It's my job to call balls and strikes," he famously testified during his confirmation hearing, "not to pitch or bat." Roberts's fixation on staving off political backlash had guided much of his tenure. He favored narrow decisions over sweeping ones, resisted establishing broad new precedents, and was said to cut deals with his colleagues behind the scenes to avoid 5–4 rulings in high-profile cases. In 2012, he surprised Court watchers when he cast the deciding vote to uphold the Affordable Care Act. It was later reported that Roberts had initially planned to strike down a key provision of the law but flipped his vote, avoiding the blowback that would have resulted if conservative justices had overturned President Barack Obama's signature legislation in an election year.

Now Kavanaugh's crash landing threatened to undo the carefully honed image of the Roberts Court—and maybe even the Court itself. Democrats were openly talking about "packing" the bench with liberal justices if they took back the White House and Congress in 2020, while scholars and commentators tossed around proposals to radically reduce the constitutional power of the judiciary.

Roberts worked to ensure that Kavanaugh's first term was as uneventful as possible. He maneuvered to clear the docket of abortion cases, and successfully punted a controversial case involving a Christian baker and a same-sex-wedding cake back to the lower courts. In the cases the Court heard, Kavanaugh stuck close to Roberts, voting with him 94 percent of the time.

Observers were quick to note how different Kavanaugh seemed from his fellow Trump appointee, Neil Gorsuch. Though they had known each other since adolescence, when they were two years apart at Georgetown Prep, they were polar opposites. Kavanaugh was the proto–frat bro who organized boozy beach trips for his friends, Gorsuch the know-it-all prig who spent his free time on the debate team. And though they ended up clerking at the same

time for Justice Kennedy, they never seemed to warm up to each other. The tense nature of their relationship became a subject of speculation among the Court's insiders. Some chalked it up to clashing personalities: "Gorsuch has somewhat sharp elbows and a lot of self-regard," one person told me. Others pointed to signs of a competitive rivalry: When Gorsuch was nominated first for the Supreme Court, in 2017, a restless Kavanaugh began telling friends that he might retire from the D.C. Circuit and make money practicing law.

Whatever the reason, there was no mistaking their divergent styles on the bench. Gorsuch routinely stirred the pot with his purple opinions and grandiose pronouncements, self-consciously positioning himself as the right-wing heir to Antonin Scalia. Kavanaugh, meanwhile, was restrained during oral arguments, quietly siding with the majority most of the time and periodically aligning himself with the liberals. In his first term, he voted with Kagan as often as he did with Gorsuch. When he did come down on the right in a divisive case, he would write a separate opinion explaining himself in almost apologetic terms.

"He really cares how he's perceived across the ideological spectrum," David Lat, the founding editor of the influential legal-commentary site *Above the Law*, told me. "I would say Justice Kavanaugh is trying to be the conservative that people don't hate."

o far, Kavanaugh has had limited success in that mission. As he nears the end of his third term on the bench, his judicial record has proved peskily difficult to caricature—solidly conservative but not radically so, prone to incrementalism, disinclined toward culture war. And yet, he remains a magnet for criticism and controversy. Whatever your view of Kavanaugh, you can find evidence that he's not on your side.

When he cast the deciding vote in a ruling that allowed states to continue practicing partisan gerrymandering, Twitter exploded with calls from the left for his impeachment. Similar outrage met his vote to allow the Trump administration to include a citizenship question on the census, which many regarded as an intimidation tactic designed to undercount immigrants. A number of liberal Court watchers believe that the worst may be yet to come. As a lower-court judge, Kavanaugh showed open antagonism toward what is known as the *Chevron* doctrine, the legal principle that courts should give

great weight to the interpretations adopted by federal agencies as they administer complicated regulations. It may be the one area in which his views are the most hardened. If Kavanaugh leads his conservative colleagues in overturning *Chevron*, Democrats warn, legal challenges will tie regulators' hands and hobble the implementation of progressive policies —affecting everything from health care to the environment to corporate oversight.

For some people, of course, the nuances of Kavanaugh's voting record will always matter less than the fact that he was confirmed after facing a credible accusation of sexual assault. A year after Kavanaugh was sworn in, Christine Blasey Ford was still receiving death threats. The veteran judicial reporter Dahlia Lithwick wrote that she'd been unable to return to the Supreme Court because she was still so angry. Irin Carmon, a feminist journalist who covered the Kavanaugh hearings closely, told me the episode was especially painful because it took place at a moment when accusations of sexual misconduct seemed at last to be taken seriously. "People had started to think this time would be different, and it wasn't, and that's why it was so crushing."

At the same time, Kavanaugh has disappointed many of the right-wing activists who expected the Hulk-like figure from his confirmation hearings to reemerge on the bench. The grumbling began last year, when he voted to allow the Manhattan district attorney access to Donald Trump's tax records. But frustration really boiled over in February, when his swing vote prevented the Supreme Court from hearing a slate of lawsuits challenging the election results brought by Trump and his allies. Across the Trumpist media, Kavanaugh was derided as a coward and a traitor. John Cardillo, a host at Newsmax, summarized the sentiment on Twitter: "Shame on Kavanaugh for playing ball after they tried to destroy him and his family."

Even within the more staid precincts of the conservative legal establishment, fears have begun to surface that Kavanaugh might be uniquely vulnerable to "judicial drift"—a phenomenon in which Republican-appointed justices, such as Lewis Powell and Harry Blackmun, grow steadily more liberal the longer they're on the bench. Even before he was nominated, Kavanaugh had raised concerns at the Federalist Society, which vets the conservative bona fides of judicial candidates. He was added to Trump's shortlist only after an

intense lobbying campaign by Republican friends, most notably Anthony Kennedy, the justice he had clerked for and eventually replaced. Now some Republicans are privately wondering if the scramble to push through his confirmation was worth it. "Might there be some temptation to appease the left? Yeah, there might be," one Kavanaugh ally told me. "He's a human, and that's a very human temptation. But I would be extremely disappointed in him if he were to go south."

hortly after Kavanaugh was sworn in, his former clerks gave him a gift: a framed print by the artist Tom Lea accompanied by a quote about living "on the sunrise side of the mountain." The original painting had hung in George W. Bush's Oval Office, and the quote was a Bush favorite. Kavanaugh displayed it prominently in his chambers, a pledge to himself that he would remain optimistic.

Kavanaugh knew the first few months would be bad, friends say. The wounds from the confirmation hearings were still fresh; everybody was still angry. So when he had to withdraw from his teaching position at Harvard Law School amid protests—despite his sterling student evaluations—he was stung, but told everyone he understood the situation. And when Matt Damon turned him into a punch line on *Saturday Night Live*, he gamely insisted that the impression was hilarious. But Kavanaugh was determined not to remain in exile forever. "He thrives on life in the public square," a friend told me. "He loves it."

So far, the public square has not been particularly inviting. At the Federalist Society's 2019 annual dinner, <u>his keynote speech</u>—a rite of passage for new conservative justices—was repeatedly derailed by liberal protesters. At a Georgetown Prep homecoming game, he reportedly had to ask alumni to put down their beers before he would pose for photos with them. Even venturing to Mass or the grocery store meant subjecting himself to a potential confrontation or a nosy neighbor overinterpreting his every move.

The drumbeat of negative media coverage has yet to relent. This spring, when Democratic Senator Sheldon Whitehouse called on the Justice Department to investigate the FBI's 2018 background check of Kavanaugh, suggesting that it was "fake," a round of sensational headlines followed. ("Could Brett Kavanaugh Be Booted From the Supreme Court?" Vanity Fair

asked.) His conservative colleagues might let stories like that roll off their backs, but Kavanaugh is hyper-attentive to the press. "I don't think Thomas or Alito gives a shit what *The New York Times* says about them," one friend told me. "But I think Brett does."

The pandemic has only heightened the sense of isolation. Last year, for the first time in its history, the Supreme Court began operating remotely, conducting oral arguments and most other business by conference call. Kavanaugh, who unlike most of his colleagues still has school-age children (plus a noisy dog), found working from home untenable, according to one friend, and continued to commute into Washington, where he spent most of his time alone in his spacious chambers.

People close to Kavanaugh say it's only a matter of time before he attempts some kind of rehabilitation tour—an interview in a mainstream news outlet, perhaps, followed by a handful of public lectures. But he's been careful not to move too fast. Time is one thing a 56-year-old Supreme Court justice with a lifetime appointment has plenty of.

For now, observers are left to speculate about what fundamentally drives Kavanaugh. Most of his friends seem to believe that the partisan revenge fantasy feared by the left and craved by the right is unlikely to materialize. He's an affable guy, they all insist—he simply wants everyone to like him again. (Some even wonder if he regrets being tapped. "If he had it to do over again, knowing what would happen, would he accept the nomination?" a person close to Kavanaugh asked. "I honestly don't know.") But squint again at the story of Kavanaugh's rise, and a different picture might come into view: a credential-obsessed meritocrat who's spent his life sweatily striving for power without any grounding in conviction or principle.

Which brings us back to the nature of the Supreme Court itself. There may be no greater indictment of America's democratic system than the fact that Brett Kavanaugh's feelings are so potentially consequential. But at a moment when the Court is routinely called upon to fill the void left by a dysfunctional political system, a single justice has enormous power to set policy and settle national debates. If Kavanaugh is "dangerous," as his critics contend, it's not because he is part of some brazen right-wing

conspiracy. It's because he has managed to ascend to the height of American power while remaining, perhaps even to himself, a living Rorschach test.

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Purgatory at Sea

Off the coast of Italy, cruise ships are being repurposed as holding pens for migrants rescued from the Mediterranean.



Paolo Pellegrin / Magnum

- Story by Ian Urbina
- <u>June 2021 Issue</u> <u>Global</u>

Photographs by Paolo Pellegrin

Image above: Italian law enforcement escorts 68 migrants, rescued off the coast of Sicily, to the Port of Augusta on March 31. Most of the migrants were delivered to the Rhapsody, a cruise ship now being operated by the Italian Red Cross, to begin their quarantine. (All photos in this article were shot aboard the Allegra, another quarantine ship, from March 29 to April 2.)

3,000 passengers, plus 1,000 cars. Almost 700 feet long, the ship has 567 cabins, three restaurants, six bars, a dozen or so shops, a casino, a movie theater, a nightclub, and a chapel. Its eight stories are connected by motion-sensor-activated escalators and glassencased elevators, so that vacationers can avoid overexerting themselves on stairs after a few plates at the buffets.

Cruise ships tend to be designed to make passengers feel as though they're not at sea but rather in a five-star Las Vegas hotel. Everything is shiny, sprawling, and inward-facing. On La Suprema, many of the ceilings are paneled with mirrors, to give a sense of greater spaciousness. But natural light is scant; what little sunlight can be found squeezes in through tiny portholes. The narrow hallways, marble lobbies, and chandeliered dining rooms hum with fluorescent light. Thick carpeting muffles the low growl of the engine and the tireless smacking of the waves on the hull.

Last fall, I spent time on La Suprema, but not on a cruise. The lavish vessel, along with eight others, had been chartered by the Italian government and staffed by the Italian Red Cross to quarantine migrants rescued at sea, in order to keep them from bringing COVID-19 ashore. The ships had become giant floating holding pens—reportedly maintained at a monthly cost of more than 1 million euros (\$1.2 million) each—where thousands of migrants, mostly from the Middle East and Africa, were being held. I wanted to see the conditions on the quarantine ships for myself, but the Italian government had forbidden any journalists from boarding. So I applied to the Red Cross to work as a volunteer, and on a balmy, cloudless day in November, I boarded the ship.

n any given day last fall and winter, several hundred migrants and a few dozen Red Cross staff were on board La Suprema. The passengers were confined to designated floors and areas, which were cordoned off with barriers of clear-plastic sheets that had been taped across doorways, to lessen the potential flow of COVID-contaminated air. The ship was kept impeccably clean, and Red Cross workers aggressively enforced mask wearing indoors.

For all its wood paneling and velvet upholstery, the ship felt less like a vacation destination than a nursing home—a place humid with worried waiting, and smelling of boiled broccoli and carrots. The ship's gold-colored railings served as clotheslines, where laundry air-dried. The video-game arcade had become a medical storage closet, with boxes of latex gloves, hand sanitizer, and toilet paper stacked between the Galaga and Pac-Man machines. Single-serve packets of olive oil from the buffet station had been repurposed as a balm for rashes.

Most of the time we were anchored roughly a mile from shore, off the coast of Sicily, and though the sea sometimes swelled, the ship was so massive that it only ever swayed gently. We were circled at all times by two patrol boats from Italy's Guardia di Finanza, which polices immigration and financial crimes.



Migrants already on board the Allegra wave to new arrivals recently rescued at sea. (Paolo Pellegrin / Magnum)

Several times a day, Red Cross staff led the migrants, single file, out of their cramped hallways to the ship's upper deck, where they were allowed half-hour recesses. The deck, which on a typical cruise would have been dappled

with sunbathers, was filled instead with migrants dragging on cigarettes as they paced around a drained, blue-tiled swimming pool strewn with candy wrappers.

I had first learned about the quarantine ships from my friend Francesco Taskayali, a 29-year-old Italian pianist. (A nonprofit I run, the Outlaw Ocean Project, co-published one of his albums.) Last September, Taskayali emailed to say that he was working as a Red Cross volunteer. His concert tours had been canceled, he explained, and with time on his hands, he wanted to see what life was like for migrants on the quarantine ships.

Taskayali was first assigned to another quarantine ship, the Allegra. On his second day on the job, he told me, a humanitarian ship operated by Médecins Sans Frontières delivered 353 migrants, pulled from flimsy dinghies in the Mediterranean waters off Libya. A narrow metal ramp with rope railings was laid across the gap between the two ships for the migrants to walk across. First came a woman from Egypt, several months pregnant, with two toddlers in tow. Next came an unaccompanied 8-year-old girl from Morocco, wide-eyed and afraid. Then came others—from Tunisia, Bangladesh, Ethiopia, Libya, Syria, and parts of West Africa. As they arrived on the Allegra, a nurse took their temperature and Taskayali brought them to their rooms.

A few weeks later I joined Taskayali on La Suprema, where he was performing odd jobs. He brought migrants cellphone chargers, shampoo, and tampons. He fitted them for shoes, which most had arrived without. He handed out ointment for scabies, an intensely itchy and extremely contagious skin infestation that afflicted roughly a third of the migrants. He also plunged toilets, which were often clogged with underwear, flushed by migrants to protest their confinement on the ship. Because the Red Cross knew that my main goal was to shadow Taskayali and report on what life aboard La Suprema was like, my only job was dinner duty, checking names and ID numbers on a clipboard as the migrants were handed a tray.

The migrants spent most of their time sitting on the floor in the hallways outside their cabins, huddled around their cellphones, watching music videos. The cabins typically held two or three people, the majority of them men between 15 and 25 years old, from Tunisia, Egypt, Libya, Somalia,

Bangladesh, or Eritrea. On my second day aboard the ship, as I loitered awkwardly in a hallway feeling like a high-school misfit, a 15-year-old boy named Ahmed took pity on me, asking to see what music I had on my phone. Because my 17-year-old son listens mostly to international rap music, I have hundreds of hip-hop songs from Egypt, France, Tunisia, Algeria, and Venezuela on my phone. Ahmed reacted with shock to my collection; he immediately disappeared with my phone into a crowd that erupted in cheers as it played a song by Lacrim, a French Algerian rapper. After that, the teen boys called me "Music Man" and fist-bumped me when we crossed paths.

Most of the migrants told me they deeply appreciated the Red Cross workers, but they nonetheless felt imprisoned at sea and desperately feared deportation once they reached dry land. If migrants can't prove that they are fleeing conflict or persecution, rather than poverty, Italy typically rejects their claims for asylum.

Several of the migrants I saw on La Suprema had extensive fuel burns: During their attempted crossings, gasoline had spilled in their dinghies, where it had mixed with seawater and then come in contact with their skin. People sitting or lying in the bottom of the dinghies are at the highest risk of such burns; fuel canisters often leak, get knocked over, or are emptied during frantic efforts to bail out dinghies if they start to sink. Nonetheless, women and children are often instructed to sit on the floor, because many people mistakenly believe it is the safest place on the boat. One doctor told me that some of the migrants she had attended to on La Suprema had arrived so soaked in gasoline that merely handling their clothes had made her latex gloves melt.

At night, Taskayali's job was to stand watch outside two glass doors on the eighth-floor deck, to ensure that none of the migrants went outside, where they might try to jump into the water and swim to shore. When the ship was in or near port, migrants would press their faces against the glass for hours, staring at the land.

During my week on La Suprema, the ship pulled into port twice to disembark people whose quarantine period had ended. The first time, as people left the vessel, they were met by dozens of police officers standing at the water's edge, arms crossed, waiting to usher them onto buses and transport them to one or more of Italy's many "reception centers." These centers collectively house more than 75,000 migrants, most of whom are awaiting decisions about their asylum applications. After one group had disembarked, I followed the "sprayer" teams, clad in hazmat suits, who efficiently disinfected the rooms, changed linens, scrubbed bathrooms, and otherwise prepared the ship for the next influx of migrants.



Migrants on the deck of the Allegra celebrate a Libyan girl's 10th birthday. Migrants are allowed on deck in small groups twice daily; those who test positive for COVID-19 are kept separate. (Paolo Pellegrin / Magnum)

The second time La Suprema came into harbor, at the Port of Augusta, in the east of Sicily, I watched the police onshore grow impatient with a teenager who was scheduled to disembark. They wanted to arrest him, for reasons they did not disclose. Batons drawn, several uniformed officers walked up the ramp and onto the ship and grabbed the boy, who fell to the ground and tried to wriggle free. Other migrants began yelling. Shoving escalated into punches. The captain of La Suprema rushed to the scene. "You have no authority here," he yelled at the officers. "You will leave my ship

immediately!" They left, but soon after, the boy was removed from the ship by the Red Cross and arrested.

On board the ship, several migrants who had witnessed the scene went upstairs to their rooms, where they drank shampoo and other chemicals to induce vomiting, believing that their chances of staying in Italy would be greater if they were to land at a hospital rather than a reception center, because doctors might be more apt to help them than police or bureaucrats. At the end of October, nine Tunisians on one of the other quarantine ships had been evacuated after swallowing razor blades.

"If Libya is hell and Europe is heaven, this is purgatory," Taskayali said to me one night at dinner.

ccording to the United Nations, more than 2.5 million migrants have made unauthorized crossings of the Mediterranean into Europe since the 1970s. In recent years, migration has spiked as asylum seekers have fled war and political instability in North Africa. In response, European nations have tried to halt the flow, causing this crossing to become what the UN has called "by far the world's deadliest" for migrants. Since 2000, more than 35,000 of them have drowned or gone missing. This has exacerbated a humanitarian crisis as deep and inexorable as the sea itself.

In 2011, after the toppling of the dictator Muammar Qaddafi, the number of migrants using Libya as a departure point for Europe increased significantly, because people-smuggling networks could now operate there without constraint. Italy's coalition government initially took a relatively open approach to migration. In late 2013 and 2014, the Italian government plucked more than 140,000 people from the sea. The government's hope was that Italy's European neighbors would follow suit and provide rescue vessels, funding, and, most important, places to resettle the migrants.

That didn't happen. As the rest of Europe failed to assist, <u>Italian sentiment</u> toward refugees curdled, and the government pulled back from rescues at sea. By 2016, various charities—large global aid agencies such as Save the Children and Médecins Sans Frontières, as well as newer, smaller groups—

were trying to fill the gap, patrolling international waters off Libya and making about 25 percent of the rescues in the Mediterranean.

But by then these efforts were themselves coming under pressure. As part of an EU program called Operation Sophia and a subsequent deal between Libya and Italy, the latter agreed to provide ships, training, and millions of euros to Libya's coast guard, which has been accused of threatening, boarding, and even opening fire on NGO ships. Critics said the nowmoribund program constituted refoulement (from the French for "turning away"), a violation of international human-rights laws that say no one should be returned to a country where they would face torture or other degrading punishment. Operation Sophia began despite mounting evidence that Libyan smugglers, security forces, and the coast guard itself were committing atrocities against migrants. The migrants picked up by the coast guard tended to face grisly fates. According to a 2017 report by the German embassy in Niger, the detention centers in which Libya was confining migrants featured "concentration camp—like conditions"; the report documented widespread torture, rape, and executions. In September 2018, the UN High Commissioner for Refugees declared that nowhere in Libya should be considered safe for people rescued at sea.





Top: Migrants converse on deck, in view of the Sicilian coastline. *Bottom:* A migrant in his cabin on the Allegra (Paolo Pellegrin / Magnum)

Around the same time, Italy's populist parties were speaking out against charity rescuers, accusing them of operating "sea taxi" services for migrants. In 2017, the chief of Frontex, the EU's combined coast guard and border patrol—as well as the interior ministers of Austria and Germany—accused rescue-ship crews of supporting smugglers; within two years, prosecutors in Italy had opened criminal investigations against at least 12 NGO vessels for aiding and abetting illegal immigration. In 2019, to discourage sea rescues, the Italian government began raising the fines that can be imposed on NGOs for entering Italian waters without permission and for carrying undocumented people to port. Those fines are now up to 50,000 euros, or about \$60,000, per violation.

The Italian government justified these actions by claiming that sea rescues encourage migrants to attempt the dangerous Mediterranean crossing. But this doesn't seem to be true. Matteo Villa, a migration researcher at the Italian Institute for International Political Studies, a nonpartisan think tank, has found that people make their decisions about whether to attempt a crossing based primarily on weather and local political conditions; rescue operations at sea do not increase the number of people who cross. These rescue operations do, however, significantly reduce the number of people who die trying: Villa determined that when such operations were disrupted by the Italian government in the first eight months of 2019, the death rate along the sea route from Libya more than tripled, from 2.1 percent to 6.7 percent.

By the end of 2020, virtually all the NGOs had stopped conducting sea rescues, mostly because their ships had been detained by EU authorities. According to Médecins Sans Frontières, the Libyan coast guard intercepted more than 11,700 migrants at sea last year, delivering many of them to the detention facilities that had been deemed unsafe by the UN.

This was the situation during my time on La Suprema—except that COVID-19 had made matters worse.

t's hard to miss the irony in the use of cruise ships to forestall the spread of the coronavirus. One of the first serious COVID-19 outbreaks outside China was on the Diamond Princess, a British cruise ship that had stopped in the port of Yokohama, Japan, in early

February, with more than 3,700 passengers and crew members on board. Over the following month, roughly one-fifth of the passengers tested positive; about a dozen people ultimately died. Mass outbreaks followed on the Zaandam, the Rotterdam, the Greg Mortimer, the Ruby Princess, and other ships. The ventilation on these ships seems to have been a contributing factor. According to Qingyan Chen, a mechanical-engineering professor at Purdue University who studies how airborne disease is transmitted indoors, many cruise ships' ventilation systems rely on recirculated air sent through low- or medium-strength air filters, causing airborne viruses to spread far faster than on airplanes.

But for Italy, the ships seemed to offer an expedient way to quell domestic concerns. Even though Italian health officials insisted that migrants had played only a "minimal" role in bringing the coronavirus into the country, fears that migrants were the source spread rapidly. In April 2020, Italy announced that, for the first time ever, its harbors could no longer be considered "safe places" for migrant landings. Shortly thereafter, Malta, another popular landing spot for migrants, did the same. Soon, other EU countries were using fears about the virus to justify tightening their borders and diminishing their relocation efforts.

This was the point at which Italy decided to charter large ships to serve as floating quarantine centers. Health professionals and immigrant advocates criticized the plan, raising questions about the quality of medical care, psychological support, and legal assistance that would be available on board. And even though the ships were intended only to hold new arrivals, reports began to emerge that Italian authorities were transferring COVID-positive migrants who had been onshore for months to the ships.



A migrant in his room in the COVID-positive section of the Allegra (Paolo Pellegrin / Magnum)

When Francesco Rocca, the president of the Italian Red Cross, heard those reports, he called the Interior Ministry and warned that if officials were relocating migrants from on-land centers, or if they were holding migrants on ships for even a day more than the medically necessary quarantine period, he would order his staff to release people from the ships en masse. "I made it very clear to them," Rocca told me. "We will participate so long as our job is not to run floating prisons." The government quickly agreed.

ne evening around midnight, not long before I arrived on La Suprema, a commotion erupted in the COVID-positive section of the ship, which held roughly 100 to 150 people. Earlier that day, about 40 people from that section of the ship had been informed that despite having already quarantined at sea for 10 days, they would be required to spend another 10 days in quarantine, because several of them were still testing positive. That night, 20 Syrian men from the section found an unlocked, unguarded door and slipped up a back stairwell to the uppermost deck. Guards quickly found them, and when they approached the men, tensions escalated. After some screaming and shoving, the Syrians sat down in a circle on the deck and began singing.

Worried that if the men dispersed, they would infect others on the ship, doctors at the scene telephoned Andi Nganso, the medical director of the quarantine ships, and asked what they should do. Nganso recommended bringing the men some food and water and letting them remain where they were. So the men stayed on deck all night long—talking, singing, lying on their back and staring up at the stars—while the guards and Red Cross workers kept watch at a distance. The next morning the men filed quietly back to their rooms as a group. "Key is to de-escalate," Nganso said to me later about the incident.

A couple of weeks after that, Taskayali was on his way to his cabin when he passed a Libyan migrant in the stairwell. The man seemed distraught. Concerned, Taskayali made a U-turn and began following the man, who noticed and started to sprint. Taskayali gave chase, following him up to the eighth floor and onto the deck. After running the long way around a barrier to get to the port side of the ship, the man began climbing a railing. Taskayali tackled him before he could jump.

The man spoke with a trained mediator, who helped him calm down, and then he returned to his quarters. After the episode was over, Taskayali walked back to the spot where he had tackled the man. During the chase, he had assumed that the man was trying to escape the ship by leaping overboard into the ocean—looking over the railing, however, he saw not ocean but a concrete dock, eight stories down.

Nganso told me that no COVID-positive migrants on the quarantine ships had died or even needed to be intubated. "The real challenge," he said, "is mental health."

orn in Rome, Taskayali began studying piano when he was 6 and composing when he was 11. His talent earned him a deal with Warner Music when he was 24. On the Allegra, when Taskayali overheard another volunteer say that there was a piano, he decided to look for it. He found it in a cordoned-off section of the ship, in the back of a dark, empty restaurant on the seventh floor: an upright Yamaha covered in dust. He sat down and played Chopin's "Nocturne No. 20," among the saddest songs he knew, and one of his favorites.

Word had spread among the Red Cross workers that a renowned pianist was in their midst, and several of them asked him to play a concert for them. He agreed, but asked if he could do a concert for the migrants too. The logistics were tough, but eventually he persuaded the ship's captain to allow him to play for migrants on the upper deck during some of their outdoor smoke breaks. The concerts were inspiring. One day I watched Taskayali play "Eski Dostlar," a traditional Turkish song, while a group of women from Sudan and Nigeria danced and ululated with joy. Another day, as Taskayali played a song he'd composed, called "Black Sea," a group of teen boys from Egypt and Libya formed a circle and then took turns gyrating and break-dancing in the center as the others cheered. Another time, he played a famous 19thcentury Italian protest song, "Bella Ciao," which had been remixed in Tunisia into a popular song titled "Habiba Ciao." When the migrants heard the tune, they exploded into clapping and cheering, grabbing me by the arm and pulling me into their circle as they chanted "Italia!" and "Thank you, Red Cross!"



Red Cross workers counsel migrants aboard the Allegra. The cruise ship is one of nine vessels that the Italian government has used to quarantine migrants. (Paolo Pellegrin / Magnum)

A couple of days later, I found Taskayali leaning over a railing, smiling coyly. He told me that he planned to play a concert in the COVID-19 ward, a section of the ship we were normally forbidden to visit. We met there that afternoon, and two Red Cross workers helped us into hazmat suits. Taskayali played for half an hour, during which the place vibrated with an invisible current. The migrants in this section, who rarely got visitors, seemed shocked that we had entered their area. After the concert, I noticed a man in his mid-30s standing silently in front of the keyboard, weeping. I asked him if he was okay. "This man, so kind," the migrant kept saying. When Taskayali shyly tried to beat a hasty retreat, he was slowed by a gantlet of migrants wanting to take selfies with him. As we peeled off our hazmat suits, Taskayali turned to me and said, "I've never experienced anything as beautiful."

hese moments of beauty stood out amid abiding pain. One afternoon, Taskayali was told to go check on a recently arrived 8-year-old Tunisian boy who had migrated alone. After some initial small talk, made possible by another migrant who spoke both Arabic and English, Taskayali asked the boy whether he had any relatives waiting for him in Italy. He responded that he had a friend in France. "I will find him," the boy said.

"But where are your parents?" Taskayali replied, somewhat insistently. The boy looked down. Communicating with his hands, he indicated that his father had been hanged, and that his mother's throat had been slit. Taskayali later told me he very much regretted the manner in which he had asked his question.

While helping serve meals to the migrants on La Suprema, I worked alongside a Red Cross officer named John Ogah. In 2013, because of growing violence in Nigeria from terrorist groups like Boko Haram, Ogah fled to Tripoli, where he shared an apartment with 15 other Nigerians and found work as a welder. One night, a group of armed Libyan men broke into the apartment to rob it, and in the process shot and killed one of Ogah's apartment mates. This sort of thing was not out of the ordinary for migrants in Libya, Ogah told me. "Rapes and killings all the time," he said.

Ogah decided to flee again, this time to Europe. He found a trafficker, covertly arranged passage across the Mediterranean on a boat carrying 300 other migrants, and, in May 2014, came ashore in Italy. He made his way to Rome, where he spent months living on the streets. To earn money, he begged and carried people's bags outside a supermarket in Rome's Centocelle neighborhood. One day, a man wearing a motorcycle helmet and carrying a large meat cleaver pushed past him into the grocery store. The man walked to the counter and demanded money from the register. Security footage from the store shows Ogah watching the incident. When the thief attempted to leave on his scooter, Ogah grabbed him, wrested the cleaver from him, and held him down until police arrived.

Because he didn't have immigration papers, Ogah quietly left the scene. But the police tracked him down, and the government awarded him with a one-year residency permit, which has since been extended. The police encouraged Ogah—who was raised Catholic but never baptized—to share his story with the Vatican. During a 2018 Easter Mass, Pope Francis baptized Ogah in a televised ceremony. The Red Cross hired him as a logistics officer.





Top: In the COVID-positive section of the Allegra, a Red Cross medical staffer performs a nasal swab. *Bottom:* Migrants celebrate receiving negative COVID-19 tests. (Paolo Pellegrin / Magnum)

By the time I met Ogah, many of the migrants on board La Suprema knew his story. When I asked one of the migrants what he hoped to become if he was allowed to stay in Europe, he said, "Like him," and pointed at Ogah.

But Ogah's story is no fairy tale. One night not long ago, he called me to talk about the loneliness of life as an immigrant in Italy. "I don't have a girl. I don't have friends," he said, adding that his pay was barely enough to get by on; after rent he could not buy all the groceries he needed. "I'm the luckiest immigrant I know," he said, "but I didn't realize life would be like this here."

ne night on the Allegra, Taskayali met a 15-year-old from Ivory Coast named Abou Diakite. The boy had arrived only two days earlier, after being rescued with nearly 200 other migrants off the coast of Libya by a Spanish nonprofit called Proactiva Open Arms. He had high cheekbones, wide eyes, and short, braided hair, and he sometimes wore a stud in one ear or a hoop in the other.

At the time of his rescue, Diakite was severely dehydrated and malnourished. He had scars on his limbs, which some thought may have come from his having been tortured in Libya. A week after boarding the rescue ship, he started suffering intense lower-back pain. He tested negative for COVID-19, and medical staff—suspecting a possible urinary-tract infection—put him on antibiotics. When he was transferred to the Allegra the next day, his fever had gone down and he seemed to be improving.

But his condition soon worsened, and Red Cross officials requested that the Health Ministry allow an emergency evacuation, so that they could take Diakite to a hospital in Palermo. The day before the evacuation, Taskayali stayed up all night writing Diakite a farewell song, in three parts, the first corresponding to Diakite's departure from Ivory Coast, the second to his time on the ship, and the third to his arrival in Europe. The song was meant to convey a sense of hope—what Taskayali imagined Diakite would feel when he finally arrived on land in Italy.



Disembarking the Allegra: After the migrants' quarantine period is over and they receive a final negative COVID-19 test result, they are released to Italian police and immigration authorities waiting onshore. (Paolo Pellegrin / Magnum)

The next morning, Diakite's friends helped him into an ill-fitting green hazmat suit and a new N95 mask. Diakite resisted, feebly; he had worked as a tailor in Ivory Coast, his friends said, and he cared about his clothes. Taskayali helped move Diakite onto a stretcher and down to the lowest deck. Onshore, an ambulance and a gaggle of police officers were waiting for him. As he was taken away, Taskayali pressed his shoulder and said, "My friend—the land, finally." Barely conscious, Diakite did not reply.

He fell into a coma and was transferred to a second hospital in Palermo, due to lack of space in the first. He died shortly after arriving at the second hospital.

ountries must police their borders. Managing immigration flow is never easy; COVID-19 has only made it harder. At least in the short term, quarantine ships represent an alluring fix to a politically thorny problem: Because of its remoteness, the sea is an attractive place for governments to detain migrants.

But the cost of this solution is that it renders an already voiceless demographic even more invisible. "When I was growing up, I always thought that the world was unfair," Taskayali wrote to me when he learned of Diakite's death. "I lacked the proof until I found it at sea."

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Black America's Neglected Origin Stories

The history of Blackness on this continent is longer and more varied than the version I was taught in school.



Gordon C. James

- Story by <u>Annette Gordon-Reed</u>
- <u>June 2021 Issue</u> Ideas

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When I was growing up in Conroe, Texas, about 40 miles north of Houston, my classmates and I took Texas history twice, in the fourth and seventh

grades. We learned about Texas's history in the United States, its previous existence as a republic, and its time as a province of Mexico. Among other things, we were exhorted to "remember the Alamo" and "remember Goliad," famous events in Texas's fight for independence from Mexico. Some other aspects of the state's history were less covered. I didn't need school lessons to tell me that Black people had been enslaved in Texas, but in the early days of my education, the subject was not often mentioned.

Some of our lessons did, however, involve the "period of Spanish exploration." And I remember hearing in those lessons stray references to a man of African descent—a "Negro" named Estebanico—who traveled throughout what would become Texas. Estebanico was described, according to Andrés Reséndez's book A Land So Strange: The Epic Journey of Cabeza de Vaca, as a "black Arab from Azamor," on the coast of Morocco. A Muslim, he had been forced to convert to Christianity and sold away from his home to Spain; he eventually found his way to Texas in the company of the famous explorer Alvar Núñez Cabeza de Vaca. He arrived in the area of the future Galveston, where Union General Gordon Granger would proclaim the end of the Civil War and the end of slavery in Texas more than 300 years later, on the day now known as Juneteenth. Estebanico's journey across Texas as an interpreter for Cabeza de Vaca made him one of the first people of African descent to enter the historical record in the Americas. He was part of a cohort of African people who predated plantation slavery in the Americas, and had stories and legacies outside that institution. And the time in which he entered the story of the continent—in the 1520s—is roughly a century earlier than when the most popular stories about Black people in America begin.

The arrival in Virginia in the early 1600s of "20. and odd negroes," as John Rolfe announced, is often taken as the beginning of what we might call Black America—from that 20 to nearly 47 million souls today. Historians study those earliest years to, among other things, pinpoint the beginning of American slavery. They also look to this time to see if they can discover how deeply ideas about race were embedded in the culture of the people who established the English colony in Virginia. From these histories, people create and curate origin stories, of both themselves and the ideas they hold. And what these stories leave out—including Estebanico, the period of

Spanish exploration, and years of Black and Indigenous history on the continent—is as important as what they include.

Origin stories matter, for individuals, groups of people, and nations. They inform our sense of self, telling us what kind of people we believe we are, what kind of nation we believe we live in. They usually carry, at least, a hope that where we started might hold the key to where we are in the present. We can say, then, that much of the concern over origin stories is about our current needs and desires, not actual history. Origin stories seek to find the familiar, or the superficially familiar—memory, sometimes shading into mythology. Both memory and mythology have their uses, even if they must be separated from the facts of the past. But in the case of Black people, the limitations of the history and possibility of our origin stories have helped create and maintain an extremely narrow construction of Blackness.

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The two origin stories that American children are most often taught are those of Jamestown, Virginia, an English colony founded in 1607 as a moneymaking venture, and Plymouth, Massachusetts, where people escaped religious persecution in 1620. The latter narrative is more inspirational and more in keeping with America's sense of moral exceptionalism than the former, which is perhaps why it has tended to loom larger in the American mind. Both origin stories emphasize the triumph of amity over enmity between Indigenous people and English settlers, something very different from what actually happened. But Black people are absent in the story of Plymouth, and the role of Jamestown as a hub of chattel slavery is often minimized. For Black Americans, neither origin story is sufficient.

Another origin story might be more suitable. St. Augustine, Florida, was not at all a part of my early education, but it's where race-based slavery, as an organized system, began on American soil, established by the Spanish <u>as early as 1565</u>. Enslaved and free African laborers helped build the settlement and its fortifications. In 1693, the king of Spain offered freedom in Florida

to enslaved people who escaped from the British colonies if they converted to Catholicism and swore their allegiance, and in 1738, the Spanish governor established a settlement for them in St. Augustine. The story of Africans in St. Augustine is rich, as documented in surviving parish records. The settlement of free Blacks existed in some form until the British acquired Florida in the Treaty of Paris in 1763.

I had heard of St. Augustine by the time I got to college. But even then, it was presented as a historical footnote. The English had "won" the contest against the Spanish in North America—in Texas and in Florida. What was the point of incorporating this story of Africans and Spanish people into the general narrative of American history or, more specifically, the history of African Americans? The same could be said of the French, in their beaver-trapping colonies near the Great Lakes. They were "also rans" in the race for the territory that became the United States. The French influence in Louisiana—its civil-law approach to marriage, its stratification of people of African descent into several social spheres based on white ancestry, the French Quarter in New Orleans, the arrival of Cajuns (descendants of the people exiled in the 18th century from the French colony Acadia by the victorious British)—has been treated as mere seasoning for a culture almost universally recognized as Anglo-American. Similarly, the brief period of Dutch slave ownership in New York is almost totally out of the picture.

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The story of Estebanico is part of this historical marginalia. Estebanico came to the Americas with the man who enslaved him, Andrés Dorantes, and Cabeza de Vaca, two of the leaders of a 300-person expedition to Florida and lands west. A series of disasters—food shortages, illness, and skirmishes with Indigenous people—spurred them to cross the Gulf. The men built rafts and split up, 50 men to a raft.

Dorantes, Estebanico, and most of the men on their raft made it to Texas, as did Cabeza de Vaca and most of the men on his. The other parties landed

south of them and died as a consequence of either attacks by Native Americans or starvation. Dorantes's party made contact with Cabeza de Vaca and his party. Many died during a cold and hard winter. Estebanico ended up in a small group with Dorantes, Cabeza de Vaca, and another man. Their ordeal moved into another phase when they were enslaved by Indigenous groups living along the Texas Gulf Coast. The men endured almost six years of slavery but eventually managed to escape. They then embarked upon an epic journey, walking for about 10 months across Texas and Mexico to the Pacific Coast.

Cabeza de Vaca, who wrote a widely read memoir about the extraordinary adventure, noted that Estebanico had played a key role as the chief translator between the Spaniards and the Indigenous people they encountered along the way, because of his great talent for learning and speaking languages. Estebanico appears to have achieved a measure of respect among his fellow explorers, but that respect disappeared once he and his fellow wanderers came upon a group of Spaniards in what is now Sinaloa State, in northwestern Mexico. Once they were safe and back among a strong complement of other Spaniards, Estebanico's Spanish companions were again in their element, and Estebanico was, again, their slave.

Like Estebanico's journey, the experiences of so many other Black people and communities have been pushed to the sidelines, held in thrall to the prerogatives of white storytellers and the needs of white origin stories: The United States' own nationalist-oriented history focuses intensely on what happened within the boundaries of the British colonies, and on the perspective of English-speaking people. The world enclosed in that way leaves out so much about the true nature of life in early America, about all the varied influences that shaped the people and circumstances during those times. That focus prevents vital understanding about contingency—how things could have taken a different turn.



According to the conventional narrative with which most Americans, it is safe to say, are familiar, Black people came to North America under the power of the English from places that were never clearly identified, because where they came from didn't matter much. They went from speaking the languages of their homelands to speaking English. They worked on plantations, in the fields or in the house. This highly edited origin story winds the Black experience tight. To be sure, the institution of slavery itself circumscribed the actions of enslaved Black people, but it never destroyed their personhood. They did not become a separate species because of the experience of being enslaved. All of the feelings, talents, failings, strengths, and weaknesses—all of the states and qualities that exist in human beings—remained in them. There has been too great a tendency within some presentations of enslaved people to lose sight of that fact, in ways obvious and not.

We can see this tendency in the historical treatment of that most basic of human traits: the ability of enslaved people to acquire language and speak. Estebanico's talent for languages might seem to mark him as exceptional, but actually helps us understand the multilingual nature of slavery and enslaved people. For example, Dutch was the first language of the noted abolitionist Sojourner Truth, born Isabella Baumfree in Swartekill, New York, near the end of the 1790s. She almost certainly spoke English with a Dutch-inflected accent. Yet reproductions of her speech were written in the stereotypical dialect universally chosen to portray the speech of enslaved Black people, no matter where in the country they lived. Under this formulation, the experiences of growing up hearing and speaking Dutch had no effect on Truth. It was as if the legal status of being enslaved and the biological reality of having been born of African descent fixed her pattern of speech, almost as a matter of brain function.



St. Augustine, Florida, was the site of the oldest free Black community in what is now the United States. (Gordon C. James)

When I was working on my first book, writing about the way historians had handled the story of Thomas Jefferson and Sally Hemings, I noticed that one line of attack on the veracity of Madison Hemings's statements to the journalist Samuel Wetmore, in which he said that he was the son of Jefferson and Hemings, was to suggest that they were unreliable because they had been recorded in standard English. The notion that a formerly enslaved person could speak that way was treated as presumptively incredible. Even a brief thought about the circumstances of Hemings's life, viewing him as a human being, tells a different story. Hemings's recollections make clear that his older siblings—Beverley and Harriet—left Monticello to live as white people. Both married white people who may not have known that their spouses were partly Black and had been born enslaved. The communities where they lived evidently did not know that either.

How did Madison Hemings's siblings live convincingly as white if they spoke in the dialect applied universally to enslaved people? Why would Madison speak differently than his siblings? Taking into account the Hemingses' actual circumstances would have proved absurd the assumption

that Madison Hemings could not have spoken in the way portrayed in his conversation with Wetmore.

A similar analysis, or lack of analysis, has often been at play in writings about the Hemings children's mother, Sally. As I have traveled the country talking about the books I have written about the Hemings family, I've been struck by the responses to the fact that Sally Hemings and her brother James learned to speak French during their years in France. On several occasions I have been asked, with seeming wonder, how they could have learned to speak French. How could they have gotten along there? Because slavery in the United States was racially based, it was easy to graft the legally imposed incapacities of slavery onto Black people as a group, making incapacity an inherent feature of the race.

Perhaps there is something about French, for a long time the language of diplomacy and culture. It is considered "fancy" in a way that goes along with the country's cuisine and vaunted high fashion—haute cuisine, haute couture. What of individuals born at the lowest rung of society? Could enslaved people, Black people, ever lay claim to sophistication? More than a century after James and Sally Hemings's time in France, Secretary of State William Jennings Bryan, while contemplating a crisis in Haiti, exclaimed, "Dear me. Think of it. N*****s speaking French."

The fiction that has African Americans naturally speaking in a particular way, or unable to learn a language, slyly promotes the notion that Black people are somewhat less than human. At the very least, the ideas about Black people and language convey the supposed gulf that exists between the races. Editors and interviewers for the Federal Writers' Project ex-slave narratives of the 1930s, which gathered the recollections of formerly enslaved people, engaged in a concerted effort to render the speech of the interviewees into stereotypical Black dialect. As a result, the accents and speech of all the interviewees—whether from Virginia or Georgia or Texas—appear exactly the same. The exaggerated dialect was supposed to signal "authenticity"—an authenticity defined by incapacity.

From the March 2021 issue: Clint Smith on the Federal Writers' Project Slave Narratives

I don't recall whether Estebanico's language skills featured in the fleeting mention that was made of him in my early education. I do wonder what difference it might have made to my and my classmates' understanding about the enslaved to have had a more fully realized example of someone who displayed such perseverance and talent. Estebanico was a flawed man —there were complaints about his treatment of some of the women he encountered, and he ultimately died in a hail of arrows, killed by Native Americans after he insisted on taking gifts of "turquoise and women" from them—but even these negative notes would have helped us see him as a human being with strengths and weaknesses. We would have encountered a known person, to substitute for the nameless people in cotton fields who, at least in my education, never broke out or appeared as anything other than fungible agricultural workers. Of course, I know now that the lives of enslaved field-workers were more complicated than portrayed during my childhood, and worshipping heroism, as typically defined, works against the idea that the lives of common people count and hold lessons for us as well. But learning that the Spanish explorers and the Indigenous people they encountered and lived with at times relied on Estebanico to help them speak with each other brings another dimension to our understandings about slavery and the people enslaved.

Even more, knowing that some of the Black people who came to the Americas with the Spanish went off on their own to lead expeditions in Mexico, Central America, and South America would have altered the framework for viewing people of African descent in the New World. Africans were all over the globe, having all kinds of experiences. Some founded free settlements, decades before the English arrived. Some, like Estebanico, were instruments of conquests. Some became bound to the institution of chattel slavery. But in all that, one thing is certain: Blackness does not equal inherent incapacity or limitation.



Over the past several decades, academic historians have emphasized that enslaved people in North America did more than work in the fields. The insights from this scholarship have filtered down to public-history sites where enslaved people lived and labored, changing the presentations at those places. If one goes to Colonial Williamsburg, in Virginia, one sees actors portraying enslaved people who were skilled artisans of one sort or another. At Monticello, guides point out the work of John Hemmings, the carpenter and joiner who made furniture for Jefferson and worked on the physical structures of both Monticello and Poplar Forest, Jefferson's home away from home in Bedford County, 90 miles from his mountaintop mansion.

As has been said many times, Black history is American history. People of African descent, however, occupy a special place in the narrative of the rise and fall of European nations in North America. For all its problems, nationalist-oriented history presented a cogent telling of the origins of the United States, though a superficial one. It made some degree of sense to sunset the influence of the other European nations with which the English settlers contended for control of the continent. American culture continued under the influence of what had been, at the time of the separation, a British society.

But a closer look at the story of the 20 or so Africans who landed at Jamestown contains a hint of the broader nature of the origin story: The Africans, from the region of Angola, had been taken after a battle with a Portuguese galleon. The Spanish, and their Portuguese neighbors, had been enslaving Africans, working with elites within African societies, for centuries by this time. The English were relative newcomers to the practice. The field of Atlantic history, which studies the era of contact among the peoples of Africa, Europe, and the Americas in the 16th through 18th centuries, began to take hold in the 1980s, when I was in college and law school. It has expanded further, as a challenge to inward-looking nationalist history. Thinking of these interactions as part of a global system makes even more clear that the origin story of Africans in North America is much richer and more complicated than many people like to believe.

Would it make sense for African Americans enslaved under English rule to think they had absolutely no connection to enslaved people who spoke Spanish or French? What enslaved Africans had in common, what really ordered their lives, was the experience of enslavement in a world where the notion of white supremacy was ascendant. National borders cannot contain the experiences shared by families enslaved across the Caribbean and the entire breadth of two continents. There is no reason for the people taken from Africa to define themselves strictly by the countries, languages, or societal roles their captors created. Even though the Spanish "lost" Texas and Florida, Estebanico and the Spanish-speaking Blacks of St. Augustine should be seen as a part of the origin story of African Americans. The echoes of that world reverberated from the 1500s through to my classrooms in the 1960s and '70s, and continue to reverberate today.

This article has been adapted from Annette Gordon-Reed's new book, On Juneteenth. It appears in the June 2021 print edition with the headline "Estebanico's America."

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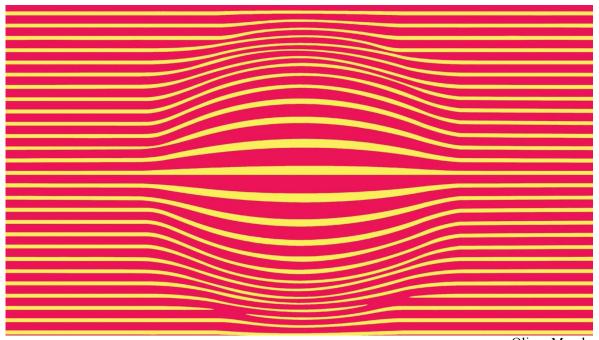
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Bump

A short story



Oliver Munday

- Story by Morgan Thomas
- <u>June 2021 Issue</u> <u>Fiction</u>

Editor's Note: Read <u>an interview</u> with Morgan Thomas about their writing process.

This story was published online on May 16, 2021.

o those who accuse me of immoderate desire, I say look at the oil executives. Look at the Gold Rush. Look at all the women who want a ring and romance and lifelong commitment, and then look again at me. Me, I just want a person to dance the two-step with on Friday nights, a person who won't mind if I wear a shirt with maroon sequins or, occasionally, a strap-on pregnancy bump. In return, I offer a woman who can

get by on little. I keep myself spotless. My car and my nails and my résumé, I polish. I polish myself until I shine.

The first thing that drew me to Len was that he had worked to be where he was and would work to stay there. Born on a cattle ranch an hour outside Gainesville, he'd made partner at an Atlanta law firm, the firm that had once represented Coca-Cola against the state. He wore a suit and tie to work even on casual Fridays. He had no southern accent. On our first date, I asked him about the accent. He said, "I did away with it." Like it was nothing, doing away with a whole part of yourself. When I talk about polish, this is what I mean. Representing Coca-Cola is reprehensible, and I've told him that, but still, I admire his dedication.

When I told him, on our third date, that I was trans, he said, "That makes no difference." Another reason I love him. Not like my Nana, who had a conniption, said I was risking my job and her livelihood in the bargain, since she counted on me to take care of her. And I did lose that first job. I made mistakes. I worked a miserable job for six years just for the health insurance. But a year ago I got a part-time job, a better job, and here I am.

Len didn't care that I was trans. Now I think I should have asked for more than ambivalence, but for three years, I was happy with Len. Friday evenings, we danced the two-step at Dig Down, and he maneuvered me expertly through the crowd. Weekends, when he was feeling ambitious, he cooked crepes. He was devoted to me. His crepes were terrible.

His wife, Melinda, sometimes invited me to the nail salon or for sushi. I was grateful to her for the invitations, though I always declined. We were cordial, Melinda and I. We understood how to fit together, help each other. We both believed it was a good thing, a relief, to divide up the responsibility of caring for a man.

With Len, for the first time in my life, I could honestly say, "I am content."

That all ended, of course. I trace the decline to one moment four months ago. I was eating lunch with my co-worker Julie, and she asked how I was feeling at the end of my first trimester. I had most definitely not mentioned being pregnant or even wanting to be pregnant, which is something I want quietly, since it is impossible, and there's something shameful in yearning, concretely—not a whim, but a cold, hard desire—for an impossible thing. Uterine transplants are

at least six years down the road. By then I'll be past childbearing age. I accept this, but there Julie was, acting as if I were carrying a baby, and there I was, to my great surprise, going along with it.

I should have said I wasn't pregnant, whatever she'd heard, but she smiled at me like we were sharing a new secret. She had been through two pregnancies, the second more difficult than the first. Everyone in the office knew the details. Her smile invited me to put my swollen feet up on conference tables, to send my ultrasounds to the "All" office email. Right down into my abdomen, that smile warmed me, and I said, "I feel better than ever," and that's how I'm in the mess I'm in now.

esire has its own rhythms. It overwhelms and subsides. At the height of my contentment with Len, I'd nearly forgotten the feeling of wanting—the pull and the thrill of it. Two years into our relationship, Len said to me, "We're pregnant." For a single, startled moment I thought he meant the two of us, but he was talking of course about his wife, Melinda, about the baby we hadn't met yet, the baby who would be born to that happy couple five months later with toe-thumbs and a full head of hair. I called that baby the aphid. I cared for the aphid on Saturdays to give Melinda a break, and I enjoyed my relationship with them, which was something like that of an aunt. Melinda was a deliberate mother. She published articles on her blog about cloth diapers and raising children in nontraditional family structures. She didn't let just anyone watch the aphid, but she let me.

Maybe it was my time with the aphid that got my co-workers talking, some baby pheromone. Maybe the rumor started when I'd complained to another co-worker that I'd been nauseated in the mornings. I'd put the nausea down to starting a new plant-based progesterone or to a habit of breakfasting on Lemoncocco soda, but she'd said, "Are you pregnant?"

"What do you think?" I'd said. That was a real question. Did I seem pregnant? I wanted to know. She'd just pressed her lips together into a private smile and walked away.

After Julie asked about my first trimester, I started thinking about children. For three days, I thought about them. I texted Len, "Would you want to have a child with me?"

[&]quot;Good morning to you"

I texted, "Not immediately, but one day."

"Two families is a lot"

"I'm just asking if you'd want to."

When we met up that evening, I asked him again.

"The logistics would be difficult," he said. "We'd have to adopt."

"We wouldn't have to adopt," I said, though I couldn't name an alternative to adoption.

"I don't think this is a conversation we need to have tonight," he said. "I think this is a conversation we should have in a year, a few years."

I said nothing, impressed into silence by his vision of longevity. I don't know anyone but Len who anticipates conversations they'll have in a few years.

eople think contentment is a gentle thing, like bathwater, that needs only occasional replenishing to keep from turning tepid. In my experience, contentment often requires more ruthless defending. After leaving Len that evening, I defended. I went through Facebook and unfriended the yoga instructor who had posted a photo of herself nursing her 2-year-old while in a forearm stand. I unfriended the mother of two whose account had descended into outraged article shares after her husband had left her for her doula. I wrote a long Facebook post about the insensitivity of self-congratulatory motherhood. I included references to half a dozen recent articles, like "The Peak of Selflessness: Motherhood."

It wasn't until Len called that I realized that the article about selflessness had been written by his wife.

"Melinda doesn't understand. She thought you were getting along," he said.

"We are getting along. It's a difference of opinion. It's not personal."

"Well, it feels personal to her."

"At any moment, Melinda could decide she doesn't want me spending time with the aphid, and I could do nothing. How do you think that feels for me?" "Don't call him the aphid."

"Don't gender them."

"Melinda has asked you not to call our baby the aphid."

"At any moment, she could decide she doesn't want me around."

"She'd never decide that."

"But she could."

"She likes you," he said. Len often told me someone liked me. It was reflexive, a way to avoid an argument. "She thinks you're great," he said.

"I think she's great," I said, which seemed beside the point. "I just need distance." This wasn't something I'd planned to say, but it seemed necessary to save face.

He was quiet. I'd surprised him. "We thought you liked spending time with Aster."

We. A word I hated. A word that declared to the listener, You Are Not One of Us.

"Melinda's trying. She wants you to feel welcome, like part of the family."

"I'm not part of your family."

"Louie, you knew what this was when we started dating. If it's not what you want—"

"It is what I want," I said. It wasn't everything I wanted, but I'd long since stopped imagining that any single person could completely satisfy want in another.

"We can take some time away. Like you said. We can check in next week."

I could feel the whole thing getting away from me. "Aren't I watching Aster this Saturday?"

"Do something for yourself on Saturday."

"So I'm not allowed at your house now on Saturdays?"

"You just said you want distance."

"I want a family." I waited for him to respond.

"That's not on the table, Louie. For us, for now, that's not on the table."

So. There it was.

"Let's check in next week," he said.

I said, "Two weeks," and he raised me to three, and I raised him, and he raised me, and then we were saying goodnight, and I was wiping the moisture from the screen of my phone and going to get Nana ready for bed, unsure if I'd see him again.

t's not easy, polishing yourself. It's not easy teaching yourself to code or making do with cornstarch as a setting powder or going into debt for a tracheal shave. But there's comfort in knowing you can do it, in relying only on yourself. I sat down on Saturday, when I should have been watching the aphid, and searched online for pregnancy bumps. The bumps come in a range of prices and sizes. Every one, according to the reviews, causes back pain that you need a professional to relieve. I went with the Pregnant Belly by Spirit, which shipped from South Korea and came complete with shoulder straps and an adjustable back belt. I ordered one for four to six months and one for seven to nine months. I chose express shipping. The Pregnant Belly by Spirit got good reviews for the price, though I've since wondered whether I should have spent more, invested in a more durable bump.

When my bumps came, I modeled them for Nana. They were cold and slick against my skin. I could feel the tug of the belt, a squeeze that would escalate over hours to a backache.

"That shape says you're having a girl," Nana said into her stew, and I was pleased in spite of myself, cupping the bump, rubbing circles into it, doting on it like people do.

"Are you going to be in a play?"

"People at work think I'm pregnant." I dabbed Nana's lips with a napkin, which came away pink with the lipstick she wears daily, even on days she doesn't leave her bed.

"And you haven't told them otherwise?"

"I'll correct them eventually."

"Pregnancy isn't like hepatitis. You can't clear it up so easy. It ends in a baby."

"I could borrow a baby if I needed one," I said, thinking about the aphid.

"People will find out, Louie. You'll embarrass yourself."

"Len and I have been talking about adoption," I said, which was technically true. We did talk about it, though at this point we weren't even talking that much. We sent sporadic texts—new restaurants worth trying, the dissolution of the Atlanta Silverbacks. Neither of us had suggested meeting up. Perhaps he was waiting for me. I was waiting for him. I felt a punch of sadness that Len wouldn't see me in the bump.

"Takes longer to adopt a kid than to grow one," Nana said. "If you need an excuse for medical leave, why not hemorrhoids, something nobody's going to ask you about?"

"This isn't about leave. It's a misunderstanding, that's all. It got out of hand."

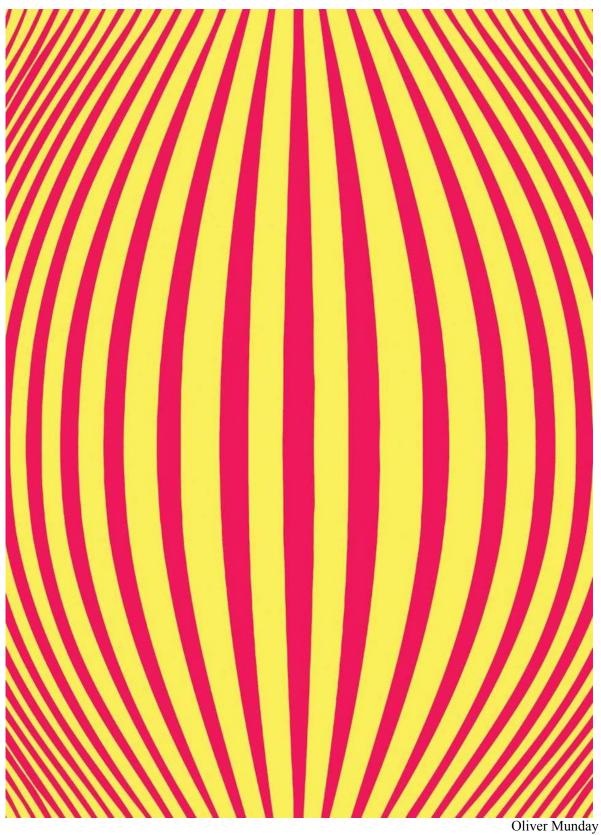
She picked up her bowl and slurped the last of her broth. "Well, you better get it back in hand, Louie. Pregnancy is a temporary condition."

This is the way we spend our evenings, Nana and I.

was self-conscious my first day at work in the bump. I worried people would find the bulge at my abdomen too sudden, would sense it was a prosthetic and declare me a fraud. But no one mentioned the bump. In the developers' meeting, as we worked our way through a demo I'd helped debug, the head developer insisted I take the chair with extra back support. Julie nodded every time I passed her cube, little knowing nods that felt like friendship. She invited me to her Code Like a Mother support group. I declined. I was not a mother-to-be. The bump wasn't about motherhood. My pregnancy was an end in itself, the enactment of a ritual, and I approached it that way, as

something real but apart, without the purpose of a usual pregnancy. I had an urge to explain this to everyone, but I didn't. They wouldn't understand.

By the end of my first month with the bump, my backache was chronic, and the bump felt as familiar to me as my own breasts. It looked used, well loved, the silicone at the top-left edge repaired with a patch designed for inflatable pools. Weekly, I cleaned the bump with baby soap, patted it dry. Where the silicone rubbed, my skin blistered like feet in heels, blisters I soothed with Nana's ointment. This felt like a painful, necessary process, bringing me closer to the bump, opening my insides to it. I wore the bump even to bed, sleeping on my side, curled around it. I felt more at ease wearing it, more myself.



In month five, Julie wanted to throw me a shower. Julie's a great one for celebrations. She buys cheap soccer trophies, scrounges them from yard sales, and gives them away at staff meetings. Any excuse to fill a Thursday afternoon with cake and reusable bubble letters, and Julie seizes it.

I told her I'd rather not have a shower. She said she understood, but later she emailed me a link to a website with various baby-shower themes. In the subject line, she'd written, "Which one?" I didn't respond. She sent me an email reminder for the week's Code Like a Mother gathering, which promised nonalcoholic schnapps and prenatal yoga.

That evening, as I bathed Nana, hunched over the bump, over the tub, I said, "It's almost like your great-grandbaby." The bump would have been her great-grandbaby. In the bathtub, Nana made a derisive sound. She dodged the cup of water I attempted to use to rinse her hair. I held the back of her neck to still her while I rinsed. When she climbed out of the tub, she put her hand on the bump. At first, I thought she just needed to steady herself, but it wasn't a steadying touch. It was a loving one.

I toweled her head, trying to dissuade the thin strands of her hair from twisting into a cowlick. "I'd name it after you," I said. "If it was a baby."

She pulled her hand back from the bump. "Don't you start thinking that way."

"If," I said. I thought of the bump only as the bump. I understood the risk, the delusion—and worse, the grief—inherent in thinking of it as anything else.

"I wanted another one," Nana said, wincing as I patted down her arms, though I was gentle. "After your father, I wanted a second one. We tried and tried." She touched the bump again.

"Nothing worked?"

"Back then, there weren't so many options. You could eat almonds. You could lie for hours after sex with your pelvis tilted back and a warm compress on your stomach. I did what I could, and that was that."

"I'm sorry."

"I'm glad. I'm glad we couldn't try and try like people these days, couldn't go broke trying, couldn't give whole years to it."

I felt a familiar skip of uncertainty, wondering if this was a criticism of me. "There's nothing wrong with options," I said.

"I wouldn't know. I'm just a country Cajun." This was a line Nana used when she wanted to duck an argument or some responsibility, like she'd been plucked against her will out of Louisiana, dropped into a city she couldn't possibly understand. She used it to avoid recycling and doctor appointments and public transportation of any sort. "I'm just a country Cajun" seemed self-effacing but in fact worked as a defense, a statement of withdrawal and superiority, implying that we couldn't understand each other, because I wasn't a country Cajun. To Nana, I wasn't Cajun at all.

"We could go back to Louisiana," Nana said, her voice sly. "That would be one way to escape this pregnancy charade of yours."

"It's not a charade."

"We could go to Louisiana. You could tell everyone you want to bring the baby up around family."

She wanted to move back. She wanted to visit her husband's grave. She wanted her funeral service held at the Rose Church, where she'd gone to Mass all her life. She wanted her remains interred in the mausoleum where her mother was interred. I wasn't moving to Louisiana. If I moved, I was heading to the West Coast, where tech companies have enough trans employees to host their own support groups.

I said to Nana, "I don't want to leave the city." I rubbed ointment on her pressure sores. "I have a whole life here—a job, Len, friends at work, opportunities."

"There's no opportunity that will turn that bump into a baby."

I paused, the ointment tube open in my hands. "What if it were true," I said.

"You can't get pregnant, Louie. You know that."

I capped the ointment, took Nana's nightgown from the hook, and slipped it over her head. "I've heard about a man born with a uterus," I said. "A cis man. It's not like it never happens."

"You know you can't get pregnant," she said again.

"But if I could, what a thing."

"You're caught up," Nana said. "Preoccupied with what you want."

"I could be spending my evening in a thousand different ways," I said, "and here I am taking care of you." Nana didn't reply. Nana was preoccupied with what she wanted too.

After Nana's bath, I texted Len, asking if he'd like to meet up, then I logged on to my work email and accepted Julie's invitation to Thursday's Code Like a Mother meeting. I wanted it to be true, what I said to Nana. I wanted to feel I could spend my evening with Nana or on a date or holding downward dog in a line of six women who were my friends.

Julie responded immediately with a GIF of a child jumping up and down, punching the air. Len took 12 hours, but then wrote back, "Saturday?"

ulie's Code Like a Mother meetings took place at five in a windowless break room, the tables pushed against the walls to make space for yoga mats. The MotherCoders were six cis women in their late 30s and 40s, each recruited by Julie. The woman leading the yoga class had studied for 12 years at an ashram in California, paying for her teacher training by working remotely as a hacker for an American finance company.

I was the only one there with a bump. The hacker-yogi referred to me by saying, "Those who are expecting." At first this annoyed me, but after a few minutes I started to think about my expectations: Being brought on full-time at work. Dating someone who wasn't Len, someone who wasn't married. Living with that person in a house without Nana, after Nana. When the hacker-yogi told us to visualize our intent for the practice, I closed my eyes and tried to really see those things, but the bump rose instead, came up before me like a snow moon on the horizon, huge and luminous, blocking everything else from view.

I opened my eyes to study the real bump in the narrow mirror that the hackeryogi had brought so we could monitor our form. I watched myself move, and I experienced one of those precious moments in which I felt simply attractive my clavicles delicate, my eyelashes long. Even my rosacea, which had flared as I sweat, gave me a glow. The bump moved with me, part of me. Not a false thing. A thing that served its own purpose, parallel to pregnancy, not a ghost of it, a different thing altogether.

At the hacker-yogi's instruction, I bent into a forward fold, and it was then that something popped. At my shoulder, a pop. I expected pain, but there was no pain. Just the pop and a sudden looseness at my abdomen—and certainty, a mother's certainty, that it was the bump. Sure enough, I felt the silicone peel away from my ribs, my body instinctively sucking in a breath, which caused the silicone to peel away more quickly, sudden air sharp against skin that had been so long covered, and then the bump tipped forward, protruding oddly against my shirt. I clutched it, pressed it flat, and ran for the bathroom. I made it, just, and locked the door behind me. At the sink, one shoulder strap tore away completely, and the bump flapped forward, pocketing itself in my shirt—a sad, separate thing.

I took it off. The bump settled into the concavity of the sink. I envied the sink for so easily cupping it. How long did I stand there, considering the shape of my body, bumpless? Long enough that Julie was worried.

"Louie," she called, knocking. "Louie, you okay?"

This is the moment I come back to, the moment I'd change. Writing it down like this, I am changing it. I'm walking over to that bathroom door and I'm swinging it open. Julie is looking between me and the bump—me, the bump. I look at Julie's face.

Sometimes I see confusion there. Sometimes Julie watches me as I collapse in a jumble of pieces. Sometimes Julie takes up the bump without a word and helps me knot the broken shoulder strap to my bra, securing the bump, and when we've finished, she says, "Swiss bumps are sturdier." Sometimes Julie laughs and laughs, and the other MotherCoders come and they laugh, and Julie takes the bump and tosses it up in the air, and the bump, miraculously light, arcs toward the ceiling and down, and then the hacker-yogi volleys it up again, and then the other women, and I run back and forth, trying to grab the bump, because every time they volley it upward, I feel the punch of their knuckles

right in my abdomen. Sometimes, looking at my abdomen, Julie begins to scream, and I look down to see my shirt soaked with blood. I lift up my shirt to find a gaping wound, my abdomen skinless and bleeding, as if the bump has been sliced clean away, and I tell Julie to help me, bring me the bump, bring me a needle and thread, I will stitch the bump back to me, but Julie won't come closer, so I'm left to stem the bleeding with the rough paper towels from the dispenser. I run through the whole roll.

Of course, this didn't happen. I didn't open the door. "I'm okay," I called to Julie.

"Are you sure? Should I phone someone for you?"

I tied the strap of the bump to my bra, the knot obvious beneath my tight shirt. It didn't need to hold forever, just long enough to thank Julie, get to my car. I exited the bathroom.

Julie immediately pressed me into a hug, which put her up against the bump. I felt it shift, slip a quarter inch against my skin, and I thought Julie would notice, but Julie just said, "You'll be fine, you know."

I repeated those words in the front seat of my car, having waved off Julie's offer to escort me to the parking lot. "You'll be fine," I told the bump, cranking up the air conditioner as high as it would go.

I drove home with one hand on the bump, cradling it against my body. The bump clung to me, but not like a child.

was no seamstress, but I could patch. I could mend the bump. I took Friday off work, borrowed what I needed from Nana's sewing kit, and retreated to my room. The mending was a private thing—not shameful, but best handled alone, like applying cream to an abdominal rash. Besides, I wanted to spend the day with the bump, just the two of us. The bump wasn't what people thought, and that made it vulnerable. I wanted to keep the injured bump away from even Nana.

I threaded a size-11 needle and pieced the shoulder strap together with a mattress stitch, the stitch that surgeons use to minimize scarring when they piece together skin. I worked steadily, enjoying the task, and I discovered when I finished that I had done well. The bump was whole, the stitches barely visible.

I was to meet Len on Saturday at seven at a no-frills beer-and-wings joint, within walking distance of his house and a quick drive from mine. A significant choice, this restaurant. By suggesting it, Len had communicated his desire to make the reunion between us a nonevent. I parked on the street and sat, absently rubbing the bump, considering my options.

Impossible. It was impossible that Len didn't know about the bump. At 10 after, I got out of the car with the bump, walked to the door of the restaurant. I saw Len, seated, waiting for me. I stood on the threshold, but I couldn't enter the restaurant with the bump. I couldn't explain the bump to him. He would think it was about Melinda and the aphid, about himself. He would think it was pathetic. I returned to the car.

Len texted, "Where are you?"

I crouched in the seat as if I were engaged in some secret, sneaky behavior, like changing my pants or fucking. I slipped out of the bump's harness.

Len texted, "You coming?"

I buckled the bump into the back seat. Not to protect it, but because I couldn't leave it loose in the seat with all the other forgotten, unwanted items collected in transit.

Without the bump, my sweater hung almost to my knees. Agonizing flatness. Barrenness. I nearly climbed back in the car, plastered the bump back to my body, and drove away. But Len, too, needed me, was waiting inside for me like a boy and would feel a boy's embarrassment if I failed to show.

"I'll be right back," I said to the bump. I tapped the window twice in farewell.

Len looked up, relieved, when I paused at his table. "Thought you'd stood me up," he said.

Dinner was talk of his job and Melinda and the aphid. I tried to tell him about my life, but every story I began led me back to the bump and so had to be left unfinished. After dinner, he suggested we walk along the Beltline. That would mean hours more away from the bump, hours more spent flat in public where anyone, someone from work even, could see me.

I suggested he come back to my place instead. If I was to be without the bump, I would rather be at home, unseen. I led him to my car, walking quickly to arrive before him. I checked on the bump, unclipped the seat belt fastened around it, which seemed, in his presence, to be indefensibly precious. I tossed a blanket over the bump, hiding it from him.

I didn't expect him to notice the bump. He never noticed anything in the car except the speed I was driving and if the cup holders were full, which would inhibit his drinking of an after-work beer. But on that drive, he decided he needed more legroom, and when he tried to put his seat back, the mechanism jammed, and he insisted over my protestations on taking his seat belt off, while we flew 75 down the highway, to figure out what had jammed it.

I put both hands on the wheel and said, "I slam on the brakes right now for any reason, and you go through the windshield. Is that what you want?"

"What's this?" He dug around behind his seat until it slid back all the way with a jolt that made him slip sideways onto the center console.

"What's this?" he said again, sitting back in the passenger seat with the bump, tired and worn as a child's doll, cradled in his hands. It felt like he had his hands on my belly, inside my belly, like he was mucking around with the organs in there.

"It's a pregnancy belly," I said. I didn't blush.

"Yours?"

"Whose else would it be?"

He laughed. "I've always wanted to wear one of these. Melinda told me to get one when she was in the thick of it."

"I don't want you to try it on," I said, attempting to head him off, because he was already slipping the patched shoulder strap over his arm.

"She didn't think I was sufficiently empathetic, Melinda."

"Don't try it on." He was working the old, beloved belt apart, looking at the fuzzy, mashed Velcro.

"You just strap it around your middle?"

"Please don't put it on."

"Why not?"

"It's not for you," I said. I took it from him, tried to shove it under the back seat, out of reach. The car swerved, and he braced himself against the dash and said, "Watch the road."

He recovered the belly from the back seat.

"It's broken," I said.

"That's okay. We're just having fun."

I sat silently, eyes on the road, while he strapped the belly over his button-down shirt. It looked absurd there, bare, cut off from the body.

He stretched and folded his arms behind his head, pleased with himself. When we pulled up to my apartment and stepped out of the car, he said, "Take a photo? For Melinda." He fished his cellphone from his pocket, reaching awkwardly past the bump.

"It's dark," I said, but he posed—leaning against the car sideways, so the bump was visible, flashing a thumbs-up. A couple walking by grinned. Silly. They thought we were being silly the way people infatuated with each other are silly. I nearly reached over and tore the bump off him. Instead, I took his photo for Melinda—the bump, and his grin, and behind him the car and the night, a live photo in which the bump almost seemed to move.

Inside, Nana was playing double solitaire with a neighbor friend. Len, who was exasperated by Nana, who had told me multiple times that I should move her into assisted living, strutted past the women, hamming it up. They paused their game to grin and congratulate him. They wished they'd had a man who'd take turns. And who, they asked, was the father?

In my bedroom, he showed me Melinda's response to the photo of the bump—three laughing-with-tears emoji.

When the ache of the back belt got to be too much, Len took the bump off and handed it to me. I went to put it away in my closet, but he said, "Don't you want to wear it? Isn't the whole point of having it to wear it?"

"I don't want to wear it tonight."

"Come on. I want to see you in it."

Once I, too, had wanted him to see me in it. I remembered wanting that, a remembering so strong I could nearly convince myself that I wanted to wear it tonight, that this whole thing had been my idea.

I put it on in the bathroom, door closed, extra careful with the shoulder strap. When I came out, he whistled, and I almost took it off again, but he put his hands on the bump, and I could feel the vibration of his touch through the silicone, as if my nerves had extended into the bump, as if he were touching me.

I wore it as we watched two episodes of *Girls Get Arrested*. Downstairs, Nana's friend ran the disposal, saw Nana to her bedroom, let herself out the front door.

I felt different in the bump—because it was broken or because I was in front of him. It no longer felt a part of me. It was a prop, something to make him laugh, something for him to look at, and I wore it as we had sex, me telling him, "Be careful. It's fragile," but still by the time we'd finished, the shoulder strap had popped again and a tear had started in the back belt, and only the adhesive of sweat and silicone kept the bump suctioned against my body, and I got to thinking about the way this all would end.

I'd always known how it would end, but as I lay beside Len, the knowing became definite. I would take a week off in my seventh month. I would return with a flat abdomen and circles under my eyes. No one would ask what happened, ask me to confirm. Julie would circulate a card—something vague and reserved—*Our sympathies*. I tried to position this as a hopeful scenario.

Still, I felt not hopeful, but overwhelmingly lonely, a loneliness intensified by Len having gone to sleep on his stomach beside me. I stood, holding the bump against me with one hand, and went downstairs, bent, clutching my abdomen in a sort of agony, as though holding on to a limb irreparably hewn from my body, unable yet to admit it was gone for good. I made my way through the quiet house to Nana's room.

There, I allowed the bump to peel away from my skin, hit the floor with a gentle bounce, inert, useless as a beetle on its back. I said, "Nana? You asleep?"

She *hmmed*, groggy. "Who's that?"

"It's Louie. It's your grandbaby."

"My grandbaby. I must be getting old."

She was always disoriented at night. Her mind returned to her childhood. She scooted to the side and lifted the blanket for me, and I slid in beside her, on top of the crinkly absorbent pads. She said, "Where have you been, Gooch? You're pretty late getting home, aren't you? You better have a story or I'll tell Mama you've been with the boys."

I turned, and I cupped her, and I sobbed three sobs, which she felt in me, and she stroked my arm with her cold, corded hand, and she said, "One of them break your heart?" with the keen interest of a younger sibling.

I shook my head. It wasn't heartbreak. It was grief.

"Mama told me if you make too many tears at once, your eyeballs will float out of their sockets," Nana said.

n my sixth month, Julie did throw me a surprise office shower with bubble letters strung together to spell congratulations. I wore the second, larger bump. My co-workers navigated around the bump to hug me. I was happy there, with them. It didn't feel like pretending. We might have been celebrating anything.

<u>Morgan Thomas</u> is a writer from the Gulf Coast. Their debut short-story collection, Manywhere, will be published in 2022.

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What it's like to care for a newborn, in photos --

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The 'Blurred Existence' of Motherhood

What it's like to care for a newborn, in photos



Tabitha Soren

• <u>June 2021 Issue</u> <u>Viewfinder</u>

Photo Illustrations by Tabitha Soren

Tabitha Soren documented the months following the birth of her third child, in 2006, with the help of a digital camera mounted in her bedroom and operated by remote. In her new series, Motherload, Soren layers together the resulting images.

This article was published online on May 9, 2021.

was excited about having a third child, but dreading the first year. A friend of mine who's a filmmaker said, "Why don't you just photograph the whole

thing?" I had one mount for the camera over the changing table and another where I nursed. I wasn't sure that anything would ever come out of it. I had not even looked at the photographs until a couple of months ago. They just seemed so quotidian; I couldn't imagine that they would be interesting at all.

Time can turn photographs into metaphor or allow them to become a symbol instead of a documentary picture; at this particular moment, mothers' needs are on the minds of the country. *Motherload* is about what mothers don't show: the emotions and psychological states that we've all been socialized to bury. It's not so much about my personal existence as it is about the blurred existence, all that time spent keeping something alive.



The day the baby ended up in the emergency room



The week his older sisters had school vacation



The night the panic attacks started



The month the baby slept through the night



The month my sister died



The month I could walk without peeing on myself

Having a newborn is a very sloppy, ugly, disheveled time of life. I felt out of the picture. I felt very taxed and very needed, but also very invisible. The images get at that ethereal quality of not feeling like a whole person. I'm not really in focus, because my brain isn't in focus either.

I can't tell you how many times I've checked an artist's biography to see, Oh God, she's so great, but does she have children? *Like, are we in the same race?* Because it's like running with weights on. But when I look at the pictures, I feel like a survivor.

— As told to <u>Sophie Gilbert</u>

This article appears in the June 2021 print edition with the headline "Mother's Day."

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