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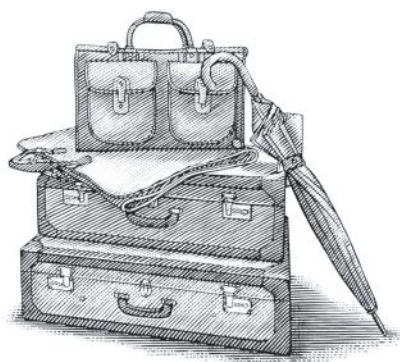
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THE NEW YORKER

DECEMBER 9, 2013

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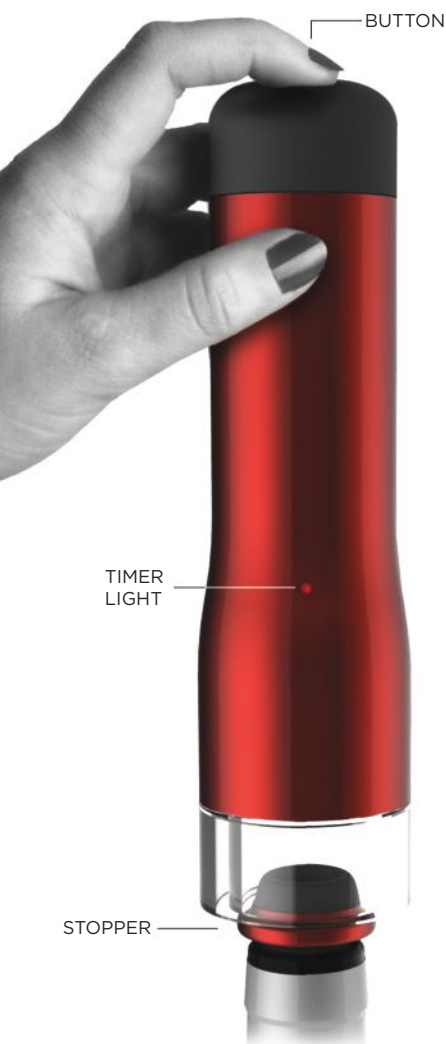
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NEWS DESK <i>Reporting the latest on Washington and the world.</i>	DAILY COMMENT <i>News analysis by George Packer, Margaret Talbot, and other New Yorker staff writers.</i>		MOVIES <i>Richard Brody on his DVD of the Week, “Daisies,” from 1966.</i>
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THE MAIL

CANNABIS CHARGES

Patrick Radden Keefe's piece on the creation of a legal marijuana economy in Washington State suggests that the state's dithering bureaucrats hired the wrong consultant for residents who want legalized pot but loathe police surveillance ("Buzzkill," November 18th). As Keefe's article relays, many in Washington still accept the tired premise that marijuana consumption, along with beverage alcohol, is a "vice." But "we the people" no longer think that ingesting or smoking marijuana applies. Keefe addresses some of the health benefits of marijuana, but he could have better highlighted the high arrest and incarceration rates for nonviolent drug crimes in the "war on drugs," launched by President Nixon in 1971. The change in cultural attitudes toward marijuana may not reach Mayor Bloomberg before he leaves office, but once Bill de Blasio assumes the mayoralty, maybe stop-and-frisk arrests related to marijuana will plummet, thus curing another injustice.

*Holland Kane
Mukilteo, Wash.*

The push for marijuana legalization comes from three directions: marijuana smokers; those who oppose the war on drugs; and those who seek to stuff state coffers with tax money from marijuana sales. Projected tax revenue is predicated on a large customer base. As Mark Kleiman, a public-policy professor on whom Keefe focusses his piece, makes clear, for the legalization process to be successful it has to be accompanied by a crackdown on the black market. This, of course, undermines the second reason that many favor legalization. Furthermore, as Keefe reports, Washington's aim is to charge a retail price of \$42 for an eighth of an ounce, or roughly \$336 an ounce. The current street price for marijuana in Portland, which I expect is somewhat similar to what it is in Washington, ranges between \$150 and \$280 an ounce, while medical marijuana retails for around

\$280 an ounce. Medical marijuana won't be taxed, as legal marijuana will be, so its price isn't likely to increase. A substantial percentage of marijuana smokers have authorizations entitling them to purchase medical marijuana, and they will not be inclined to pay a higher price to shop at legal outlets. The price differential could thus undercut the customer base and potential tax revenue. In his consultation with Washington State, Kleiman suggested that the legal price be set close to the black-market price, but Washington had to follow the pricing already established by the legalization bill. That means the drug war will continue. This might make law enforcement happy but will likely affect the state's social fabric.

*Johan Mathiesen
Portland, Ore.*

TRAVELS IN TIME

Jill Lepore's article about the phenomenon of the British TV series "Doctor Who" raised several interesting points about the history of the show, its popularity, and its cultural legacy ("The Man in the Box," November 11th). In one important respect, however, Lepore would have done better to stress just how superior the earlier seasons were in terms of their representation of political and historical nuance. She suggests that issues such as racism and the Holocaust were not part of mainstream British consciousness until more recent times, but racism, xenophobia, genocide, and eugenics were regular themes of "Doctor Who" in the nineteen-sixties and seventies. Indeed, the early "Doctor Who" shows were far more engaged with society, and far more political and serious, than those of today.

*John Steele
Barrington, R.I.*

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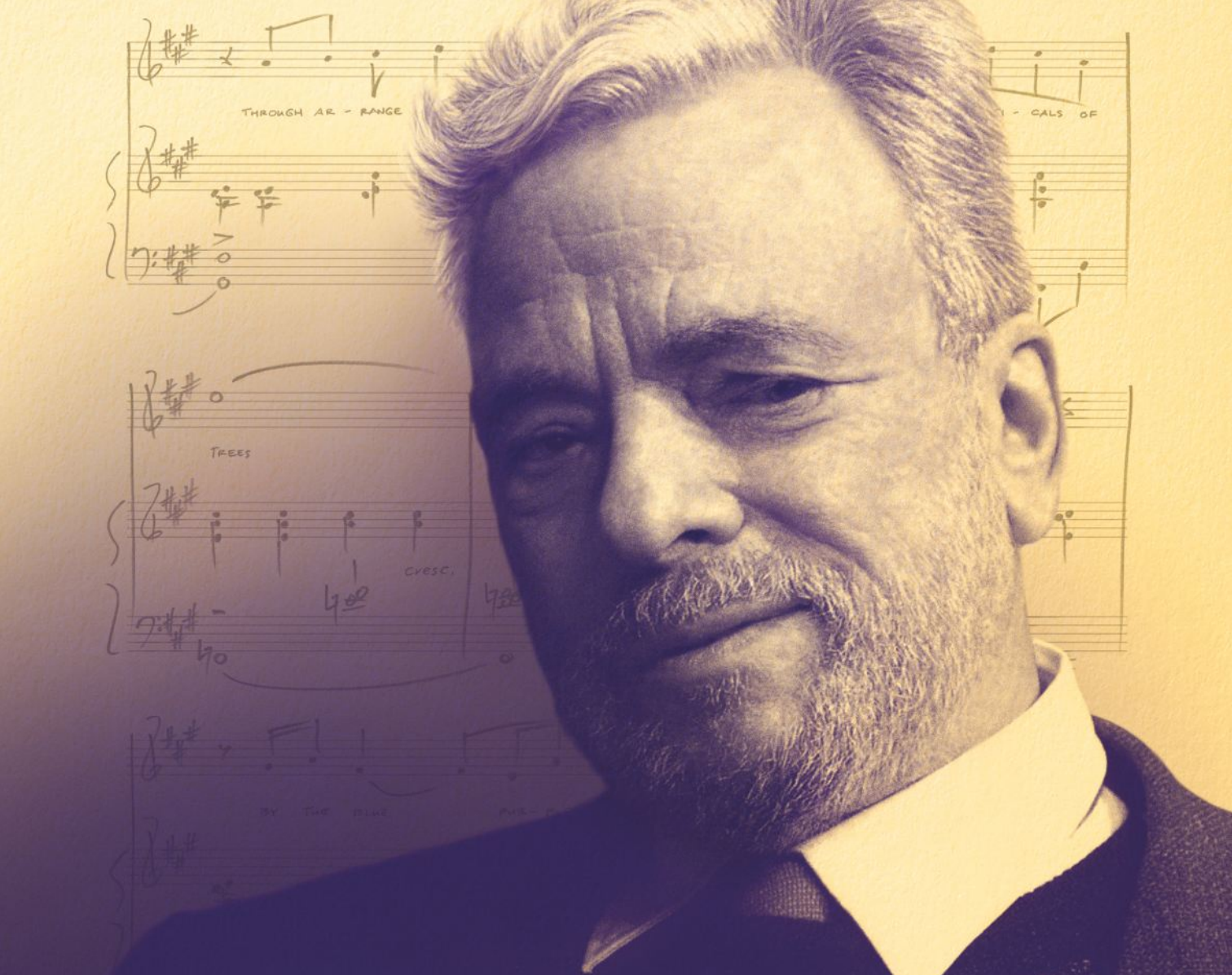
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GOINGS ON ABOUT TOWN

DECEMBER 2013 WEDNESDAY 4TH THURSDAY 5TH FRIDAY 6TH SATURDAY 7TH SUNDAY 8TH MONDAY 9TH TUESDAY 10TH

BARBARA STANWYCK, BORN in Brooklyn in 1907 and abandoned at the age of four, brought a hard-knocks urbanity and an upward striving to her roles. Film Forum's retrospective of her work (Dec. 6-31) captures the strength of character that she displayed in a wide range of genres, such as melodrama, effervescent comedy, film noir, bittersweet romance, and the modern psychological Western. The series also reveals the deepening of her art, from the flinty lyricism of the nineteen-thirties to the sharp-edged command of the nineteen-fifties. Victoria Wilson, the author of a new biography of Stanwyck, "Steel-True"—a thousand pages long and the first of two volumes—will be on hand for several discussions.

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Ethan Hawke, in "Macbeth"; Billy Crudup, in "Waiting for Godot"; and Sarah Jessica Parker, in "The Commons of Pensacola."



ALL GROWN UP

Three Generation X actors take to the stage.

AS LONG AGO as the nineteen-nineties, a group of young performers—Sarah Jessica Parker, Billy Crudup, and Ethan Hawke among them—entertained audiences with a new style of acting. It was as nervous as the work we'd seen Robert De Niro and Diane Keaton perform so masterfully, but the younger actors had different things to say about their epoch. It was a post-Woodstock world filled with contradictory signs: grunge was good, but so was Wall Street; "Wayne's World" was one kind of buddy film, but so was "Chasing Amy." We saw those contradictions in the work of Parker, Crudup, and Hawke, former rising stars who have attained iconic status, and who are currently playing grownup roles in a number of this season's high-profile productions.

Of the three, Parker started the earliest. At the age of eleven, she was

directed by Harold Pinter in William Archibald's "The Innocents," and soon afterward she took over the role of Little Orphan Annie, in the hit 1977 Broadway musical. It wasn't until Parker was cast in Steve Martin's 1991 film, "L.A. Story," that we saw the girl become a woman, and a gifted comedian. As SanDeE*, a halter-top-wearing roller-skater whose big heart complemented the bowl of sugar that was her mind, Parker told us about the mellow side of the go-go early nineties and showed how non-thought and the pursuit of pleasure had become a life style. Now, in Amanda Peet's "**The Commons of Pensacola**" (at City Center Stage I), Parker does excellent work as Becca, a forty-something actress who never quite made it, and whose parents were at the center of a Madoff-like scandal. Becca would like to wash herself of her father's selfish grime, but she can't. The character is a kind of anti-SanDeE*, or someone SanDeE* might have tried to bring joy to, if Becca could stand her.

Like Parker, Crudup is a movie star who's also an actor. In Martin McDonagh's beautiful 2005 piece "The Pillowman," you couldn't take your eyes off him—his dark-haired beauty and the ruthless intensity that rocked his fit frame. Crudup's performance highlighted his stock-in-trade: an innate sense of timing. In Harold Pinter's "**No Man's Land**" (at the Cort, in repertory with Samuel Beckett's "Waiting for Godot"), what you hear Crudup waiting for is even scarier than what he says. And when he plays Lucky, in "**Waiting for Godot**," his silence is reminiscent of those memorable moments in his best films, such as the romantic "Inventing the Abbotts" and the director Alison Maclean's excellent "Jesus' Son"; in each, he comes across like a Gen X Montgomery Clift, another dark-haired performer who was at home with waiting.

Silence can, of course, have as much weight as a playwright's words. While Crudup is liable to sit still in silence, Ethan Hawke physicalizes it. His long, lean body is given to turning attitude into ideas and poetry. In the ur-Generation X film, "Reality Bites" (1994), the distinctive-sounding actor played a disaffected slacker named Troy Dyer; he was all planes and angles, a slow-talking figure speeding toward a future he could not wait to meet. And now, as the titular character in the director Jack O'Brien's controversial "**Macbeth**" (at the Vivian Beaumont), Hawke tells us about the duty and the danger that come with adulthood, and the craftiness of survival.

—Hilton Als

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BUYER & CELLAR

Barrow Street Theatre, 27 Barrow St.
212-868-4444.

THE COMMONS OF PENSACOLA

City Center Stage I, 131 W. 55th St.
212-581-1212.

DISASTER!

St. Luke's, 308 W. 46th St.
212-239-6200.

DOMESTICATED

Mitzi E. Newhouse, 150 W. 65th St.
212-239-6200.

A GENTLEMAN'S GUIDE TO LOVE

AND MURDER

Walter Kerr, 219 W. 48th St.
212-239-6200.

THE GLASS MENAGERIE

Booth, 222 W. 45th St. 212-239-6200.

THE GOOD PERSON OF SZECHWAN

Public, 425 Lafayette St. 212-967-7555.
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THE JACKSONIAN

Acorn, 410 W. 42nd St. 212-239-6200.

LITTLE MISS SUNSHINE

Second Stage, 305 W. 43rd St.
212-246-4422.

MACBETH

Vivian Beaumont, 150 W. 65th St.
212-239-6200.

MATILDA THE MUSICAL

Shubert, 225 W. 44th St.
212-239-6200.

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Polonsky Shakespeare Center, 262
Ashland Pl., Brooklyn. 866-811-4111.

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Lyceum, 149 W. 45th St. 212-239-6200.

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Lucille Lortel, 121 Christopher St.
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City Center Stage II, 131 W. 55th St.
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TWELFTH NIGHT / RICHARD III

Belasco, 111 W. 44th St. 212-239-6200.

THE WINSLOW BOY

American Airlines Theatre, 227
W. 42nd St. 212-719-1300.

OPENINGS AND PREVIEWS

Beautiful—The Carole King Musical

This new musical follows the rise of Carole King, from her life growing up in Brooklyn to her career as a writer of hit pop songs. With songs by King, Gerry Goffin, Barry Mann, and Cynthia Weil, and a book by Douglas McGrath. Jessie Mueller stars; Marc Bruni directs. In previews. (Stephen Sondheim, 124 W. 43rd St. 212-239-6200.)

Blue Wizard / Black Wizard

Dave Malloy and Eliza Bent collaborated on this project, which combines music, philosophy, and fantasy in a story about a battle between two wizards. Opens Dec. 5. (Incubator Arts Project, at St. Mark's Church In-the-Bowery, Second Ave. at 10th St. 212-352-3101.)

The Night Alive

Atlantic Theatre Company brings a new play by Conor McPherson from the Donmar Warehouse, in London, about some unlucky fellows in Dublin who try to better themselves. Jim Norton and Ciarán Hinds star; McPherson directs. In previews. (336 W. 20th St. 866-811-4111.)

The Rime of the Ancient Mariner

Fiona Shaw performs the Samuel Taylor Coleridge poem, directed by Phyllida Lloyd. Opens Dec. 10. (BAM's Harvey Theatre, 651 Fulton St., Brooklyn. 718-636-4100.)

What's It All About

Steven Hoggett directs this songbook musical, celebrating the work of Burt Bacharach, with new arrangements by Kyle Riabko. In previews. Opens Dec. 5. (New York Theatre Workshop, 79 E. 4th St. 212-279-4200.)

NOW PLAYING

All That Fall

Trevor Nunn directs Samuel Beckett's 1957 radio play. (Reviewed in this issue.) (59E59, at 59 E. 59th St. 212-279-4200. Through Dec. 8.)

And Away We Go

Before the beginning of Terrence McNally's new play, written as a gift for the Pearl and directed by Jack Cummings III, each of the six actors kisses the stage, names his or her favorite and least favorite roles to play, and relates something personal that the audience "should know." It's an informal start to a work that means to be a love letter to the theatre but is curiously bereft of insight or emotion. McNally imagines a series of backstage scenes through history, opening with a masked pageant in ancient Athens and then visiting Shakespeare's Globe, Molière's Théâtre du Palais-Royale, Chekhov's Moscow Art Theatre, the

Coconut Grove Playhouse on the closing night of "Waiting for Godot," and a modern company dedicated to the classics, much like the Pearl itself. It's admirable of McNally to come to the aid of the Pearl, which does a lot of fine work, but this play is plodding, and not as revealingly "inside" as it wants to be. (555 W. 42nd St. 212-563-9261.)

A Christmas Carol

In Patrick Barlow's delightful adaptation of Charles Dickens's 1843 novella, Peter Bradbury plays Scrooge not as the usual ancient, shrivel-hearted miser but as a handsome, self-righteous right-winger, amused at his own unpopular views, and it works. As Scrooge moves through time with the ghosts of Christmas past, present, and future (two of whom are women), he comes off as a relatable jerk. All the other characters are played by four gifted actors (Mark Light-Off, Mark Price, Jessie Shelton, and Franca Vercelloni)—plus a puppet, as Tiny Tim—on a basically empty stage that revolves to show changes in time and place. Under the direction of Joe Calarco, the show is whimsical and imaginative and a lot of fun, with a surprising emphasis on the strength of the underclass, rather than on its misfortunes. (Theatre at St. Clement's, 423 W. 46th St. 212-352-3101.)

How I Learned What I Learned

In 2003, two years before he died, the playwright August Wilson wrote and acted in this autobiographical solo show, retelling his early life through the lens of racism. In this revival, Ruben Santiago-Hudson, who has performed and directed much of Wilson's oeuvre, plays him expertly, under the direction of Todd Kreidler, who co-conceived the piece with Wilson at the Seattle Rep. Recounting his upbringing in Pittsburgh's Hill District ("an amalgam of the unwanted"), Wilson casts himself as a prideful, often foolhardy young man; when he chides a bartender for not calling a woman "ma'am," the guy pulls a double-barrelled shotgun on him. ("All I could think of was Elmer Fudd.") The anecdotes teem with humor and muted anger, and Santiago-Hudson tells them as if they were his own. (Pershing Square Signature Center, 480 W. 42nd St. 212-244-7529.)

No Man's Land / Waiting for Godot

Ian McKellen, Patrick Stewart, Billy Crudup, and Shuler Hensley star in "No Man's Land," by Harold Pinter, and "Waiting for Godot," by Samuel Beckett, in repertory. Directed by Sean Mathias. (Reviewed in this issue.) (Cort, 138 W. 48th St. 212-239-6200.)

One Night . . .

Charles Fuller's contrived drama confronts the military's shameful treatment of sexual-assault victims.

The play centers on Alicia (Rutina Wesley), an Operation Iraqi Freedom vet who was sent home after being violently raped by fellow-soldiers. Following a fire at a homeless shelter, she and Horace (Grantham Coleman), another former N.C.O., huddle in a seedy motel room as they fend off sleazy concierges, corrupt patrolmen, and an array of awkwardly rendered flashbacks. Fuller is the author of another military drama, "A Soldier's Play," which was as taut and absorbing as "One Night" is flaccid and preposterous. Under Clinton Turner Davis's wobbly direction, the actors struggle against unlikely dialogue and ludicrous plotting. The issues at hand deserve attention, but not in a play so poorly conceived and dishonorably discharged. (Cherry Lane, 38 Commerce St. 866-811-4111.)

Regular Singing

The first three of Richard Nelson's four "Apple Family Plays"—about a group of well-educated liberal siblings and their elderly uncle, who occasionally converge in Rhinebeck, New York—were excellent; this one, the last, in repertory with the other three, is also great. In the course of the cycle, the family has bloomed and faded—there was the suicide of a child, two breakups, one move to an assisted-living facility, and, now, an ex-husband dying in an upstairs bedroom on what happens to be the fiftieth anniversary of J.F.K.'s assassination. The cumulative effects of loss, both national and personal, are palpable. With no sentimentality, Nelson, who also directs, conjures the wide-openness that happens among people who've spent years around a table together and then, suddenly, are brought even closer, not just by death but by dying (in this case, witnessed via a baby monitor). Performed to perfection by Jon DeVries, Stephen Kunken, Sally Murphy, Maryann Plunkett, Laila Robins, and Jay O. Sanders. (Public, 425 Lafayette St. 212-967-7555.)

Too Much, Too Much, Too Many

After her sick husband (James Rebhorn) is found drowned, Rose (Phyllis Somerville), an elderly romantic with nothing to live for, locks herself in her room and begins composing her own obituary. As a last-ditch effort to help her mother, Rose's spinster daughter, Emma (Rebecca Henderson), calls in the local pastor (Luke Kirby)—a handsome bachelor also suffering from a recent loss—and the three broken adults find prickly solace in one another's company. Meghan Kennedy's seventy-minute drama, a Roundabout Underground production, is a moving poem divided into short scenes that skip back and forth in time. It's heartfelt, serious, beautifully written, and, under the direction of Sheryl Kaller, performed with simple elegance. (111 W. 46th St. 212-719-1300.)



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—Amelia Lester



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MOVIES



OPENING

INSIDE LLEWYN DAVIS

Reviewed this week in The Current Cinema. Opening Dec. 6. (In limited release.)

LENNY COOKE

Reviewed in Now Playing. Opening Dec. 6. (In limited release.)

OUT OF THE FURNACE

Scott Cooper directed this thriller, about an ex-convict (Christian Bale) who attempts to rescue his brother (Casey Affleck) from the Mob. Co-starring Woody Harrelson, Zoe Saldana, and Forest Whitaker. Opening Dec. 6. (In wide release.)

TWICE BORN

Penélope Cruz stars in this drama, as a woman who returns to her native Sarajevo after a sixteen-year absence and confronts the death of her estranged husband (Emile Hirsch). Directed by Sergio Castellitto. Opening Dec. 6. (In limited release.)

WHITE REINDEER

Reviewed in Now Playing. Opening Dec. 6. (In limited release.)

ALSO PLAYING

Bettie Page Reveals All: In limited release.

Black Nativity: In wide release.

The Punk Singer: In limited release.

REVIVALS AND FESTIVALS

Titles in bold are reviewed.

ANTHOLOGY FILM ARCHIVES

32 Second Ave., at 2nd St. (212-505-5181)—“Essential Cinema: Buster Keaton.” Dec. 7 at 3:30: Short films, including “One Week” (1920). • Dec. 7 at 5:30: “The General” (1927).

BAM CINÉMATEK

30 Lafayette Ave., Brooklyn (718-636-4100)—Special event. Dec. 4 at 7: “Nebraska,” followed by a discussion with Bruce Dern. • The films of Aleksei Balabanov. Dec. 5 at 4:30 and 9:30: “Morphia” (2008). • Dec. 6 at 2 and 7: “Dead Man’s Bluff” (2005). • Dec. 6 at 4:30 and 9:30: “Cargo 200” (2007). • Dec. 7 at 2 and 7: “Brother” (1997).

FILM FORUM

W. Houston St. west of Sixth Ave. (212-727-8110)—In revival. Dec. 4-10 at 1, 2:50, 4:40, 6:30, 8:20, and 10:10: “**Cousin Jules.**” • The films of Barbara Stanwyck. Dec. 6 at 1, 4:40, and 8:20: “The Bitter Tea of General Yen” (1932, Frank Capra). The 8:20 screening will be introduced by Stanwyck’s biographer Victoria Wilson. • Dec. 6 at 2:30, 6:30, and 10:10: “The Miracle Woman” (1931, Capra). • Dec. 7 at 1:30, 5:30, and 9:30: “Double Indemnity” (1944, Billy Wilder). • Dec. 7 at 3:40 and 7:40: “The Lady Eve” (1941, Preston Sturges). • Dec. 8 at 1: “Meet John Doe” (1941, Capra). • Dec. 8 at 3:30, 6:50, and 9:50: “Baby Face” (1933, Alfred E. Green). The 3:30

NOW PLAYING

The Armstrong Lie

A fascinating portrait of a liar. The filmmaker Alex Gibney captured Lance Armstrong in 2009, when he was attempting a comeback and was still maintaining that he had always been “clean”; and again, in 2013, after his confession to Oprah that he had been doping since the nineteen-nineties. Gibney looks for some kind of moral sense in Armstrong, and the cyclist looks back at Gibney (and at us) as if we were fools. His attitude is: Don’t you get it? Don’t you get that people do whatever they have to do to win? The details of cycling-world practices—such as transporting bags of oxygenated blood and inserting it back into Armstrong’s body in the middle of the Tour de France and other competitions—are, for the uninitiated, amazing and ghoulish. Many of Armstrong’s former teammates, who covered for him and, in some cases, were punished for the same violations he was committing, speak of him with a mixture of admiration and rue.—*David Denby* (Reviewed in our issue of 12/2/13.) (In limited release.)

At Berkeley

Frederick Wiseman’s four-hour documentary chronicles the university at a crisis point—in 2010, when the state legislature had reduced its support of the campus to only sixteen per cent of its total budget, and the administration, struggling to preserve intellectual distinction while retaining Berkeley’s special character as a public institution, had to reduce salaries, put faculty on furlough, and take other cost-cutting measures. The students, responding to the straitened atmosphere, vaguely long to get away from capitalism altogether while wondering how they are going to fit into it. When Wiseman moves away from scenes of administration and protest, he heads for the primal stuff of learned inquiry: a physicist explains to his class the origins of time; a literature professor works through the erotic metaphors in Donne’s poem “To His Mistress Going to Bed”; an entomologist explains the varieties of survivalist behavior in insects. Time, sex, death—university work stirringly gets to the heart of things. No other filmed portrait of higher education matches this one for hard-nosed insight, comprehensiveness, sympa-

thy, and hope.—*D.D.* (11/18/13) (In limited release.)

Café Lumière

In the director Hou Hsiao-hsien’s atmospheric drama, from 2003, Yoko (Yo Hitoto), a young Japanese woman with a curious yet reserved manner, returns home to her bohemian flat after an extended stay in Taiwan and rekindles old connections. Her studies—she has an interest in a Taiwanese composer who worked in Japan in the nineteen-thirties—lead her to a cluttered Tokyo bookstore and its proprietor, Hajime (Tadanobu Asano), a quizzical young man who spends his spare time making audio recordings of trains and train stations throughout the region. Their friendship remains tenuous, as does Yoko’s relationship with her parents, to whom she reveals that she is pregnant. Although ever in motion, these people do very little: their lives are held in place by the weight of the past and the anticipation of the future. Hou’s delicate images—including many of trains—are full of latent regret and expectation; the film’s limpid stillness is quietly thrilling. In Japanese.—*Richard Brody* (Film Society of Lincoln Center; Dec. 4 and Dec. 6.)

La Collectionneuse

Eric Rohmer’s second feature, from 1966, announces its carnal conceit from the first scene’s anatomical closeups of the waiflike, bikini-clad Haydée (Haydée Politoff). She shares a friend’s villa on the Riviera with Daniel (Daniel Pommereulle), a single artist, and Adrien (Patrick Bauchau), a dilettantish art dealer who is engaged to be married, and the two men vie for her in a most dignified way. The natural splendors of blue water, rocky shore, bright sky, and hilly terrain provide a serene setting for the eternal struggle of man versus man, man versus woman, and man versus his own worst instincts. Adrien is the film’s central consciousness and its narrator, and the personal price of his impending summer fling forms the core of Rohmer’s moral psychology. A Ming vase and a voracious American collector (played by the film critic Eugene Archer, under the pseudonym Seymour Hertzberg) offer the symbolism. As a tête-à-tête between Daniel and the writer Alain Jouffroy suggests, Rohmer sees the artistic avant-garde as the front line of the sexual revolution—for better or for

worse. In French.—*R.B.* (Museum of the Moving Image; Dec. 7.)

Cousin Jules

Dominique Benicheti’s tender and accomplished documentary, from 1973, about his real-life cousin, Jules Guiteaux, a blacksmith in rural Burgundy, is, above all, a record of premodern industrial and domestic crafts—a cinematographic Colonial Williamsburg. Jules fans a furnace with a groaning leather bellows, ringingly hammers a red-glowing tip of iron, drills holes with a huge flywheel-driven contraption. To make coffee, Jules’s wife, Félicie (who died midway through the five-year shoot), draws water from a well with a hand-cranked pulley and bucket; he hand-rolls a cigarette to enjoy with it. Shooting in color and widescreen, Benicheti makes images that are as poised and attentive as his subjects. Each new activity that he reveals is fraught with the passing of time and the burden of labor; the wear on every handle and surface seems to embody a vast history in silence. Yet that silence is also an artifice; Benicheti’s observations don’t offer much depth or insight: How do they make their money? What’s in that newspaper that Jules reads at lunch? The movie is resolutely non-analytical, but it may leave a viewer hyper-alert to his own routine gestures and sounds. In French.—*R.B.* (Film Forum; Dec. 4-10.)

Equinox Flower

Father and daughter, tradition and modernity, Japan and the West, and, throughout, the memory and the legacy of war—these are the clashes that tear apart two Tokyo families in this painterly yet confrontational drama directed by Yasujiro Ozu, from 1958. Two businessmen, lifelong friends, are having problems with their grown daughters. Hirayama’s daughter Setsuko plans to defy him and wed a young man of her own choice; Mikami’s daughter Fumiko has run off with a jazz pianist. Meanwhile, Hirayama maintains ambiguous relations with an innkeeper and her nubile daughter—even as his steadfast wife suffers from his distracted indifference. Ozu’s first color film is shriekingly expressive; he gashes his pastel palette with sanguine streaks and bangs out angles with ardent impulsiveness. Characters stare into the camera as they challenge each other in quiet battles for their emotional lives; meanwhile, patriotic songs and wartime reminiscences hint at traumas that burst forth when the action shifts to Hiroshima. In Japanese.—*R.B.* (Film Society of Lincoln Center; Dec. 4-10.)

The Great Beauty

The “beauty” of the title refers to many things, but, above all, it refers to Rome. That is where Jep

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THE JOY AND MAGIC OF
MAKING MUSIC
ARE FULLY AND INFECTIOUSLY FELT"

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— *THE SUNDAY TIMES* —

OSCAR ISAAC
CAREY MULLIGAN
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**INSIDE
LLEWYN DAVIS**

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THEIR OWN KIND OF MUSIC.
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THE NOMINATION YOU'VE OWED HIM FOR DECADES. HE'S
MAGNIFICENT."

— *Rolling Stone* ★ PETER TRAVERS —



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A CLASSIC
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BEHOLD THE HAUNTING NEW TUNE
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— *THE IRISH TIMES* —

**"THE COEN BROTHERS ARE
THE GREATEST
FILMMAKERS ON THE PLANET."**

— *THE SUNDAY TIMES* ★ BRYAN APPELYARD —

screening will be preceded by a discussion with Wilson. • Dec. 8 at 5:20 and 8:20: "Night Nurse" (1931, William Wellman). • Dec. 9 at 2:30, 6, and 9:30: "Ladies of Leisure" (1930, Capra). • Dec. 10 at 1, 4:10, 7:20, and 10:30: "The Purchase Price" (1932, Wellman). The 7:20 screening will be introduced by Wilson.

FILM SOCIETY OF LINCOLN CENTER

Walter Reade Theatre, Lincoln Center (212-875-5610)—"Ozu and His Afterlives." Dec. 4 at 4:30 and Dec. 6 at 7:30: "Café Lumière." • Dec. 4-10 (call for showtimes): "Equinox Flower." • Dec. 7 at 2:30 and Dec. 10 at 5: "35 Shots of Rum" (2008, Claire Denis). • Dec. 8 at 3:15: "In Vanda's Room." • Dec. 10 at 9:45: "The Match Factory Girl" (1990, Aki Kaurismäki). • "Ben Stiller Directs." Dec. 6 at 9:45: "Reality Bites" (1994). • Dec. 7 at 4:30: "The Secret Life of Walter Mitty" (2013). • Dec. 7 at 9:30: "Zoolander" (2001). • Dec. 8 at 1: "Tropic Thunder" (2008).

FRENCH INSTITUTE ALLIANCE FRANÇAISE

55 E. 59th St. (212-355-6160)—Through Dec. 17: The films of Max Linder. All films are silent. Dec. 10 at 12:30, 4, and 7:30: "Seven Years Bad Luck" (1921) and three short films.

IFC CENTER

323 Sixth Ave., at W. 3rd St. (212-924-7771)—"The Way He Was: Early Redford." Dec. 6-8 at 11 A.M.: "Jeremiah Johnson" (1972, Sydney Pollack).

MUSEUM OF MODERN ART

Roy and Niuta Titus Theatres, 11 W. 53rd St. (212-708-9480)—Special screenings. Dec. 8 at 2: "Ginger and Fred" (1986, Federico Fellini). • Dec. 8 at 7 and Dec. 10 at 4: "How Strange to Be Named Federico!" (2013, Ettore Scola).

MUSEUM OF THE MOVING IMAGE

35th Ave. at 36th St., Astoria (718-784-0077)—"See It Big! Great Cinematographers." Dec. 7 at 1:30: "La Collectionneuse." • Dec. 7 at 3:30: "My Night at Maud's" (1969, Eric Rohmer). • Dec. 8 at 4: "The Marriage of Maria Braun" (1978, Rainer Werner Fassbinder).



DVD OF THE WEEK

A video discussion of Vera Chytilová's "Daisies," from 1966, in our digital edition.



FRONT ROW

Richard Brody on the films of Barbara Stanwyck.

Gambardella (Toni Servillo), a writer known for producing a single book and attending innumerable parties, has lived for decades. Clearly, he never tires of the place; the happiest moments in this long and indulgent film, directed by Paolo Sorrentino, consist of his lounging in his apartment opposite the Colosseum, or strolling without haste through the city and savoring its deluge of impressions. (Servillo, in addition to his long, quizzical, and easily saddened face, has a wonderful walk.) The story, or what exists of it, is touched off first by the death of an old girlfriend, which summons Jep, via occasional flashbacks, into the past; and, second, by the advent of a new girlfriend, Ramona (Sabrina Ferilli), whom he takes as his date to a funeral. If the antics of the beau monde disgust or exhaust you, stay away from Sorrentino's film; look no further, on the other hand, if you wish to know whether, where, and in what guise the spirit of Fellini remains at work—and, better still, at play. In Italian.—*Anthony Lane* (11/25/13) (In limited release.)

Homefront

Jason Statham, who stars in this action thriller, has a voice so hoarse and guttural that it defeats all known recording technologies. It's hard to make out what he's saying, but, whatever it is, it's definitely something tough. The screenplay for this violent retro schlock was written by Sylvester Stallone, and the movie feels like something out of the early eighties. Statham is an ex-D.E.A. agent hiding in Louisiana with his adorable little daughter. His enemies, including a scurvy local meth lord (James Franco), come to get him. Winona Ryder, looking anxious, turns up as a "meth whore." Directed by Gary Fleder.—*D.D.* (In wide release.)

The Hunger Games: Catching Fire

Jennifer Lawrence's gray-green eyes and extraordinary concentration dominate the camera in this adaptation of the second volume of Suzanne Collins's young-adult trilogy. Lawrence is the huntress Katniss Everdeen—the survivor, with her admirer Peeta Mellark (Josh Hutcherson), of the last fight to the death. She's now a reluctant celebrity and an unwilling revolutionary. Yet President Snow (Donald Sutherland), the dictatorial overlord of the Capitol, thinks she's a danger, and pulls her and Peeta into a fresh competition, in which all the survivors from years past are thrown back in the bush to fight again. The director, Francis Lawrence ("I Am Legend"), working with a screenplay by Simon Beaufoy and Michael deBruyn, mounts an impressively forbidding

atmosphere of life under totalitarian control. The mood is Eastern-bloc depression, a gray world in which the rulers have drained away all the vitality. At the Capitol, however, the extravagant decadence and purple-pink luxury is as puzzling as ever. Why is everyone dressed in wigs, glitter, and eyeshadow, as if outfitted for a drag ball that never ends? The battle scenes in a lush jungle start well and degenerate into an incomprehensible mess. With Philip Seymour Hoffman, Woody Harrelson, Stanley Tucci, and Elizabeth Banks.—*D.D.* (12/2/13) (In wide release.)

In Vanda's Room

There is a real-life Vanda Duarte, and for most of Pedro Costa's grimly majestic feature, from 2000, she's in her dimly lit room in her family's cramped home in Fontainhas, a labyrinthine and dilapidated Lisbon district that's undergoing demolition in advance of urban renewal. Vanda is a drug addict—she smokes crack throughout the film—as is almost every young person she knows. Her dealer, Nhurro, lives in an abandoned hovel with other addicts who walk around with needles dangling from their arms and boast about their hematomas. The whole neighborhood seems subterranean, shrouded even during daytime in a sepulchral darkness that sunlight pierces like a headache; from its depths, the residents are gasping for air. Costa, who is immersed in the community and implicated in the residents' lives, the participants perform for it in their own name, effacing the distinction between fiction and reportage. Without shrinking from their self-destructive, self-perpetuating dramas, he finds grandeur in their endurance, revealing the tangled roots of memory and identity and the sedimented energies that are as vital as they are untapped—perhaps by design.—*R.B.* (Film Society of Lincoln Center; Dec. 8.)

Lenny Cooke

Drawing on a meticulous and sensitive assemblage of archival footage and a surprising latter-day encounter, the directors Josh and Benny Safdie (best known for their fictional features, notably "Daddy Longlegs") tell the sad and clear-eyed tale of a meteoric near-miss and a life lived in its dimming glow. In 2001, Cooke, a high-school basketball player who grew up in Bushwick, was ranked ahead of LeBron James and Carmelo Anthony. He planned to skip college and go straight to the N.B.A., but, after a series of missteps (notably, signing with an agent who took him out of competition for more than a year), he never made it to the pros. From the start, Cooke's quest—doomed by immaturity and irresponsibility, by big dreams

that obscure immediate needs—is a low-key tragedy in the making. When the directors catch up with him in 2012, he still, as his fiancée, Anita Solomon, says, "almost lives in the past; it's almost like it was yesterday for him." But Cooke finds the roots of his drama in his very nickname, claiming that Lenny was as much an invention of his basketball handlers as his athletic identity was. The filmmakers imbue the found footage with their own wistful voice—Cooke could be one of their fictional characters, and, with modest yet ingenious special effects, they make it so.—*R.B.* (In limited release.)

Nebraska

The widescreen, black-and-white images of fields, plains, and distant hills have a stirring vastness, but the life has been taken out of them. The towns—virtually empty, shut down—are also dead. Nothingness is at hand: Alexander Payne's film chronicles a forlorn journey from Billings, Montana, to Lincoln, Nebraska, in which a young man named David (Will Forte) drives his elderly alcoholic father, Woody (Bruce Dern), to pick up a nonexistent sweepstakes prize. When they arrive in Nebraska, they stop to see Woody's brothers and other relatives, who speak in bland generalities that slam the conversations into a wall. Parts of the movie—enhanced by Payne's very deliberate pacing—are funny in a deadpan, black-comedy way. But the absurdist atmosphere feels thin, like Samuel Beckett without the sinister metaphysical unease. The only character who seems fully alive is Woody's long-suffering wife, Kate (June Squibb), a quarrelsome old bawd with a mean tongue. David grabs at a heroic American past—a trip to Mt. Rushmore, a visit to the Nebraska house (now a filthy wreck) that Woody's father built—but he doesn't come up with much. This movie about inanition and dead roots has been made with considerable artistry, but it's very far from a work of art.—*D.D.* (11/18/13) (In wide release.)

Oldboy

Hollywood's wildest cinematic freakout since "Shutter Island" is a remake of—and an improvement on—the Korean original, from 2003. Josh Brolin stars as a swaggering corporate buck and a hard-drinking, philandering divorcee who awakens from a one-night stand to find himself in a motel room that turns out to be a solitary-confinement cell in a private prison. There, he learns from a TV report that he has been framed for the rape and murder of his ex-wife. When he finally gets out, twenty years later, he tries to find his captors, clear his name, and get revenge, but his captors

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have their own plans for him. The director, Spike Lee, and the screenwriter, Mark Protosevich, have kept the story's Grand Guignol violence but trimmed its random excrescences and focussed its themes to fit the movie, subtly but decisively, into Lee's canon. The extreme yet horrific artifice of the setup pulls backstory to the fore and reveals, as if in a sociological X-ray, several lifetimes' worth of privilege abused, opportunities squandered, and energy (and resources) misspent, and places blame squarely on enablers who blindly encourage destructive behavior and disablers who, with an emblematic lack of compassion, punitively compound and perpetuate the destruction. With Elizabeth Olsen, as a recovering addict now devoted to good works.—*R.B.* (In wide release.)

Philomena

An out-of-work journalist (Steve Coogan), seeking a story, meets Philomena Lee (Judi Dench), an elderly Irish woman, and decides to follow the trail of her predicament. Half a century ago, as a pregnant teen-ager, she was sent to live with nuns in a convent; there her son was born, and from there he was taken to be adopted by an American couple. Now Philomena needs to find him. There are all kinds of ways in which Stephen Frears's film could have turned out mushy or merely splenetic, yet it keeps its poise and draws you into its moral quandaries, thanks to the controlled performances as well as to the screenplay, by Coogan and Jeff Pope. Some of the early jokes feel a little cheap and superior, but you become grateful for the leavening wit, and there aren't many films that can throw in a T. S. Eliot gag at the climax. Moreover, just as the movie girds itself for an indignant blast, it finds a surprising peace; unlike most tales of crusading reporters, it suggests that their outrage, however fruitful, matters less than the feelings—sometimes more delicate—of the victims for whom they speak.—*A.L.* (11/25/13) (In wide release.)

White Reindeer

In this sparkingly satirical Yuletide fairy tale, a woman for whom everything goes wrong does everything wrong to make things come out right. Anna Margaret Hollyman brings a poised radiance to the role of Suzanne, a real-estate agent in suburban Virginia whose husband, a TV weatherman, is killed during a break-in. Learning at his funeral of his liaison with a stripper, Suzanne seeks her out; realizing that she and the young woman (Laura Lemar-Goldsborough) have something in common, she lets a friendship develop and wanders into adventures and misadventures. The director and writer, Zach Clark, eagerly hoards clichés—from the whore with a heart of gold to the swinging neighbors to the holiday obsession with shopping—and gleefully unfolds their promised fantasies. His sketchlike scenes are held together with an eye for detail, as in a soaring nocturnal interlude of decorated houses and parking lots, set to the lyrics of a seasonal favorite. The chipper and heartwarming trip along the seams of the gingerbread suburbs is driven by Hollyman, who shines as a middle-class Everywoman who regains command by losing control.—*R.B.* (In limited release.)



NIGHT LIFE

ROCK AND POP

Musicians and night-club proprietors lead complicated lives; it's advisable to check in advance to confirm engagements.

"Holiday Cheer for 'FUV"

Sam Beam, who has been recording as **Iron & Wine** for more than a decade, collaborated with **Calexico** on the EP "In the Reins," in 2005, and the Tucson group will serve as the house band for this benefit for the Bronx-based radio station WFUV. The other artists they'll be performing with include **Kathleen Edwards**, **Glen Hansard**, **Beth Orton**, **Amos Lee**, and **Nick Lowe**. (Beacon Theatre, Broadway at 74th St. 212-465-6500. Dec. 10.)

King Krule

Archy Marshall, the carrot-topped British troubadour behind this remarkable solo project, comes to town to perform the stark, pleading songs from his latest record, "6 Feet Beneath the Moon," which came out this summer, on his nineteenth birthday. He's assembled a group of jazz musicians for the show, and they're experienced enough to handle Marshall's showstopping South London baritone, which bears more than a passing resemblance to "Nighthawks at the Diner"—era Tom Waits. He's struck a chord in the hip-hop world—Beyoncé and members of Odd Future have commended his work—and is joined here by **Ratking**, a rising local collective fronted by the wiry Patrick (Wiki) Morales, who spits out extended, zigzagging rhymes in a phlegmy rasp. (Webster Hall, 125 E. 11th St. 212-353-1600. Dec. 4.)

Lucius

On "Wildewoman," the Brooklyn-based quintet's debut release, Jess Wolfe and Holly Laessig, the group's lead vocalists, traffic in impeccable harmonies that go from dulcet to ferocious. The album channels a number of styles, including folk, rock, pop, electronica, soul, and even a bit of country. In a nod to the music's sixties girl-group feel, Wolfe and Laessig often don matching mod outfits for live performances; while that's part of the fun, the tunes do fine on their own without the retro gimmickry. (Bowery Ballroom, 6 Delancey St. 212-533-2111. Dec. 7-8.)

"Lyrics & Lyricists"

The fact that two of the seminal architects of rock and roll—the songwriters and producers Jerry Leiber and Mike Stoller—were Jewish R. & B. fanatics hardly out of their teens when they hit it big is one of the remarkable

inclusive factors that have made the music so emblematic of its country of origin. Together, the lyricist Leiber and the composer Stoller wrote classics for, among countless others, Big Mama Thornton, the Coasters, the Drifters, and Elvis Presley, tossing off youth anthems right and left throughout the fifties and early sixties. Leiber died in 2011, but Stoller is celebrating his eightieth birthday, in the company of the bandleader **Paul Shaffer** and a cast of vocalists whose strengths lie in the cabaret and adult-contemporary genres, including **Bettye LaVette**, **Steve Tyrell**, **Melissa Manchester**, **Tommy Tune**, **Karen Akers**, and a present-day iteration of the **Coasters**. (92nd Street Y, Lexington Ave at 92nd St. 212-415-5500. Dec. 9.)

Hudson Mohawke

The Glaswegian electronic-music wizard (whose real name is Ross Birchard) is a highly sought-after remix artist, d.j., and producer, who received his first turntables at the age of eleven and was, by fifteen, the youngest-ever U.K. finalist in the DMC World DJ Champion competition. Now twenty-seven, Mohawke has worked on albums by Kanye West and Drake, and he's a seamless conveyor of his own mashups on the dance floor. His material is eclectic, and he's a musical wild card of the highest quality. (Output, 74 Wythe Ave., Brooklyn. outputclub.com. Dec. 5.)

JAZZ AND STANDARDS

Bill Frisell

Last year, the guitarist was given a commission by the Monterey Jazz Festival which included a residency at the Glen Deven Ranch, a sprawling property nestled among the dramatic canyons of Big Sur. Just as it had been for Henry Miller and Jack Kerouac, the setting proved to be a powerful inspiration for Frisell; his latest album, "Big Sur," which he recorded with a new band called the Big Sur Quintet (featuring several longtime collaborators, including **Eyvind Kang**, on viola, and **Jenny Scheinman**, on violin), is far-ranging, with passages of surf music, Copland-inflected melody and harmony, and angular, psychedelic guitar soloing. ((Le) Poisson Rouge, 158 Bleecker St. 212-505-3474. Dec. 7.)

Benny Golson

While Sonny Rollins deserves much credit, a very good case can be made that Golson, who is eighty-four years old, is the finest tenor saxophonist from the golden age of the nineteen-fifties and sixties who is still actively performing. A notable composer (of the hard-bop standards "I Remember Clifford," "Stablemates," and "Whisper Not," among other songs), he has a gorgeous tone and an inspired melodic gift that would be thrilling coming from a player of any age. He's a living link to the past who is firmly committed to making significant art in the present. (Jazz Standard, 116 E. 27th St. 212-576-2232. Dec. 5-8.)

Esperanza Spalding

The bassist, singer, composer, bandleader, educator, and model recently added political activist to her résumé; her new single, "We Are America," and its accompanying video take on persistent concerns about the Guantánamo Bay detention facility. How this new involvement in social reform will play out when she brings her Chamber Music Society (an ensemble that merges jazz, classical, Brazilian, and pop elements) to jazz's most famous basement is a tantalizing question. (Village Vanguard, 178 Seventh Ave. S., at 11th St. 212-255-4037. Dec. 3-8.)



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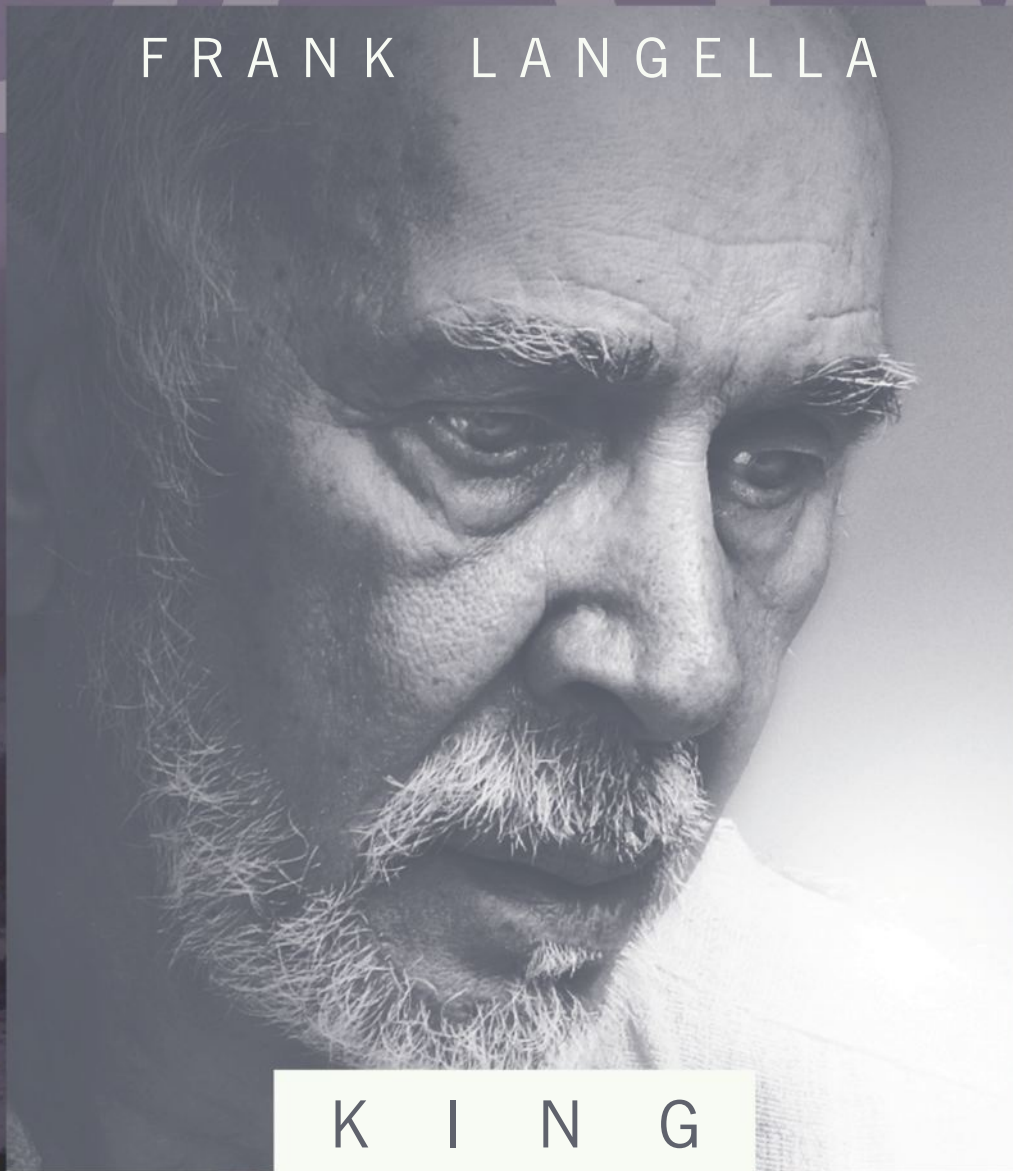


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"La Divina Caricatura," a takeoff on the Divine Comedy, runs Dec. 6-22, at La Mama.

DANCE



HIS DARK MATERIALS

Lee Breuer plies the tools of mid-century modernism.

SINCE THE NINETEEN-SIXTIES AND SEVENTIES, New York's experimental-theatre scene has toned down its wild-man character, but Lee Breuer, who, at seventy-six, is the grand old man of the movement, still works with the primary materials of mid-century theatrical modernism: mixed media, puppetry, irrationality, anachronism, miscellany, transgression, politics, and—very important in Breuer's case—a carnivalesque spirit, a sense of people having a good time. In his "Lear" (1990), the king was played by a woman. His 1981 production of "The Tempest" had eleven Ariels. ("I started looking at art differently after doing peyote and LSD," he recalled in a 2007 interview.) Such shows have won him a lot of Obies and a number of uncomprehending reviews in the mainstream press. The *Times* likened his "Tempest" to a "drunken picnic."

Later this week, Breuer unveils a new piece, "La Divina Caricatura," at La Mama. It's a takeoff on the Divine Comedy, but, were it not for the title, you might not guess its parentage. The story has to do with a dog, Rose, who is in love with her master, John, an East Village junkie who says he's an independent filmmaker. (They are both puppets.) Rose is constantly making forthright sexual advances to John. She sticks her wet nose into his armpit. She licks between his toes. At one point, she fellates him, right up there on the stage, while he is in bed with his girlfriend—an incursion that

does not strengthen Rose's case. I said to Breuer that I didn't see much connection here with the Divine Comedy. "What about Paolo and Francesca?" he answered. "It's like Joyce with the *Odyssey*. You're not trying to copy it. You're riffing on it as a metaphor and a hook."

Accordingly, "La Divina Caricatura" has a lot more than puppets. We get video, a live band, and an impressive crucifixion. There's a quartet of male soul singers and a trio of female backup singers, in sequined gowns. The music incorporates rhythm and blues, soul, tango, reggae, rap, Gregorian chant, French folk songs, and Indian ragas. (Breuer says that he was also influenced by ancient Indian epics such as the *Mahabharata* and by Disney's animated features, especially "Snow White.") The show, like Dante's *Inferno*, is only the first part of a trilogy. It's all been written, and the script will be published next year, under the title "I don't want to change your mind, I want to change your music." But part one is already enormous, with a cast of almost forty, plus sixteen puppets, and a running time of two and a half hours. "I always want to work bigger, wider, more flamboyantly." As a result, Breuer says, "I've never been out of debt since I was sixteen."

—Joan Acocella



NEWYORKER.COM

For more holiday dance events, including "Nutcracker" productions by New York City Ballet and Company XIV, visit nycr.kr/dance.



TABLES FOR TWO

An interactive map, with links to places we've visited recently.

Alvin Ailey American Dance Theatre

The first week introduces the sole world premiere of the five-week season. Azure Barton's "Lift" is a thigh-slapping, pseudo-primitive affair, nudged toward quirkiness by wobbly knees, off rhythms, a pas de deux in which a woman's nose is stuck to a man's collapsed sternum, and jumps in a clump, as if on a trampoline. The stunt lifts come in the company premiere of "Chroma," an ultra-modern stretching of ballet technique that Wayne McGregor made for the Royal Ballet in 2006. How the Ailey dancers handle this demanding work about the "freedom from white" is the season's most intriguing question. (City Center, 131 W. 55th St. 212-581-1212. Dec. 4 at 7, Dec. 5 at 7:30, Dec. 6 at 8, Dec. 7 at 2 and 8, Dec. 8 at 3 and 7:30, and Dec. 10 at 7:30. Through Jan. 5.)

Donna Uchizono Company

In "Fire Underground," the veteran choreographer draws on her difficult experience with international adoption, using the typically unstable structure of her choreography to summon feelings of abandonment amid impersonal forces. The piece is a duet with the intense Rebecca Serrell Cyr, who joins Hristoula Harakas and Levi Gonzalez, a dream cast, for Uchizono's "State of Heads," from 1999, a brilliantly odd and unstable structure without such an explicit subject. (New York Live

Arts, 219 W. 19th St. 212-924-0077. Dec. 4-7 at 7:30.)

Reggie Wilson / "Moses(es)"

Wilson's new work, based on his travels in the Middle East, wide-ranging readings, and research into subjects as disparate as fractal geometry, Harriet Tubman, and the mystical tradition known as Zar, is a vast mosaic of movement and sound, impenetrable but intriguing. At the center lies the question "Who was Moses?" Wilson's abstract choreography and his lucid dancers may not provide answers, but the paths of discovery that Wilson suggests are their own reward. (BAM's Harvey Theatre, 651 Fulton St., Brooklyn. 718-636-4100. Dec. 4-7 at 7:30.)

Martha Clarke / "Chéri"

Clarke—known for her interdisciplinary approach, which combines dance, music, text, and sumptuous tableaux inspired by the Old Masters—takes on Colette's novel about love, sensuality, and the passing of time. Chéri, played by the ardent young Argentinean danseur Herman Cornejo, is a handsome, spoiled young man who loves an older woman, Léa. The aging cocotte is played by the recently retired Alessandra Ferri, a great dramatic ballerina. Amy Irving is Chéri's mother. The story is told through movement and music, performed by the pianist Sarah Rothenberg, with a few spoken

passages for Irving. (Pershing Square Signature Center, 480 W. 42nd St. 212-279-4200. Dec. 4-6 at 7:30, Dec. 7 at 2 and 8, Dec. 8 at 2 and 7, and Dec. 10 at 7:30. Through Dec. 29.)

Jon Kinzel

The dancer and choreographer, a fixture on the downtown dance scene since the eighties, presents a new evening-length work, "Someone Once Called Me a Sound Man." Made for the Chocolate Factory's vast, all-white space, the male trio—danced by Kinzel, Simon Courchel, and Stuart Shugg, of the Trisha Brown company—explores male movement and partnering in an unadorned environment of shifting light. (5-49 49th Ave., Long Island City. 866-811-4111. Dec. 4-7 at 8.)

"Yorkville Nutcracker"

This Big Apple-centric version of the Christmas tale features an energetic cast of dance students from around the city. The beloved local teacher Francis Patrelle, who choreographed the show, appears as Teddy Roosevelt, one of the guests at Mayor William L. Strong's Christmas party at Gracie Mansion, circa 1895. Jennifer Ringer and Jared Angle, both from New York City Ballet, step into the roles of Sugarplum and her Cavalier. (Kaye Playhouse, Park Ave. at 68th St. 212-722-4448. Dec. 5-6 at 7, Dec. 7 at 2 and 7, and Dec. 8 at noon and 5.)

ABOVE & BEYOND



"A Prairie Home Companion"

The news from Lake Wobegon, the fictional Minnesota town where "all the women are strong, all the men are good-looking, and all the children are above average," is being broadcast from New York these days, as Garrison Keillor has brought his long-running radio show to Town Hall on Saturdays at 5:45, through Dec. 21. Guests include the English singer-songwriter Nick Lowe, the bandleader Paul Shaffer, and the harmonizing DiGiallono Sisters, out of Brooklyn. (123 W. 43rd St. 212-840-2824. prairiehome.com.)

Holiday Literary Spectacular

The online literary and cultural sites Guernica and the Rumpus team up with BuzzFeed Books for seasonal festivities featuring live music by Alina Simone (the author of "Notes to Self" and "You Must Go to Win"), readings by Geoff Dyer and Saeed Jones, comedy by Janine Brito, and d.j. sets by Lincoln Michel and James Yeh (of *Gigantic* magazine) and Ryan Chapman (of

the Atavist). (The Bell House, 149 7th St., Brooklyn. thebellhouse.nyc.com. Dec. 9 at 7.)

AUCTIONS AND ANTIQUES

Sotheby's sells off a slice of Norman Rockwell's America—innocent, upright, hardscrabble—at its auction of American art on Dec. 4. Along with works by Hopper, Bierstadt, and Cassatt, the house offers a group of Rockwell paintings from the collection of Kenneth J. Stuart, Sr., the illustrator's longtime editor at the *Saturday Evening Post*; "Saying Grace" (1951), among the most familiar, depicts a young boy and his grandmother, head bowed, sharing a coffee-shop table with two decidedly unreligious young men. A sale featuring a private collection of Western paintings and artifacts (beaded moccasins, pottery, a hide shirt, etc.) follows in the afternoon. (York Ave. at 72nd St. 212-606-7000.) • In "Sunday Morning in the Camp of the Seventh Regiment near Washington, D.C., in May 1861,"

the Hudson River School painter Sanford Robinson Gifford (who served in the Union Army) depicts his fellow-soldiers in a moment of calm, listening to a sermon as they loll beneath the trees on a hill overlooking the capital; the canvas is a star lot in **Christie's** auction of American art on Dec. 5. History of an altogether different kind was made by Bob Dylan at the 1965 Newport Folk Festival.

READINGS AND TALKS

"Intelligence Squared U.S."

This series of live Oxford-style debates presents the topic "Don't Eat Anything with a Face." Dr. Neal Barnard, the author of "21-Day Weight Loss Kickstart," and the activist Gene Baur, a co-founder of the animal-rescue organization Farm Sanctuary, will argue for the motion. Chris Masterjohn, a nutritional-science researcher and a blogger for the Daily Lipid, and the farmer and author Joel Salatin will argue against it. (Kaufman Center, 129 W. 67th St. Dec. 4 at 6:45, with a reception starting at 5:45. For more information, visit iq2us.org.)

Books of Wonder

The store's "December Picture Book Extravaganza" features Jacky Davis and David Soman (the authors of "Ladybug Girl and the Big Snow") and Elisha Cooper ("Train"). (18 W. 18th St. 212-989-3270. Dec. 8 at noon.)



CLASSICAL MUSIC

OPERA

Metropolitan Opera

To make a great production of **"Falstaff,"** Verdi's farewell to opera, you need singers who cherish the words of Boito's magnificent libretto (adapted from Shakespeare) and a director who treasures the work. The Met certainly has the latter in Robert Carsen, the director of the house's beloved longtime production of **"Eugene Onegin"** (now retired), whose new staging sets the piece in an English country house in the late nineteen-fifties. Ambrogio Maestri, considered the world's leading exponent of the title role, heads the cast, which also includes such standouts as Angela Meade, Stephanie Blythe, and Franco Vassallo. Also required is a paramount conductor—who, in this case, is the incomparable James Levine. (Dec. 6 at 8 and Dec. 9 at 7:30.) • **Also playing:** An impressive revival of Michael Mayer's effective (if shallow) Las Vegas-themed production of **"Rigoletto"** features a cast led by Dmitri Hvorostovsky (transformed, with the help of the company's makeup department, into the aging jester of the title role), which also includes Sonya Yoncheva, Matthew Polenzani, Oksana Volkova, and Stefan Kocán; Pablo Heras-Casado. (Dec. 4 at 8 and Dec. 7 at 12:30.) • The new Deborah Warner production of Tchaikovsky's **"Eugene Onegin,"** with Marina Poplavskaya, Peter Mattei, Rolando Villazón, and Elena Maximova; Alexander Vedernikov. (Dec. 5 at 7:30.) • The house revives its majestic production of **"Der Rosenkavalier"** in honor of the centenary of the opera's U.S. premiere. Martina Serafin, Daniela Sindram, Erin Morley, and Peter Rose take the leading roles; Edward Gardner. (Dec. 7 at 7:30 and Dec. 10 at 7.) (Metropolitan Opera House. 212-362-6000.)

ORCHESTRAS AND CHORUSES

New York Philharmonic

David Zinman brings his crisp and sensitively balanced style to the orchestra's podium this week, leading Britannic music by Adès and Mendelssohn (the Symphony No. 3, "Scotch"), along with Mozart's Piano Concerto No. 18 in B-Flat (with a poetic and insightful soloist, Richard Goode). (Dec. 5 at 7:30 and Dec. 6-7 at 8.) • After two seasons away, the magnetic violinist Anne-Sophie Mutter, always a welcome guest, returns for a one-time-only concert conducted by Manfred Honeck. The program is all-Dvořák: the "Carnival Overture," the Violin Concerto, and the Symphony No. 9,

"From the New World." (Dec. 10 at 7:30.) (Avery Fisher Hall. 212-875-5656.)

Philadelphia Orchestra

The sumptuous ensemble and its energetic young maestro, Yannick Nézet-Séguin, return to Carnegie Hall with a hefty program of Brahms (the Second Piano Concerto, with Hélène Grimaud) and Berlioz (the "Symphonie Fantastique"). (212-247-7800. Dec. 6 at 7:30.)

Trinity Church Wall Street: "Messiah"

Julian Wachner's excellent chorus and Baroque orchestra make their annual Handelian contribution this week, bringing a downtown presence to Manhattan's copious schedule of performances. (Broadway at Wall St. trinitywallstreet.org. Dec. 7 at 7 and Dec. 8 at 3.)

RECITALS

New York Festival of Song:

"Cubans in Paris, Cubans at Home"

Steven Blier and Michael Barrett, the directors of this invaluable series, have always been attracted to songs by composers from the Hispanic diaspora. This time, they settle on Cuba, accompanying the soprano Corinne Winters (among others) in a program featuring songs by Lecuona, Grenet, and the captivating Moisés Simons. (Merkin Concert Hall, 129 W. 67th St. 212-501-3330. Dec. 5 at 8.)

Chamber Music Society of Lincoln Center: "Baroque Collection"

The Society's brilliant musicians always make a big effort at holiday time. In this week's

first two concerts, a group that includes the violinist Ani Kavafian and the oboist James Austin Smith performs an appealing selection of concertos by Corelli, Handel, Vivaldi, and Bach; in the third, the distinguished violinist Dmitry Sitkovetsky gathers a team of string players to perform his arrangement of the Goldberg Variations. (Alice Tully Hall. 212-875-5788. Dec. 6 at 7:30 and Dec. 8 at 5; Dec. 10 at 7:30.)

Music at the Metropolitan Museum: Calmus

The Met's holiday concerts, more adventurous in years past, begin with a program by this sterling quintet of young vocalists, graduates of Leipzig's St. Thomas Church Choir School. Their wide-ranging recital offers medieval, Baroque (several Bach selections), and modern works (such as Poulenc's "Four Christmas Motets"). (Fifth Ave. at 82nd St. 212-570-3949. Dec. 8 at 7.)

"Nico Muhly: Beaming Music"

The peripatetic composer may not have hit a home run at the Met, but he's still one of the city's most persuasive musical personalities. The Music Mondays series gives him carte blanche in its next concert, with Muhly hosting an evening of his works (including the New York premiere of "Common Ground") featuring such superb performers as the soprano Jennifer Zetlan and the clarinetist Tod Palmer. (Advent Lutheran Church, Broadway at 93rd St. Dec. 9 at 7:30. No tickets required.)

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ART



MUSEUMS AND LIBRARIES

Museum of Modern Art

"Isa Genzken"

The German sculptor's sporadic output, abrupt stylistic changes, and personal vagaries have kept her at the margins of art-world notice, until now. This retrospective finds coherence in works that range from minimalist sculpture, charged with cryptic emotions, from the nineteen-seventies, to recent hilarious assemblages, featuring plastic toys and gussied-up mannequins, which secrete a steely aesthetic discipline. Unifying it all is a brash spirit that is strangely both celebratory and bedevilled. Genzken takes on the ideals of modern art and architecture along with the joys and the anxieties of life in contemporary cities. Her work employs vernacular materials, pop-cultural allusions, and seemingly slapdash procedures to mock—while also exploiting—the passive-aggressive obduracy of classic minimalism. Getting to the point of taking Genzken seriously requires an effort of trust, but the payoff is exhilarating. Through March 10.

GALLERIES—CHELSEA

Malerie Marder

Perhaps Marder's photographs of big, voluptuous nudes are intended as a corrective to the conventionally pretty, rigorously svelte women that dominate our image bank. Her sitters, seen alone, in couples, and in languid groups that recall Orientalist harems, are licensed prostitutes in Amsterdam and Rotterdam. Few are young; most look like suburban housewives. They're posed in self-conscious imitation of art-historical attitudes from Courbet to Magritte, and there's no attempt to soften or disguise their awkwardness. Marder has often probed discomfort, but here she seems unable to get beyond it. If she connected with these women, there's no evidence of it here. Through Dec. 21. (Tonkonow, 535 W. 22nd St. 212-255-8450.)

Hellen van Meene

Although the Dutch photographer has placed her subjects in other settings, she clearly enjoys working in the tradition of studio portraiture, playing artifice against naturalism. In her new work, girls, often accompanied by equally photogenic dogs, are seen in pale natural light against linen the color of parched grass. The mood is subdued, and the older girls can look distracted, but van Meene is wonderfully observant and it's hard not to be absorbed by her pictures. She has the light touch of a fashion photographer, delivering

pleasure, if not psychological depth. Through Dec. 21. (Richardson, 525 W. 22nd St. 646-230-9610.)

Stephen Westfall

Hard-edged abstraction rarely looks as joyous or as generous as it does in Westfall's paintings, and his new show includes some of the best of his career. In "Scheherazade," an arrangement of right triangles of various sizes counterbalances colors in a joltingly imperfect symmetry. Westfall's canvases, modestly scaled and devoid of evident brushwork, derive their strength from the juxtaposition of colored forms with no outline to restrain their force. "Cherbourg," a tessellation of multi-tinted diamonds, bursts with such light it could be made of stained glass. Through Dec. 28. (Lennon Weinberg, 514 W. 25th St. 212-941-0012.)

GALLERIES—DOWNTOWN

Sverre Bjertnes

The Norwegian artist shows an outstanding short film that takes a romantic view of isolation, starring his girlfriend, the actress and musician Hanna Maria Grønneberg. The

action shifts from a natural-history museum, where Grønneberg and an older man talk at cross-purposes, to a chaotic drawing room, where she belts out a song. (Bjertnes intercuts a scene of himself glumly discussing the film, as if to mark it as both a self-portrait and a fiction.) Paintings, including a portrait of Grønneberg and a messy riff on Masaccio's expelled Adam and Eve, and an array of cartoonish drawings look a bit art-fair-ready but underscore the mood of bohemian melancholy. Through Dec. 22. (Fuentes, 55 Delancey St. 212-577-1201.)

"Emily Dickinson and Robert Walser: Pencil Sketches"

"Much Madness is divinest Sense / To a discerning Eye," wrote the belle of Amherst. The sentiment is borne out in this exhibition, which asks us to consider the manuscripts of two intense and deeply private writers as drawings and not merely as drafts. Dickinson wrote in a gawky, widely kerned hand, often on a diagonal, on envelopes and ledger pages. Walser, a Swiss modernist, favored a micrographic variant of the antique Prussian script known as Sütterlin, and fit entire stories into a square inch or less on calling cards and telegrams. The curator Claire Gilman's contention that these writings have value as art objects is stronger in Walser's case than in Dickinson's, but the show argues persuasively that the literature of both authors attained its power, in part, through the formal constraints of the pencil and the page. Through Jan. 15. (The Drawing Center, 35 Wooster St. 212-219-2166.)

MUSEUMS SHORT LIST

METROPOLITAN MUSEUM

Fifth Ave. at 82nd St. (212-535-7710)—"Jewels by JAR." Through March 9.

MUSEUM OF MODERN ART

11 W. 53rd St. (212-708-9400)—"Isaac Julien: Ten Thousand Waves." Through Feb. 17.

MOMA PSI

22-25 Jackson Ave., Queens (718-784-2084)—"Mike Kelley." Through Feb. 2.

GUGGENHEIM MUSEUM

Fifth Ave. at 89th St. (212-423-3500)—"Christopher Wool." Through Jan. 22.

WHITNEY MUSEUM OF AMERICAN ART

Madison Ave. at 75th St. (212-570-3600)—"Rituals of Rented Island: Object Theater, Loft Performance, and the New Psychodrama—Manhattan, 1970-1980." Through Feb. 2.

BROOKLYN MUSEUM

200 Eastern Parkway (718-638-5000)—"War/Photography: Images of Armed Conflict and Its Aftermath." Through Jan. 19.

AMERICAN MUSEUM OF NATURAL HISTORY

Central Park W. at 79th St. (212-769-5100)—"The Power of Poison." Through Aug. 10.

CENTER FOR JEWISH HISTORY

15 W. 16th St. (212-294-8301)—"Light and Shadows: The Story of Iranian Jews." Through April 27.

STUDIO MUSEUM IN HARLEM

144 W. 125th St. (212-864-4500)—"The Shadows Took Shape." Through March 9.

An untitled painting by Willem de Kooning, made in 1984, at the Gagosian gallery.



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THE TALK OF THE TOWN

COMMENT HIGHER CALLING

In 2005, Alaska Airlines fired nearly five hundred union baggage handlers in Seattle and replaced them with contractors. The old workers earned about thirteen dollars an hour; the new ones made around nine. The restructuring was a common episode in America's recent experience of inequality. In the decade after 2000, Seattle's median household income rose by a third, lifted by the stock-vested, Tumi-toting travellers of its tech economy. But at the bottom of the wage scale earnings flattened.

Sea-Tac, the airport serving the Seattle-Tacoma area, lies within SeaTac, a city flecked by poverty. Its population of twenty-seven thousand includes Latino, Somali, and South Asian immigrants. Earlier this year, residents, aided by outside labor organizers, put forward a ballot initiative, Proposition 1, to raise the local minimum wage for some airport and hotel workers, including baggage handlers. The reformers did not aim incrementally: they proposed fifteen dollars an hour, which would be the highest minimum wage in the country, by almost fifty per cent. A ballot initiative so audacious would normally have little chance of becoming law, but Proposition 1 polled well, and by the summer it had turned SeaTac into a carnival of electoral competition. Business groups and labor activists spent almost two million dollars on television ads, mailings, and door knocking—about three hundred dollars per eventual voter. (Alaska Airlines wrote the biggest check for the no side.) On November 5th, SeaTac-ians spoke: yes, by a margin of just seventy-seven votes, out of six thousand cast. A reversal after a recount is still possible.

In any event, SeaTac has proved that the sources of surprise in American politics since the Great Recession are not limited to Tea Party rabble-rousing. The grassroots left, which seemed scattered and demoralized after the Occupy movement fizzled, has revived itself this year—with help from union money and professional canvassers—by rallying voters around the argument that anyone who works full time ought not to

be at risk of poverty. Earlier this year, fast-food workers nationwide went on strike for higher pay. This holiday season, activists have been excoriating WalMart because one of its stores organized a charitable food drive for its own low-paid employees. McDonald's was taken to task for suggesting, on a company Web site, that strapped employees could raise cash for presents by selling belongings on eBay.

The movement has momentum because most Americans believe that the federal minimum wage—seven dollars and twenty-five cents an hour, the same as it was in 2009—is too low. A family of four dependent on a single earner at that level—making fifteen thousand dollars a year—is living far below the federal poverty line. In January, President Obama called for raising the federal minimum to nine dollars an hour, and, more recently, he endorsed a target of ten dollars. Yet Congress has failed to act: a bill is finally heading for the Senate this month, but intractable Republican opposition in the House has made passage of any legislation in the short term highly unlikely. The gridlock has prompted local wage campaigns such as the one in SeaTac.

Twenty-one states and more than a hundred counties and cities have enacted laws that set minimums above the federal one. Before SeaTac's vote, an Indian reservation in California had the highest local minimum in the country, of ten dollars

and sixty cents. San Francisco's is just a nickel less. But political support for higher wages extends well beyond Left Coast enclaves. According to a Gallup poll taken earlier this year, a majority of Republicans favor a minimum wage of nine dollars. That reflects a truth beyond ideology: life on fifteen thousand a year is barely plausible anymore, even in the low-cost rural areas of the Deep South and the Midwest. National Republican leaders are out of touch with the electorate on this as on much else, and they are too wary of Tea Party dissent to challenge their party's current orthodoxies of fiscal



austerity and free-market purity. In New Jersey, Governor Chris Christie, a presumed 2016 Presidential contender, publicly denounced a ballot measure to raise his state's minimum to eight dollars and twenty-five cents and to guarantee annual increases linked to inflation. The proposal passed last month anyway, backed by a sixty-one-per-cent majority.

For decades, business owners have resisted higher minimum wages by arguing that they destroy jobs, particularly for young people. At some theoretical level, high minimum wages will distort job creation, but the best empirical evidence from the past decade is aligned with common sense: a minimum wage drawn somewhat above the poverty line helps those who work full time to live decently, without having a significant impact on other job seekers or on total employment. (For example, a study of pairs of neighboring counties with differing minimum pay found that higher wages had no adverse effect on restaurant jobs.) Even so, a federal minimum wage of ten dollars or more will not solve inequality. It will not stop runaway executive pay or alter the winner-take-all forces at work in the global economy. Yet it will bring millions of Americans closer to the levels of economic security and disposable income that they knew before the housing bubble burst.

Now 'tis the season to be hired for temporary low-wage jobs: about half a million people will get work packing Ama-

zon boxes, tending department-store perfume counters, and restocking toy-store shelves to earn and spend their way through the holidays. For those who are paid minimum wage, the outlook remains desultory. Bloomberg News, noting that spendable incomes at the bottom of the pay scale have hardly risen for the fourth consecutive year, reported that "low-income Americans will again have a less-merry season than affluent consumers, who are more flush thanks in part to surging stock markets."

In SeaTac, at least, there is cheer. The higher-wage campaign showed some of the Occupy movement's exuberant spirit, but it added a poll-tested goal and the savvy of political professionals. It was politics of a familiar type, yet the bold demands discomfited some of the Northwestern establishment. The *Seattle Times* urged SeaTac-ians to vote no; the editorial board worried that Proposition 1 was "a labor contract written by social activists," as if that were a departure from history. The case for a strong minimum wage has always been, in part, civic and moral. Minimum wages do not create new "entitlement" programs or otherwise enjoin the country's sterile debates about the value of government. They are designed to insure that the dignity of work includes true economic independence for all who embrace it.

—Steve Coll

LONDON POSTCARD LADIES FIRST!



Ways to annoy a British aristocrat: fail to leave the moor after a shooting accident, high-five the butler, be French. But those offenses pale in comparison with the recent treachery of Lady Liza Campbell, a member of the Hares, a group of highborn women who are campaigning to overturn the right of male primogeniture. An acquaintance warned her that her involvement amounts to "a social-suicide note." Another suggested, "You're very good at Scrabble—why don't you stick to that?" "In their minds, I'm some shouty lesbian madwoman," Campbell said the other day over tea, in London. "Someone e-mailed me just going, 'Hahahahahaha,' and cc'ing all his male relatives." Campbell, whose forebears massacred the MacDonalds at Glencoe in 1692, did not seem bothered by the stigma. "Everything is connected, from this sort of posh backwater to female circumcisions," she explained. "Every adjustment we make spreads through society and im-

proves women's lot." The Hares are supporting the Equality (Titles) Bill—the so-called Downton Abbey law—now being debated in the House of Lords, which would allow first-born daughters of the aristocracy to inherit titles.

Countesses and marchionesses storming the ramparts of castles their families already own: "Equality for Women in the Peerage," as the Hares are styling their cause, seems about as sympathetic as business-class passengers lobbying for more legroom. But Campbell is winningly self-aware. "Perhaps some readers will be thinking, Why can't the whole lot get flushed away?" she wrote in the *Telegraph*, in April. "My answer is that, if you want that to happen, make it your task, but, while the circus is in town, at least make it fair." The Hares took their name from a comment made by Lord Trefgarne, who warned that changing the law so that a female royal baby could succeed to the crown, as Parliament did this year, would "set running the hare" on making the entire aristocracy gender-blind. (For those not versed in blood-sport metaphor, Lord Trefgarne is not a fan of the idea.)

Campbell, who doesn't use her title, was born in 1959 at Cawdor Castle, in the Scottish Highlands, which has

been in her family since the thirteenth century. She is an artist (her "Honest Heraldry" series includes coats of arms emblazoned with mottos such as "I killed my brother with an axe") and a writer (her memoir, "A Charmed Life," traces the unravelling of her father, the twenty-fifth Thane of Cawdor, who often reminded his daughters that "your fortune is your face"). When Campbell—the second of three daughters and five children—was born, her grandfather fell off a ladder, such was his dismay. She eventually married a big-game fisherman, with whom she lived for several years on a desert island in Indonesia. When her father died, in 1993, he left his castle to his second wife, a Czech-born countess. In her book, Campbell recalls the countess summoning her to a sitting room and inviting her to select one of her father's fountain pens.

Campbell is blond, with a low voice and a black sense of humor. She was joined by another Hare, Victoria Lambert, a sunnier sort of blond woman. They both wore purple cardigans. Lambert, a journalist, who was born a commoner, became the Countess of Clancarty when she married her husband, the ninth earl. Their American interlocutor brought up a story about some "Hon." or

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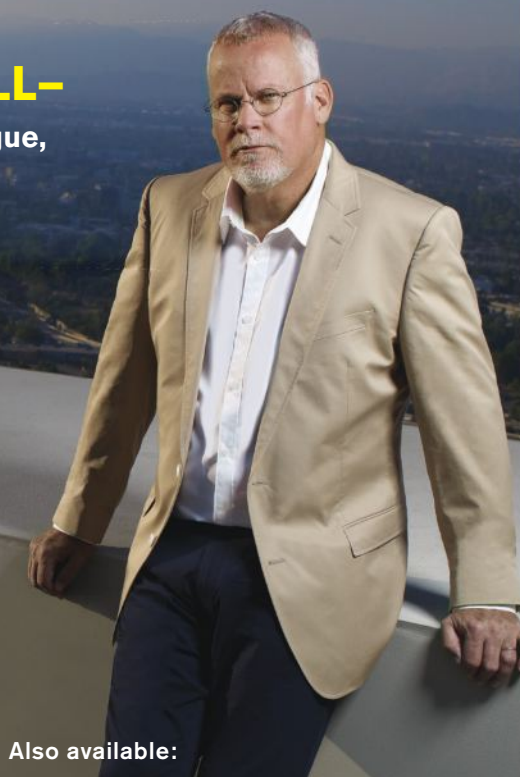
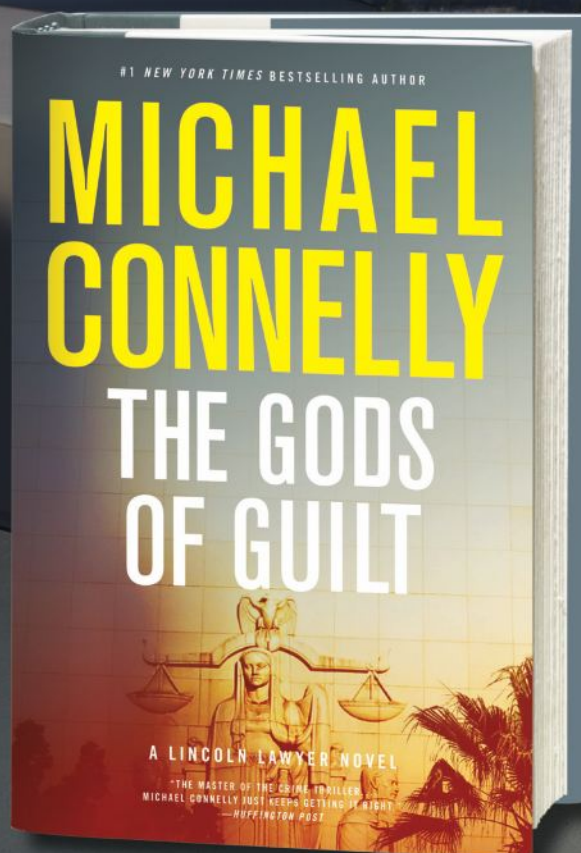
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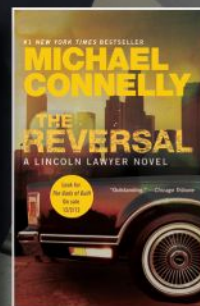
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another who had been greeted by an immigration officer at J.F.K.: "Hey, hon!"

"My father went to New Orleans and was called 'Earl,'" Campbell said.

"Once, at the airport, the person at the passport check said, 'Move aside, I'm dealing with my first countess,'" Lambert added.

Campbell said, of the aristocracy, "I'm perfectly sanguine about seeing it go," but Lambert seemed more enamored of its traditions. She has a stake in the primogeniture debate: because she did not produce a son, her husband's title will die with him. Her daughter, Rowena, who is eight, will be the last Lady le Poer Trench. The Hares' allies, she admitted, include a number of situational feminists. "People are interested if they have girls."

Campbell said, "Ned Lambton"—Edward, the seventh Earl of Durham—"wrote on the Hares' Facebook page that 'You may as well fight for the rights of ants to spell their name with a capital A.'" (Lambton is battling in court to keep his older sisters from sharing any of their late father's fortune.)

The American mentioned that a family she'd known growing up had a boat named Seven Misses and a Hit.

"That's just it!" Lambert exclaimed. "It goes all the way through society—to farmers, to everyone. It isn't just confined to aristocrats. And, until we do this, it will go on, because the influence goes through society from the top down."

—Lauren Collins

BUREAUCRACY DEPT. THE CHEESE STANDS ALONE



Partisan politics shut down the federal government this fall, but it may be a source of reassurance that the official monitors of food safety remained ever vigilant. Consider the recent case of a French émigré named Benoît de Vitton. De Vitton grew up in Normandy, where his father insisted on strict adherence to local culinary tradition. "My dad would go crazy if we ever skipped the cheese at the end of a meal," he said the other day, at a coffee shop near his apartment, on the Lower East Side. De Vitton moved to Strasbourg to study political science, but he nurtured an early passion for life on the other side of the Atlantic. A term as an exchange student in Montreal led to a job in New York with Isigny Sainte-Mère, a coöperative of small French dairy farms (averaging about twenty-five cows apiece), which was trying to expand its exports of cheese, cream, and butter to the United States. "We were doing great," de Vitton said. Then, last March, he received a series of disturbing phone calls. "I am in the last step to get a huge customer, and he calls me and says, 'Hey, we have to postpone. I hear you have a problem with the F.D.A.,'" de Vitton said. "Ten minutes later, I get a call from

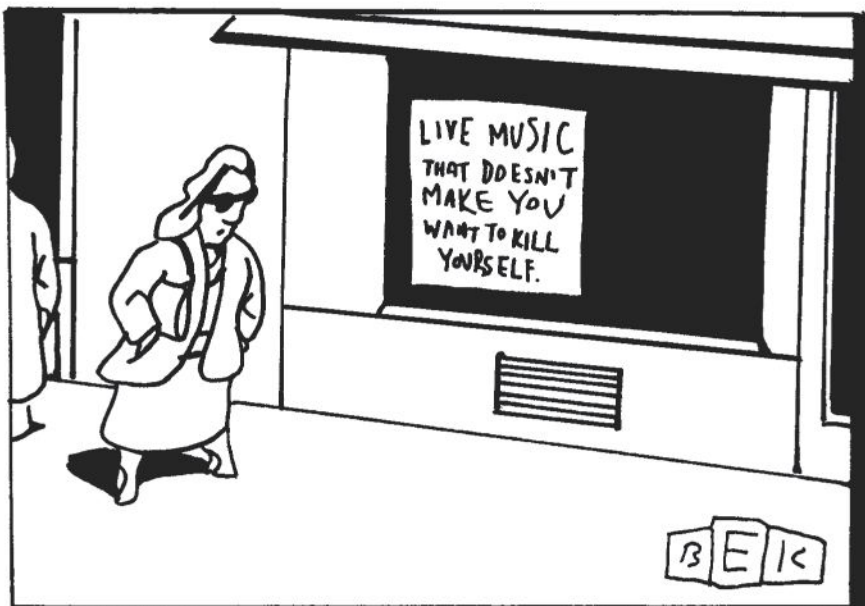
another customer. Same thing: F.D.A. detention."

The subject of the calls was Mimolette, a legendary French cheese and de Vitton's marquee product. During the seventeenth century, the story goes, France stopped importing Dutch cheeses like Gouda and Edam. French farmers responded by creating Mimolette, which is similar to both, colored orange by the addition of annatto seeds and shaped into a ball. Mimolette looks a lot like a cantaloupe, its orange flesh covered by a mottled, uneven rind.

The holes in Mimolette rind come from the burrowing of mites, and the insects, which resemble extra-small bedbugs, were the reason for the phone calls. Inspectors from the Food and Drug Administration had found concentrations of between five hundred and two thousand mites per square inch, well in excess of the six mites per inch permitted in cheeses by federal law. The offense, in the blunt argot of the bureaucracy, was "the presence of filth contamination."

De Vitton, who is a bearded and bespectacled twenty-seven-year-old, said, "They are telling me that if you eat more than five hundred mites they are going to get in your stomach and you are going to die. But we are eating Mimolette for hundreds of years, and there is nothing wrong. They have absolutely not a single beginning of a proof that cheese mites can hurt you." In Europe, the cheese mite is regarded more as an icon than as a pest. There is even a German museum devoted to the cheese mite, the Milbenkäsarium, in Würchwitz. (A related Web site notes, with Teutonic precision, "They are born, run on the cheese back and forth, and one day they're dead.")

De Vitton reached out to trade attachés at the French Embassy in Washington, who engineered a meeting between the cheese importers and F.D.A. officials. ("A lot of cheese has mites on the outside. Maybe our immune systems got used to it, eh?" Dana Purcarescu, an Embassy spokeswoman, said.) But the Feds held firm, and de Vitton was presented with an unpalatable dilemma for the five hundred balls of Mimolette—deportation or destruction. "It was just too expensive to ship it back," he said. So this summer, under the supervision of officials from U.S. Customs,



all three thousand two hundred and ninety-seven pounds of Mimolette were tossed into dumpsters and doused in bleach. “Our cheesemakers in France, they are heartbroken,” de Vitton said. “It was, like, very hard.”

Some importers, including de Vitton’s company, have started peddling versions of Mimolette that are aged less and are covered with wax rather than with the mite-riddled rind. But to purists this is a pallid substitute. “The younger Mimolette is a smoother, softer texture,” de Vitton said. “You don’t have all the nuttiness, the crustiness. No cachet.”

His colleagues in the cheese trade have left the mite fight largely to de Vitton. “You know,” he said darkly, “there are mites in Cheddar. Are they going to check all of *that*?” He went on, “On one side, we have a product that we love, and we are making good money. On the other hand, we are in a country where we have to follow the rules. As the French would say, we have our ass between two chairs.”

—Jeffrey Toobin

THE PICTURES BORN OUTSIDERS



In 1965, Ingmar Bergman ferried a film crew to the island of Fårö, a Swedish military outpost in the Baltic Sea, to shoot the exteriors of “Persona.” The island is a place of harsh beauty and isolation; there is no respite from either in Bergman’s masterpiece. He was working, as usual, with a close-knit company of Swedish actors and technicians, but, for the first time, he had looked abroad for an actress to play opposite Bibi Andersson, a veteran of eleven Bergman films. The newcomer had to resemble her co-star closely enough to suggest a confusion of identities, and to possess a supremely expressive face—her character is a mental patient who refuses to speak. The little-known Norwegian whom he cast was the twenty-six-year-old Liv Ullmann.

Ullmann will be seventy-five on December 16th, three days after a documentary about her life with Bergman, “Liv and Ingmar: Painfully Connected,” opens

in New York and Los Angeles. The director, Dheeraj Akolkar, is an Indian filmmaker in his thirties; when he first approached Ullmann, she turned him down. But she is famous for saying no to directors—Brian De Palma, Steven Soderbergh, Bergman himself. In 1981, she declined the role of Emelie Ekdahl in “Fanny and Alexander,” which Bergman had written for her. “I still don’t know why I did that,” she said recently, over brunch in a midtown hotel. (She was taking little bites of her toast, as she does at the breakfast table in “The Passion of Anna.”)

“Liv and Ingmar” suggests why Ullmann denied herself a part she likened to a “birthright”: it took her decades, after her five years with Bergman, to escape her thralldom. They fell in love on the set of “Persona.” He was almost twice her age, forty-seven, and both were married. Before they met, Ullmann had felt invisible. “I paid school friends to go to the movies with me. I barely spoke until I was thirty. Ingmar and I recognized each other as born outsiders.”

Ullmann quickly became pregnant (their daughter, Linn Ullmann, a successful novelist, was born in 1966), and, forsaking all others, who were not welcome to visit, moved into the house that Bergman built for them on Fårö. He was the auteur of their relationship, which she tried to live according to his direction, but their cloistered life alone with a toddler left her, she said, “insatiably hungry” for connection. “Needing to please has always been my weakness,” she said. “My father died when I was six, so I sought a reflection of myself from wise older men.” (God is one of them, she said—she is a believer—but James Stewart was another. She met Stewart in Hollywood, after she left Scandinavia, in the nineteen-seventies. “The first thing I blurted out was ‘I always wanted you to be my daddy.’” She smiled ruefully at the recollection.)

There is no mystery to what Bergman saw in Ullmann: it is on the screen, in the ten films they made together, during and after their relationship. “He called me his Stradivarius,” she said. “I can see today that I was beautiful, but I never felt so.” She supplied him with a vital missing element, one that also eludes most of his characters: “I was normally neurotic, but Ingmar liked to say that, unlike him, I was born in one piece.”

Bergman would not be the first artist to seek reunion for his fragmented psyche in the embrace of a whole woman. Yet Ullmann made a startling assertion: “People assume that I was the muse for Ingmar’s female characters, and that Max and Erland”—Max von Sydow and Erland Josephson, Bergman’s chief leading men—“were his alter egos. In ‘Scenes



Liv Ullmann

from a Marriage,’ the wife is me, and parts of her dialogue were stolen from my diary. But otherwise I was his alter ego. I was Ingmar. He translated himself into a woman’s voice.”

Ullmann’s voice dominates “Liv and Ingmar”—Akolkar intercuts his interviews with the actress, and readings from her memoir “Changing,” with clips from the Bergman archives. She speaks in a golden autumnal tone that contrasts with the Gothic romance the film narrates, and a self-acceptance at odds with the disillusionment that both lovers suffer. But would the Master have approved the happy ending: old wounds healed, cruelties forgiven, serenity achieved? Ullmann believes so. He encouraged her independence once she had wrested it from him, and took pride in the directing career that she launched in middle age. (Her film adaptation of Strindberg’s “Miss Julie,” starring Jessica Chastain, Colin Farrell, and Samantha Morton, will be released next year.) “I am always quoting a sentence of Kierkegaard’s,” Ullmann concluded, “even though he may not have written it. ‘We come into this world with sealed orders.’ Ingmar believed that, too.”

—Judith Thurman

THE FINANCIAL PAGE

CONTROLLING HEALTH-CARE COSTS

When it comes to health care, all anyone can talk about these days is Obamacare. And, while that may be understandable, the political furor over the program has obscured a quieter but arguably more consequential development: health-care costs in this country may finally be coming under control. As a new report from the Council of Economic Advisers details, after half a century in which medical spending has well outpaced G.D.P. growth, something has changed. From 2007 to 2010, per-capita health-care spending rose just 1.8 per cent annually. Since then, the annual increase has been a paltry 1.3 per cent.

The slowdown in spending is due in part to the recession and the tepid recovery—but not as much as you'd think. A recent paper by the Harvard economists David Cutler and Nikhil Sahni estimated that the recession explained scarcely more than a third of the spending slowdown. Oddly enough, the public debate over Obamacare has also played a role. Bob Kocher, who was a special assistant for health care in the White House in 2009 and 2010, did a report for Lawrence Summers on the past sixty years of health-care legislation, and found that when Congress seriously considered enacting health-care reform the rate of health-care spending often slowed for a year or two. Just talking about medical costs, it seems, limits medical costs. Kocher, a physician turned venture capitalist (and currently a guest scholar at the Brookings Institution), dubs this “the health-care-policy placebo effect.” As he told me, “When you've got politicians going around the country making speeches about how out-of-control health-care spending is killing the economy, health-care providers come to feel that it might make sense to be less aggressive in setting prices.”

Both those effects are bound to be temporary. But there's good reason to think that the moderation of health-care spending will persist, because, according to Jason Yeung, an investor at Morgan Stanley's Growth Team, we're beginning to see deeper structural changes in the health-care system. Historically, costs have been hard to contain because most of the players in the system have had no incentive to do so. Hospitals and doctors have typically been paid on a fee-for-service basis: the more things they do, the more money they get. Insured patients have paid only a small fraction of the cost of their care, and insurers have just passed costs along to their customers. Employers and the government, meanwhile, have been left to foot the bill. “What we're moving toward instead is a world in which everybody in the system is sharing financial risk,” Yeung told me. “And therefore everybody has an incentive to control costs.”

For consumers, this means higher deductibles and co-pays,

and having to think more about prices. A peculiar feature of the American health-care system is the enormous variation in prices that hospitals charge for a procedure, which often are not correlated with quality. So in 2011 California adopted a system of “reference-based pricing” for state workers and retirees. If you needed hip-replacement surgery, say, the state would cover you for the amount charged (minus a deductible) at forty-one “value” hospitals in the state. If you went for a costlier option, you had to make up the difference. Most people chose one of the value hospitals, and their outcomes were similar to those of people who chose the more expensive hospitals. The state saved money, and the threat of losing customers, in turn, led the more expensive hospitals to cut prices; one study found that the price of joint-replacement surgery fell by about a third.

The success of the experiment has inspired other players—like the insurer WellPoint—to follow suit. Meanwhile, a McKinsey study of almost a thousand plans on the A.C.A.'s health-care exchanges found that nearly half had narrower networks of hospitals and doctors than most plans currently offer.

Narrower networks let insurers push their customers toward cheaper hospitals, and also give them more leverage in bargaining down prices.

The Affordable Care Act is also helping hold down costs by changing incentives for hospitals and doctors. For instance, it penalizes hospitals when Medicare patients with certain conditions are readmitted within thirty days, on the assumption that this will encourage hospitals to offer better care initially, and to be diligent in following up. And the penalties are having an effect—since the A.C.A. passed, re-admission rates have fallen. “Once hospitals feel that gut reaction of not getting paid when the patient has to be readmitted on the twenty-fifth day,”

Yeung says, “that reverberates through the whole system.”

What all these initiatives have in common is the idea that health-care providers are going to be paid based on the value they deliver, rather than on the services they perform. We're in the early stages of that process: Kocher points out that fee-for-service likely still accounts for more than ninety per cent of health-care spending. And changing the system is going to be politically challenging. In theory, after all, reining in health-care spending sounds great. But in practice things like narrower networks limit patients' ability to see the doctors they want, while less money spent on health care means lower incomes for many doctors and hospitals. So some blowback is inevitable. Still, the changes we've seen in the past few years are going to be difficult to stop, because just about everyone now recognizes that when it comes to health care we spend far too much for the results we get. “No one knows when things are really going to change,” Yeung said. “But, even if you're in a room with no clocks, you can know that when it strikes midnight the world will be different.”

—James Surowiecki





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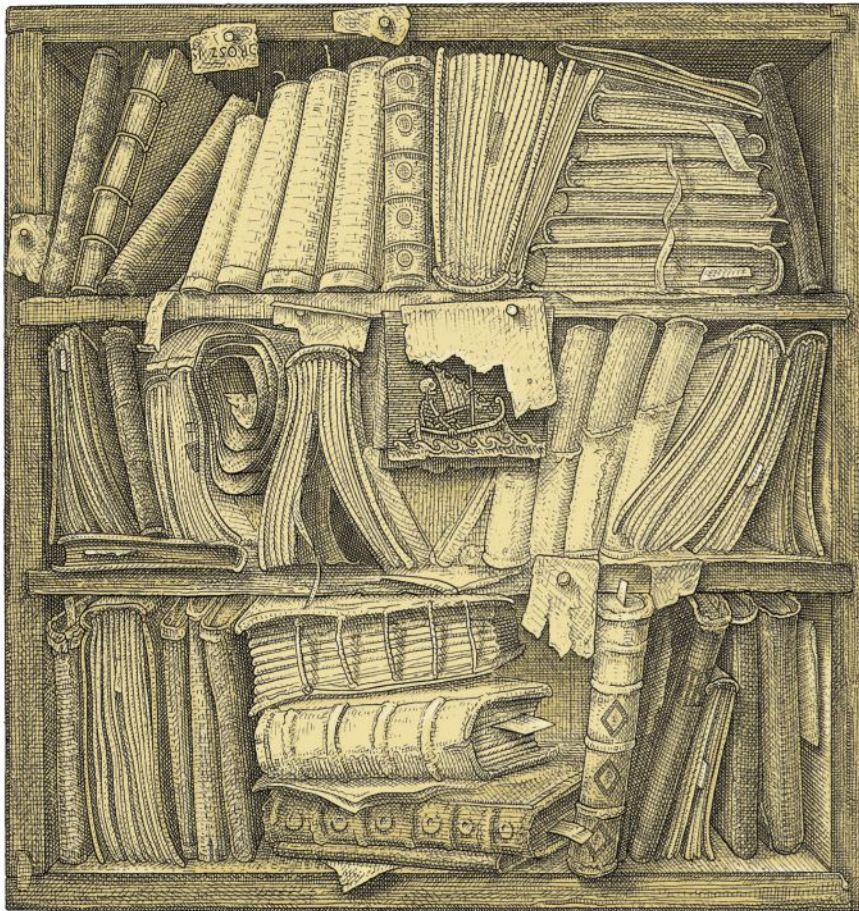
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REFLECTIONS

WHY?

The fictions of life and death.

BY JAMES WOOD



Books give us what we can't experience in our own lives: a beginning, middle, and end.

Last year, I went to the memorial service of a man I had never met. He was the younger brother of a friend of mine, and had died suddenly, in the middle of things, leaving behind a wife and two young daughters. The program bore a photograph of the man, above his compressed dates (1968–2012). He looked ridiculously young, blazing with life—squinting a bit in bright sunlight, smiling slightly, as if he were just beginning to get the point of someone's joke. In some terrible way, his death was the notable, the heroic fact of his short life; all the rest was the usual joyous ordinariness, given form by various speakers. Here he was, jumping off a boat into the Maine wa-

ters; here he was, as a child, larkily peeing from a cabin window with two young cousins; here he was, living in Italy and learning Italian by flirting; here he was, telling a great joke; here he was, an ebullient friend, laughing and filling the room with his presence. As is generally the case at such final celebrations, speakers struggled to expand and hold the beautifully banal instances of a life, to fill the space between 1968 and 2012, so that we might leave the church thinking not of the first and last dates but of the dateless minutes in between.

The curious advantage of being able to survey the span of someone else's life, from start to finish, can seem pe-

remptory, high-handed, *forward*. Grief doesn't seem entitlement enough for the arrogation of the divine powers of beginning and ending. We are uneasy with such omniscience. We do not possess it with regard to our own lives. But if this ability to see the whole of a life is God-like it also augurs a revolt against God: once a life is contained, made final, as if flattened within the pages of a diary, it becomes a smaller, contracted thing. It is just a life, one of millions, as arbitrary as everyone else's, a named tenancy that will soon become a nameless one; a life that we know, with horror, will be thoroughly forgotten within a few generations. At the very moment we play at being God, we also work against God, hurl down the script, refuse the terms of the drama, appalled by the meaninglessness and ephemerality of existence. Death gives birth to the first question—Why?—and seems to kill all the answers. And this first question, the word we utter as children when we first realize that life will be taken away from us, scarcely changes, in depth or tone or mode, throughout our lives. It is our first and last question, uttered with the same incomprehension, grief, rage, and fear at sixty as at six. Why do people die? Since people die, why do they live? Why are we here? What is it all for? Maurice Blanchot puts it well in one of his essays: "Each person dies, but everyone is alive, and that really also means everyone is dead."

When I was a child, the "Why?" question was acute, and had a religious inflection. I grew up in an intellectual household that was also a religious one, and with the burgeoning apprehension that intellectual and religious curiosity might not be natural allies. My father was a zoologist who taught at the University of Durham, my mother a schoolteacher at a local girls' school. Both parents were engaged Christians; my mother came from a Scottish family with Presbyterian and evangelical roots. The Scriptures saturated everything. My father called my relationship with my first girlfriend "unedifying" (though in order to deliver this baleful Kierkegaardian news he had to ambush me in the car, so that he could avoid catching my eye). I was discouraged from using the secular

term “good luck,” and encouraged to substitute the more providential “blessing.” One was blessed to do well in school exams, blessed to have musical talent, blessed to have nice friends, and, alas, blessed to go to church. My untidy bedroom, my mother said, was an example of “poor stewardship.” Dirty laundry was un-Christian.

When I asked where God came from, my mother showed me her wedding ring and suggested that, like it, God had no beginning or end. (But I knew that someone had made the ring.) When I asked about famines and earthquakes, my father pointed out that human beings were often politically responsible for the former and, in the case of the latter, were often to blame for continuing to live in notoriously unstable areas. But what about cancer, mental and physical handicap, awful accident, the freakish viral attack that felled my friend’s brother at the age of forty-four? I was told that God’s ways are incomprehensible, and that a Job-like humility before the incomprehensible must be cultivated. But Job was a complainer more than a saint or a stoic, and I fear that my childish questioning got permanently jammed in the position of metaphysical complaint.

My anguish about death was keen, because two members of my parents’ congregation died at an early age, of cancer. One of them was a single mother; I played with her children. Prayers were uttered when she fell ill; prayers were unanswered. But then my parents told me, “God has called Mrs. Currah to be with Him in Heaven,” and I wondered whether God, in some mind-bending way, might have been answering our prayers by failing to answer our prayers.

So inquiry was welcomed up to a certain point, but discouraged as soon as it became rebellious. Job could not become Captain Ahab. This illiberality, coupled with my sense that official knowledge was somehow secretive, enigmatic, veiled—that we don’t know why things are, but that *somewhere someone does*, and is withholding the golden clue—encouraged, in me, countervailing habits of secrecy and enigma. I would reply to their esoterica with my esoterica, their official lies with my amateur lies. They believed that this world

was fallen but that restitution would be provided elsewhere, in an afterlife. I believed that this world was fallen and that there was no afterlife. As they kept the actuality of their afterlife a kind of prized secret, I, too, would keep my revelation that there was no afterlife a prized secret. I became a formidable liar, the best I knew, accomplished and chronic. Lying went all the way down: you started by withholding the big truth, your atheism, and ended by withholding small truths—that you swore among friends, or listened to Led Zeppelin, or had more than one drink, or still had the unedifying girlfriend.

Literature allowed an escape from these habits of concealment—partly because it offered a reciprocal version of them, a world of the book within which fictions were being used to protect meaningful truths. I still remember that adolescent thrill, that sublime discovery of the novel and the short story as utterly free spaces, where anything might be thought, anything uttered. In the novel, you might encounter atheists, snobs, libertines, adulterers, murderers, thieves, madmen riding across the Castilian plains or wandering around Oslo or St. Petersburg, young men on the make in Paris, young women on the make in London, nameless cities, placeless countries, lands of allegory and surrealism, a human turned into a bug, a novel narrated by a cat, citizens of many countries, homosexuals, mystics, landowners and butlers, conservatives and radicals, radicals who were also conservatives, intellectuals and simpletons, intellectuals who were also simpletons, drunks and priests, priests who were also drunks, the quick and the dead. There was the cover of canonicity, whereby authors who had been approved by posterity or enshrined in university study, or simply given authority as a Penguin Modern Classic (I remember my brother saying solemnly to me, as we loitered by his bookshelves, “If I publish a book, I would want it to be done by Penguin”), turned out to be blasphemous, radical, raucous, erotic.

I would come back from the bookshop, these paperbacks glowing, irradiated by the energy of their compressed content, seething like porn, as I slipped

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them past my unwitting parents and into my bedroom. Did they know how riotously anti-clerical Cervantes was, or how Dostoyevsky, despite his avowedly Christian intentions, might be feeding my atheism? “Lady Chatterley’s Lover” was still officially a “naughty” book, but Lawrence’s earlier, beautiful novel “The Rainbow” had somehow escaped such censure. And yet open the pages of “The Rainbow,” and here were Will and Anna, in the first, gloriously erotic, ravishing months of their marriage; and here was Will noticing that as his pregnant wife neared her due date she was becoming rounder, “the breasts becoming important.” And here was Anna dancing naked in her bedroom, as David once danced before the Lord; and Ursula and Skrebensky kissing under the moon. And here were the scenes in which Skrebensky and Ursula run away to London and Paris—how simply and purely Ursula falls in love with sex, and her lover’s shape. In a London hotel room, she watches him bathing: “He was slender, and, to her, perfect, a clean, straight-cut youth, without a grain of superfluous body.”

Fiction doesn’t merely replicate the license you have, within your head, to think what you like. It adds the doubleness of all fictional life. To witness that freedom in *someone else* is to have a companion, to be taken into the confidence of otherness. We share and scrutinize at the same time; we are, and are not, Raskolnikov, and Mrs. Ramsay, and Miss Brodie, and the narrator of Hamsun’s “Hunger,” and Italo Calvino’s Mr. Palomar. This should feel exciting, and also a little unseemly. Reading fiction feels radically private, because so often we seem to be stealing the failed privacies of fictional characters. This is the privacy not of solitude but of clandestine fellowship; together, the reader and his fictional acquaintances complete, or voice, a new ensemble. Their failed privacies are incorporated into the reader’s more successful privacies.

The idea that anything could be thought and said inside the novel—a

garden where the great “Why?” hangs, unpicked, gloating in the free air—had, for me, an ironically symmetrical connection with the actual fears of official Christianity outside the novel: that, as Dostoyevsky put it, without God everything is permitted. Take away God, and chaos and confusion reign; people will commit all kinds of crimes, think all kinds of thoughts. This is the usual conservative religious line. Yet the novel, commonsensically, appears to say to us, “Everything has *always* been permitted, even when God was around. God has nothing to do with it.”

Of course, the novel’s license seems easier to inhabit than the world’s, because novels are fictional worlds.

Fiction is a ceaseless experiment with uncollectible data. The real, in fiction, is always a matter of belief—it’s for readers to validate and confirm. Fiction moves in the shadow of doubt, knows it is a true lie. So belief in fiction is always belief “as if,” and is therefore metaphorical. What is a danger in religion is the very fabric of fiction.

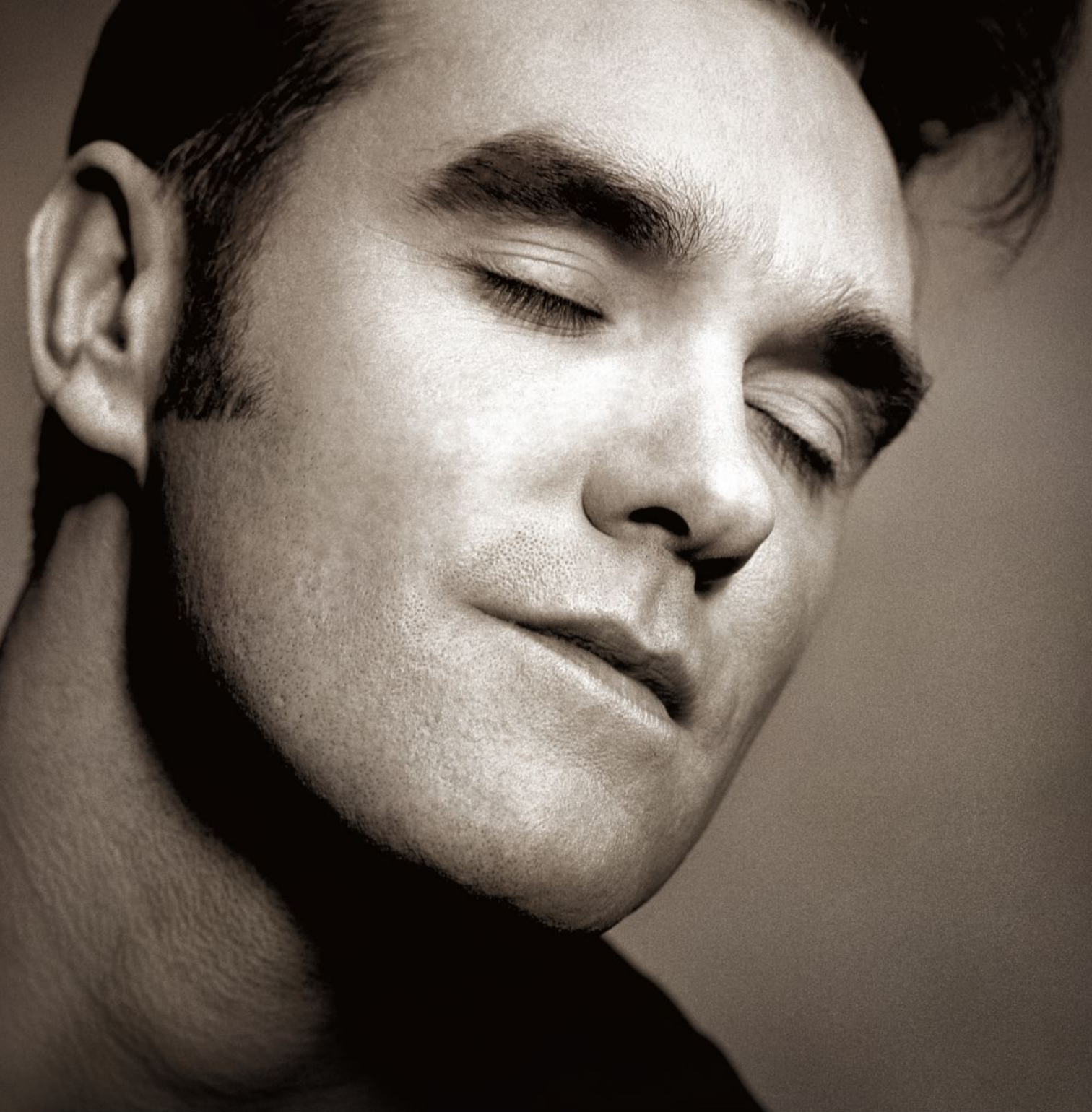
To read the novel is to be constantly moving between secular and religious modes, between what you could call instance and form. The novel’s secular impulse is toward expanding and extending life; the novel is the great trader in the shares of the ordinary. It expands the instances of our lives into scenes and details; it strives to run these instances at a rhythm close to real time. Think of the way that Henry James devotes an entire chapter, in “The Portrait of a Lady,” to the five or six hours that Isabel Archer sits in a chair, thinking about the failure of her marriage. Nearly half a century later, Mrs. Ramsay, in “To the Lighthouse,” will be sitting by the window, thinking about her children, about her husband, about all sorts of different things, and will forget that she is supposed to stay still, because Lily Briscoe is painting a portrait of her. Mrs. Ramsay, in effect, forgets that she is at the center of a portrait, of a novel. This is a kind of secular forgetting: the novel is so full of its own life that human life seen under the eye of eternity has been carelessly banished.

Death will roar back, but not yet, not now.

When the novel is in this forgetful, profane mode, it wants its characters to live forever. Remember how reluctantly Cervantes says farewell to his Don Quixote, who has been on his deathbed, and who has, at the last moment, renounced his knight errantry. He calls for Sancho Panza and asks for forgiveness. “Don’t die, Señor” is Sancho’s tearful response. Don Quixote makes his will, lives another three days, and then, “surrounded by the sympathy and tears of those present, gave up the ghost, I mean to say, he died.” It is as if Cervantes himself were surprised by the event, and overcome with mute grief at the death of his creation.

But the novel’s eternal or religious mode reminds us that life is bounded by death, that life is just death-in-waiting. What makes the mode religious is that it shares the religious tendency to see life as the mere antechamber to the afterlife—hence John Donne’s characterization of our lives, in his sermon on the Book of Job, as a sentence already written in a book by God: “Our whole life is but a parenthesis, our receiving of our soul, and delivering it back again, makes up the perfect sentence; Christ is Alpha and Omega, and our Alpha and Omega is all we are to consider.” In this mode, the novel does as God vouchsafes to do in Psalm 121: “The Lord shall preserve thy going out and thy coming in.” It teaches us about the relation of instance to form. That’s an achievement, because most of us find it difficult to make this inquiry into our own lives. We are condemned to apprehend our going out and our coming in retrospectively, as if we were rowing a boat, clear-eyed only about the distance we have already covered. I was happy in this city, we say, when we return to it years later; I was unhappy throughout my twenties; I was truly in love only once; it was a mistake, I now see, to have taken that job; I am forty-eight and it has taken me this long to realize that I know nothing about my father. After attending the memorial service for the younger brother of my friend, I learned that his father had written a poem that contained this moving lament: “that





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perfect summer . . . When nobody in the family was dying.”

At the service, I reflected not only that a funeral is a liturgical home for the awful privilege of seeing a life whole but also that fiction offers a secular version of that liturgical hospitality. I thought of Walter Benjamin’s argument, in his essay “The Storyteller,” that classic storytelling is structured around death. It is death, Benjamin says, that makes a story transmissible. My wife, who is a novelist, wrote recently to a friend whose mother had just died, “There is this strangeness of a life story having no shape—or more accurately, nothing but its present—until it has its ending; and then suddenly the whole trajectory is visible.” She was talking about her own experience; both of her parents had died in the past two years. She went on to quote something that a Canadian novelist had said to her when her own father died: that now he was dead she suddenly missed him at all their ages. She missed him as he had been when she was a nine-year-old girl, and as he had been when she was a teen-ager, and when she was twenty-eight, and thirty-five, and so on.

The novel often gives us that formal insight into the shape of someone’s life: we can see the beginning and the end of many fictional lives; their develop-

ments and errors; stasis and drift. Fiction does this in many ways—by sheer scope and size (the long, peopled novel, full of many lives, many beginnings and endings) but also by compression and brevity (the novella that radically compacts a single life, from start to finish, as in “The Death of Ivan Ilyich” or Denis Johnson’s “Train Dreams”). And partly by turning the present into the past: although we move forward through a story, the entire story is already complete—we hold it in our hands. In this sense, fiction, the great life-giver, also kills, not just because people often die in novels and stories but, more important, because, even if they don’t die, *they have already happened*. Fictional form is always a kind of death, in the way that Blanchot described actual life. “*Was*. We say *he is*, then suddenly *he was*, this terrible *was*.” That is the narrator of Thomas Bernhard’s novel “The Loser,” describing his friend Wertheimer, who has committed suicide. But it might also describe the tense in which we encounter most fictional lives: we say, “*She was*,” not “*She is*.” He left the house, she rubbed her neck, she put down her book and went to sleep.

A struggle is often going on in a novel, between present and past, instance and form, free will and determinism, secular expansion and reli-

gious contraction. This is why the role of authorial omniscience has such a fraught history, for the anxiety is partly a theological one and has the unresolved nature of a theological argument. The novel seems forever unable to decide whether it wants to revel in omniscience or apologize for it, foreground it or foreclose it. Should the novelist intervene and interrupt, or withdraw into impersonality and frigid indifference? Nabokov liked to argue that his characters were his slaves; a character crossed the road only because he made the character do so. But the supposedly “impersonal,” Flaubertian author is no less God-like than the chattily omniscient Henry Fielding or the essayistic, moralizing George Eliot.

Since these are transferred theological issues, it is little surprise that a number of modern novelists have been explicitly engaged with the question of what it means to tell a story, what it means to have divine power over someone’s beginning and ending, and how a character might make a space for her own freedom, all while under the watchful eye of both the author and the reader. I am thinking of people like Vladimir Nabokov, Muriel Spark, V. S. Naipaul, W. G. Sebald, José Saramago, Thomas Bernhard, Javier Marías, Ian McEwan, Zadie Smith, Penelope Fitzgerald, Jennifer Egan, Edward P. Jones. In his great novel “A House for Mr. Biswas,” Naipaul tells the story of his father, in the character of Mr. Biswas. It is an imprisoned, limited, fiercely determined life, the life of a small man who never leaves the island of Trinidad and dies young. The novel begins with the report of Mr. Biswas’s death, and the author oscillates between a slow, patient, comic account of Mr. Biswas’s life and a summary religious account that cruelly squeezes that life: “In all Mr. Biswas lived for six years at The Chase, years so squashed by their own boredom and futility that at the end they could be comprehended in one glance.” This is religious time, and is belied by the novel itself, which tells us in its every comic, secular scene that Mr. Biswas’s life cannot be comprehended in one glance. The novel asks us to read its ironies and resist them, and thus col-



“It’s nothing, go back to sleep. I was just getting a DNA sample.”

lude with the author in making a space for Mr. Biswas's comic waywardness.

In recent years, one of the most beautiful enactments of the great "Why?" and of the novelistic movement between instance and form, has been Penelope Fitzgerald's brief "The Blue Flower," published in 1995. It is a historical novel, and recounts the short life of the young man known to us as the philosopher and poet Novalis. His real name was Friedrich (Fritz) von Hardenberg, and when we first meet him in Fitzgerald's fiction he is a passionate university student, fired up with the theories of Fichte. He thinks that death is not significant but only a change in condition. He thinks that we are all free to imagine what the world is like, and since we probably all imagine it differently, there is no reason to believe in the fixed reality of things. Then he is felled by reality: on a visit, he meets a twelve-year-old girl named Sophie von Rockenthien. Sophie, by all accounts, is a thoroughly ordinary twelve-year-old, yet the passionate Fritz decides, in just fifteen minutes, that he must marry her, that "Sophie is my heart's heart"; "She is my wisdom." The novel is, among other things, the story of this fantastical and agonizingly brief love affair.

Fritz is writing a novel, which he has provisionally titled "The Blue Flower," but he has written only a paragraph or two, and it doesn't sound very good: "I have made a list of occupations and professions, and of psychological types." Fitzgerald's own novel is full of untypical life, caught in the most elusive way. There is Fritz, and his more stolid brother Erasmus, and their sweet sister Sidonie, and the wonderful youngest von Hardenberg child, a precocious boy, known in the family as "the Bernhard." But this happy familial existence is stalked by death. Soon, it becomes clear that young Sophie has tuberculosis, and that she will not recover. She dies two days after her fifteenth birthday. The novel ends with this extraordinary report:

At the end of the 1790s the young Hardenbergs, in their turn, began to go down, almost without protest, with pulmonary tuberculosis. Erasmus, who had insisted that he coughed blood only because he laughed too much, died on Good Friday, 1797. Sidonie lasted until the age of twenty-two. At the beginning of 1801 Fritz, who had been showing the same symptoms, went back to

his parents' house in Weissenfels. As he lay dying he asked Karl to play the piano for him. When Friedrich Schlegel arrived Fritz told him that he had entirely changed his plan for the story of the Blue Flower.

The Bernhard was drowned in the Saale on the 28th of November 1800.

It is a perfectly judged and weighted passage—from the apparent insouciance of the phrase "began to go down, almost without protest," which makes death sound a bit like a family game of musical chairs, to Erasmus's heart-breaking claim that he coughed blood only because he laughed too much (which continues the memory of family fun), to Fritz's unfinished plan to rewrite his unfinishable novel; to the blank, colorless, uninflected sentence "The Bernhard was drowned in the Saale on the 28th of November 1800." The genius of the family, the one who might have been much greater than Novalis, was only twelve years old.

As an epigraph, Fitzgerald uses a line of Novalis's: "Novels arise out of the shortcomings of history." And indeed her novel tries to rescue from history those private moments which history would never have been able to record, private moments that even a family might not record. But these secular instances exist within the larger, severe form of the novel, which is the knowledge that these are short lives, condemned lives, nothing more than historical parentheses.

Fiction manages the remarkable feat of allowing us both to expand and to contract the parenthesis. This tension, between secular instance and religious form, is perhaps the novel's claim to power: it's the reason the novel throws us so often into the wide, skeptical, terrifying freedom of the "Why?" That question is powerfully mobilized by novelistic form: not just because the novel is so good at evoking the ordinary instances of a life but because it is so good at asserting the finished, completed form of a life. By "asserted," I mean that, because the characters we are reading about are invented, they *did not have to die*. They died because their author made them die. We feel this even in a historical novel like "The Blue Flower." The classical historian Robin Lane Fox once commented that there is only one accidental death in the Old Testament, implying a

difference from modern accounts of lives and deaths offered by novels and newspaper stories. But, if "accidental" means "unintended," then, strictly speaking, there are no accidental deaths in fiction. That's so even in historical fiction, because, theoretically, the novelist has the power to change history, and because the novelist has selected this character for the nature of his death as well as of his life. Besides, when we read historical fiction the characters take on lives of their own, and begin to detach themselves, in our minds, from the actuality of the historical record. When characters in historical novels die, they die as fictional characters, not as historical personages.

Yet fiction remains the game of *as if*. Characters do not stay dead; they come back to us the second or third time we read their story. The laugh of fictional life lasts longer than the bloody cough of death. One of the "shortcomings of history" is that real people die. But fiction gives us allowable resurrections, repeated secular returns. Italo Calvino seems to play with this fictive death sentence and resurrection at the end of his novel "Mr. Palomar," when he ironically considers the death of his eponymous protagonist:

A person's life consists of a collection of events, the last of which could also change the meaning of the whole, not because it counts more than the previous ones but because once they are included in a life, events are arranged in an order that is not chronological but, rather, corresponds to an inner architecture.

Mr. Palomar would like to learn how to be dead, and Calvino reminds us that he will find this difficult, because the hardest thing about being dead is realizing that one's own life is "a closed whole, all in the past, to which you can add nothing." Mr. Palomar, Calvino says, begins to imagine the end of all human existence, of time itself. "If time has to end, it can be described, instant by instant," Mr. Palomar reflects, "and each instant, when described, expands so that its end can no longer be seen. He decides that he will set himself to describing every instant of his life, and until he has described them all he will no longer think about being dead. At that moment he dies," Calvino writes. It is the last sentence of the book. ♦

THE HOTHEAD'S GUIDE TO HERBAL SUPPLEMENTS

BY PAUL SIMMS

If you're like most hotheads, you've probably heard that there are herbal and homeopathic dietary supplements that will soothe your feelings of non-specific but constant rage.

You've probably searched the shelves of your local health-food store for more than a few minutes before rolling your eyes, sighing loudly enough to get the

PERUVIAN ANUS FLOWER

Ignore the name, because technically it's neither a flower nor Peruvian. Steeped as a strong tea, it's said to provide a powerful calming effect that lasts just as long as it takes to put away all your tea-making equipment.

Lawnlike in flavor.

PULVERIZED FONE BONE

Believe it or not, there are all sorts of "good" bacteria that live inside our bodies. This supplement "feeds" those bacteria in a process similar to the way food "feeds" us. Easily impressed users report a distracting feeling of "fullness" after eating only five to seven pounds of this remarkable dust.

Available in one- and two-pound pucklike cakes.

VICTORIAN TOMAHTO

Inhibits the uptake of serotonin from the brain's dedicated receptors by diverting it to the sinus cavities and from there to the nose, where it will all come pouring out in a clear but powerful jet, not unlike projectile sneezing.

May stain fabric and skin.

LADY CHANTILLY'S LACE

Ingested by chewing on the plant's dried stalks, this superfood affiliate is said to alleviate lingering feelings of annoyance with people who won't stop referring to the famous Mexican avocado dip as "guac" no matter how many times you yell at them.

Technically a vine, even though it grows out of the body of an animal you don't want to even see a picture of.

NICOTONE

Used by the many hotheads who are former smokers who have been trying to quit since at least fifteen minutes ago. Nicotone is such a distant cousin of nicotine that the only phylogenetic relation is that one of these plants once grew, it's said, in the same field where some teenagers used to hang out and smoke between classes. Available as a gum, a patch, and a product-free coupon that proves you're so serious about quitting smoking that you plan to spend some money on it.

Available where those bath salts which aren't really bath salts are sold.

GINSENG 2.0

Light on the "seng," heavy on the "gin," this alcohol-based wonderdrink is actually just gin, but it comes in a brown-colored apothecary bottle that should keep concerned spouses from hassling you.

Mix with vermouth; repeat as necessary, and then a few more times till it gets light outside. ♦

ST. JAMES'S WORT

An illegitimate cousin to the more popular St. John's wort, this leafless root—taken in small doses—temporarily alleviates rage by approximating that feeling you get when you're pacing around your apartment being pissed off at your boss, then you stub your toe and it hurts so bad that for a minute you're not even thinking about your boss because you're pissed off at the chair you stubbed your toe on and whoever put it there.

Not exactly sweet.

SWAMP CHUCKLEBERRY

This recently disinherited member of the legume family is best ingested first thing in the morning, as it is said to taste like someone else's mouth first thing in the morning, and why go through that later in the day? Slows the heartbeat just enough to make a solid fifteen-minute office-couch lie-down doable.

Somehow simultaneously moist and crunchy.

attention of the nearest clerk, and then, when he asks if he can help you, saying, "Thanks, but I have a real job to get back to, so why don't you and your mut-tonchops go back to stacking those boxes of Ayurvedic massage soaps?" Then you storm out of the store, knocking over a rack of "not-paper" bags as you go.

Sound familiar? It should. Because some nosy prick you met once at a lousy party saw the whole thing, and now he's telling the story to people who don't even know you.

Anyway, try one of these:

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A by-product from the production of the more popular Omega 3-6-9 fish-oil supplements, this miracle food induces a catatonic state resembling sleep only in that your eyes are closed and you can't move. When it wears off, you will feel somewhat better, but only because you can move your limbs again.

Foul, salty.





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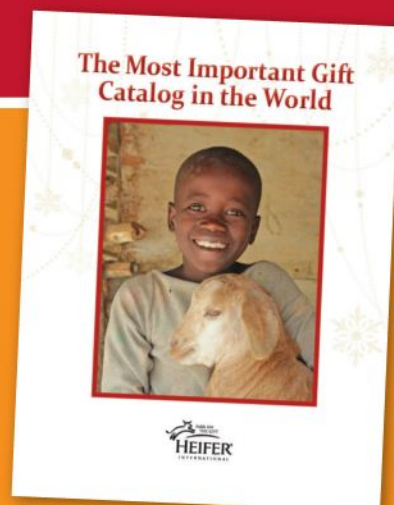


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BY DOUGLAS STARR



Last winter, I signed up for a basic Reid & Associates training course, in Boston. It lasted three days and cost five hundred and eighty dollars. There were about forty people in the class—

The Reid Technique has influenced nearly every aspect of modern police interrogations.

mostly police officers, federal agents, and private security workers. The instructor, Lou Senese, joined the firm in 1972, shortly after he graduated from college, and is now a vice-president. A middle-aged Chicagoan who resembles a less edgy Dan Ackroyd with glasses, he has the manner of an affable salesman. He mixed lessons in interrogation with homespun stories about how he used his training to outwit a car dealer, and how his daughters used it to manipulate him. The hallmark of lying is anxiety, he said, and interviewing therefore involves watching for signs of anxiety and occasionally causing it.

The Reid Technique begins with the Behavior Analysis Interview, in which you determine whether the suspect is lying. The interview has its roots in polygraph testing, and involves asking a series of nonthreatening questions to get a sense of the suspect's baseline behavior, and then following up with more loaded questions. Such "behavior-provoking questions" might include "What kind of punishment should they give to the person who committed this crime?" You can also imply that you have evidence, a technique called "baiting." You might say, "We're in the process of analyzing evidence from the crime scene. Is there any reason that your DNA would turn up there?"

Senese asked the class, "What do you think is more important, verbal or nonverbal behavior?" Intuitively, we responded, "Nonverbal." "Yeah," he said. "That's the whole ballgame right there." He told us that a video of an interview without sound would be more likely to reveal lying than one that included the audio. He showed us footage of a dark-haired woman being questioned about having changed her prescription for oxycodone from ten pills to forty. She gave equivocal answers, touched her face, and cast her eyes down and to the left. "I say that's deceptive," Senese pronounced. In another video, a bearded bank-robbery suspect sighed and shrugged while giving meandering answers. A teen-ager accused of setting fire to his family's house responded with details that were oddly specific—such as arriving at school at 7:49 A.M.—while picking at his sock, jiggling his foot, and touching his cheek. When the kid paused to rub his eye, Senese turned and shot us a look.

If you decide that the suspect is lying, you leave the room and wait for five minutes. Then you return with an official-looking folder. "I have in this folder the results of our investigation," you say. You remain standing to establish your dominance. "After reviewing our results, we have no doubt that you committed the crime. Now, let's sit down and see what we can do to work this out."

The next phase—Interrogation—involves prodding the suspect toward confession. Whereas before you listened, now you do all the talking. If the suspect denies the accusation, you bat it away. "There's absolutely no doubt that this happened," you say. "Now let's move forward and see what we can do." If he asks to see the folder, you say no. "There'll be time for that later. Now let's focus on clearing this whole thing up."

"Never allow them to give you denials," Senese told us. "The key is to shut them up."

Having headed off denials, you steer the subject toward a confession by offering a face-saving alternative. The process is called "minimization"—downplaying the moral consequences of the crime without mentioning the legal ones. In the case of the woman who tampered with her oxycodone prescription, you can suggest that the dentist did not give her enough pain pills and that she only wanted to save a trip to the pharmacy. "If you were a drug addict, you wouldn't have changed the prescription to forty—you would have changed it to a hundred!" Senese's 2005 book "Anatomy of Interrogation Themes" lists more than two thousand such excuses, in cases ranging from identity theft to murder. No matter how repugnant the crime, he told us, you can come up with a rationalization that makes it easier for the suspect to admit it. The standard Reid Technique manual, first published in 1962 and now in its fifth edition, suggests a way an interviewer can minimize rape:

Joe, no woman should be on the street alone at night looking as sexy as she did. Even here today, she's got on a low-cut dress that makes visible damn near all of her breasts. That's wrong! It's too much temptation for any normal man. If she hadn't gone around dressed like that you wouldn't be in this room now.

You can further lower barriers to confession by presenting the crime as

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Sunday, Jan. 26
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the lesser of two evils. Was this your idea or did your buddies talk you into it? Did you use that money for drugs or to help feed your kids?

You watch for reactions from the suspect. Averted eyes and folded arms tell you that he is shutting you out; facing you with an open posture says that he's listening. You expand on themes that trigger the right response. It can take minutes or hours. You might even lie: "Why were your fingerprints found on that gun?"

When the suspect finally admits to the crime, you praise him for owning up and press for corroborating details. Then you work together to convert the admission into a full, written confession. If he seems to have trouble remembering the details, you can present multiple-choice

questions. Where did you enter the house: the front, the back, through a window? As a finishing touch, you introduce some trivial mistakes into the document, which the suspect will correct and initial. That will show the court that the suspect understood what he was signing.

After three days of Reid training, my classmates and I, newly versed in the subtleties of body language, gestured carefully in the hall and elevators, lest we unintentionally give something away. At the end, Senese gave us our certificates and left us with some closing remarks.

"It's been a real pleasure to teach you," he said. "I can honestly say this is the smartest and best group I've ever had." He sniffed, looked down,

picked some lint off his shirt, crossed his arms—and got a laugh. From what he had taught us, we knew he was lying.

Thirty-five years ago, a postdoctoral fellow in psychology named Saul Kassin began researching the psychological factors that affect jury decisions. He noticed that whenever a confession was involved, every juror voted guilty. Alibis and fingerprints didn't matter in these cases. Kassin read the U.S. Supreme Court's 1966 Miranda decision and found that it repeatedly cites the Reid Technique manual as the most authoritative source on American interrogation techniques. When he bought the manual, he says, "my first impression was, my God, this reads like a bad psychology textbook. It was filled with assertions with no empirical proof."

Today, Kassin has appointments at Williams College, in Massachusetts, and at John Jay College of Criminal Justice, in New York, and is widely regarded as a leading expert on false confessions. He believes that the Reid Technique is inherently coercive. The interrogator's refusal to listen to a suspect's denials creates feelings of hopelessness, which are compounded by the fake file and by lies about the evidence. At this point, short-term thinking takes over. Confession opens something of an escape hatch, so it is only natural that some people choose it.

In the mid-nineteen-nineties, Kassin devised an experiment to explore how easy it was to induce false confessions. Two students would sit at a table with a computer. One student, an accomplice of the researchers, would read individual letters from a chart for the other to type, at varying speeds. The experimenter would warn the students not to hit the Alt key—hitting it would cause the computer to crash. The computer was programmed to crash sixty seconds after the experiment began, and the experimenter would angrily ask the participants if they had hit the forbidden key. Ripping a page out of his notebook, he'd scribble an admission and demand that the student sign it. These conditions gave a baseline confession rate, after which various Reid tactics were used to see which ones provoked additional false confessions.

The first time Kassin tried the experiment, with seventy-five participants, the students were so intimidated



"That'll be twenty even—ten for the wine and a ten-dollar tax on the hapless sweater."

by the accusatory question that about a quarter of them signed the confession. When the experimenter added false incrimination—instructing the accomplice to say that he had seen the subject hit the Alt key—the rate of false confession nearly doubled. When another of the experiment's accomplices, posing as a fellow-student, asked what had happened, the subjects put the blame on themselves, saying things like “I hit the wrong button” rather than “They accused me of hitting the wrong button.” Some even confabulated details, such as “I hit it with the side of my hand.” Not only had they internalized their guilt; they had come up with a story to explain it. Although Kassir made sure to inform the students afterward that the experiment was a hoax, they sometimes replied, “You’re just trying to make me feel better.”

Researchers throughout America and Europe replicated the “computer-crash paradigm.” In 2011, Kassir used the model to test the effect of implied evidence—the “bait,” in Reid parlance. The experimenter told subjects that their keystrokes had been recorded on the server and would be available for verification. The tactic more than tripled the rate of false confession.

Kassir’s experiments have been criticized for not closely mimicking reality: the “crimes” could be accidental, and confession bore no serious consequences. In order to address these concerns, Melissa Russano and her colleagues at Florida International University came up with an experiment that they called “the cheating paradigm.” Students were asked to solve various problems, some with a partner and others individually. A few students—confederates of the researchers—were told to become noticeably upset while working alone. Inevitably, some students helped their partners during the individual section of the experiment—in other words, they cheated. Unlike hitting the Alt key, this misdeed could not be committed by accident, and the confession bore real consequences, since cheating violated the university’s academic code. The experiment also had the advantage of producing guilty as well as innocent subjects.

Russano and her colleagues used the model to test tactics associated with the

Reid Technique. Direct accusations elicited confessions from innocent and guilty subjects alike, and minimization proved especially effective: when the experimenters told subjects, “You probably didn’t realize what a big deal this was,” the confession rate among guilty parties increased by about thirty-five per cent. Yet Russano observed “collateral damages”—the confession rate among innocents tripled. In subsequent experiments, she has found that other Reid tactics are extremely effective in producing confessions but not very good at separating true ones from false ones.

As Kassir and his colleagues were examining interrogations in the lab, social psychologists were observing them in the field. In the mid-nineteen-nineties, Richard Leo, a law professor at the University of San Francisco who had undergone Reid training, spent more than nine months sitting in on nearly two hundred interrogations at the Oakland, Hayward, and Vallejo police departments. He found that most police officers used key elements of the Reid technique, but many skipped the initial interview and went straight to the interrogation.

Leo has reported that the Miranda decision, which is supposed to shield suspects from involuntary confessions, generally does not: more than eighty per cent decline their Miranda rights, apparently in order to seem cooperative. He and Richard Ofshe, a social psychologist, have observed what they call “persuaded” false confessions—an innocent suspect, worn down, fabricates a story to satisfy his questioners.

I saw this effect in a video of an interrogation that an Iowa defense attorney sent me. His client, a young man who was eighteen at the time of the interview, had been wrongly accused of molesting a three-year-old girl at the day-care center where he worked. The detective never raised his voice or appeared anything other than sympathetic. But, in under two hours, he had the young man saying that he had blanked out and fondled the little girl. As if in a trance, the young man said, “I know it happened but I don’t remember any of it. . . . I guess it must have hap-

pened.” After a break in the interrogation, during which the young man was allowed to see his sister, he retracted his confession and maintained his innocence. The district attorney dropped the charges.

The Reid interrogation technique is predicated upon an accurate determination, during Behavioral Analysis, of whether the suspect is lying. Here, too, social scientists find reason for concern. Three decades of research have shown that nonverbal signals, so prized by the Reid trainers, bear no relation to deception. In fact, people have little more than coin-flipping odds of guessing if someone is telling the truth, and numerous surveys have

shown that police do no better. Aldert Vrij, a professor of psychology at the University of Portsmouth, in England, found that law-enforcement experience does not necessarily improve the ability to detect lies. Among police officers, those who said they paid close attention to nonverbal cues did the worst. Similarly, an experiment by Kassir showed that both students and police officers were better at telling true confessions from false ones when they listened to an audio recording of an interview rather than watch it on video. In the experiment, the police officers performed less well than the students but expressed greater confidence in their ability to tell who was lying. “That’s a bad combination,” Kassir said.

Such studies suggest that a troubling chain of events can easily take place in the mind of an interrogator. During the Behavioral Analysis Interview, the detective begins to form an impression, based in part on the suspect’s body language. The impression could be wrong, but the detective, sensitized to those responses, notices them more and pays less attention to others—an instance of confirmation bias. Increasingly convinced that he’s dealing with a liar, the detective questions more aggressively, and this, in turn, triggers more nervousness. The behaviors create a feedback loop, ratcheting up the suspicion and anxiety to the point where the detective feels duty-bound to get a confession. Psychologists call this cycle the “Othello



error,” for the tragic escalation of accusation and fear that leads Othello to kill Desdemona.

Gregg McCrary, a retired F.B.I. agent, told me that Reid-style training creates a tendency to see lies where they may not exist, with an unhealthy amount of confidence in that judgment. “They just assume they’re interviewing the guilty guy,” he said.

Joseph Buckley, the president of John E. Reid & Associates, is a well-dressed man, graying at the temples and with just enough jowliness to make him look prosperous. Buckley is the second person to serve as the firm’s president; his predecessor, John Reid, died in 1982. His office at the Reid headquarters, in downtown Chicago, resembles that of a partner in a successful old law firm. When I interviewed him there, I noticed that his nonverbals were excellent. His posture was relaxed but not slumped, and he sat facing me in an open, nondefensive way. He gestured when appropriate, without overdoing it. He looked at me steadily but not so fixedly as to arouse my suspicion.

When I asked Buckley if anything in the technique had been developed in collaboration with psychologists, he said, “No, not a bit. It’s entirely based on our experience.”

Buckley, who earned a B.A. in En-

glish in 1971, originally planned to become a journalist, but met Reid socially and was invited to join the firm. He described Reid as a true gentleman, who always wore a business suit and treated everyone, even criminals, with respect. “His attitude was ‘There but for the grace of God go I.’”

Buckley said that the principle of compassion still guides his company, and that Kassin and other critics misrepresent him. He told me that the Reid Technique’s sole objective is to elicit the truth, and that the police interrogate only people whom they suspect of involvement in a crime. He said that critics ignore the various ways a suspect can show that he is telling the truth, and pointed out that a properly trained interviewer begins an accusatory interrogation only if the suspect appears to be lying or withholding information during the behavioral-analysis interview. He argued—and judges have regularly agreed—that if a suspect infers leniency from an interrogator’s guise of sympathy, that’s the suspect’s problem. (Critics may not like the fact that police sometimes lie to suspects during interrogations, but a 1969 Supreme Court decision affirmed their right to do so.)

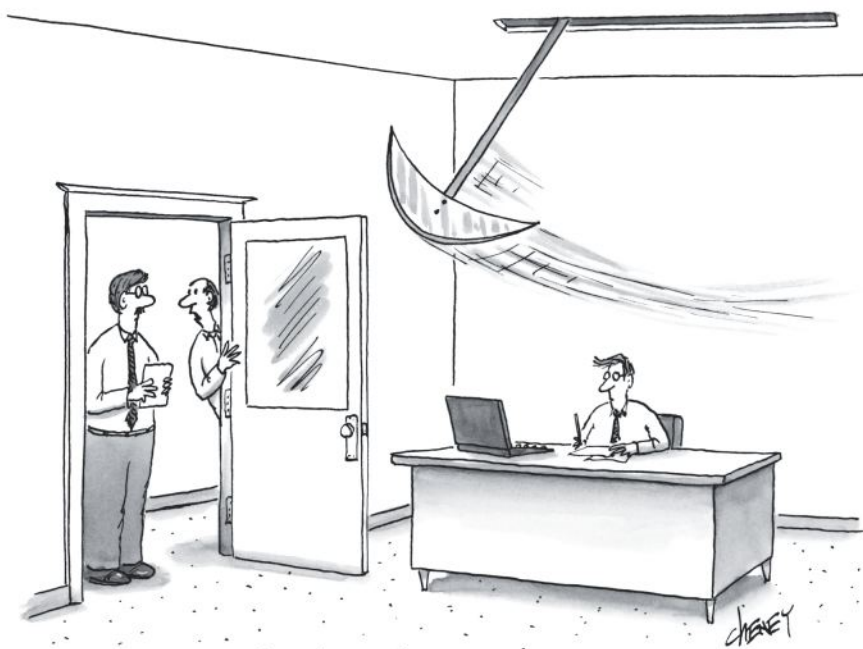
Buckley doubted that studies could replicate the stresses of an actual interrogation. Students who lie will not go

to jail; nor do those people who interrogate the mock criminal have formal Reid training. The differences make the laboratory work “worthless,” he said. “There’s no context, no sense of factual information that you would have in the real world.” He was especially scornful of Kassin’s Alt-key experiments. “You tap on a computer all day long, right? Did you ever hit the Alt key without meaning to? It’s ridiculous.”

Buckley stressed that his company has no interest in simply gaining confessions. Yet the word “confession” constantly came up in the training I took. Other researchers have reported that, while Buckley and the Reid manual give a nuanced interpretation of the firm’s methods, the training does not. He mentioned that he has testified for the Innocence Project to get wrongfully convicted people out of jail and help them sue for reparations. (Peter Neufeld, the co-founder of the Innocence Project, told me that he finds it easier to win a case for his clients by having Buckley testify that the police violated their training than by trying to show, with a team of psychologists, that the training itself was “slipshod.”) According to Buckley, false confessions may occasionally arise when the police deviate from their training. But, in one of the most notorious cases of false confession in recent memory, part of the interrogation was conducted at Reid headquarters by a Reid trainer.

In 1992, an eleven-year-old girl in Waukegan, Illinois, was raped and stabbed to death while babysitting a neighbor’s children. Police brought in a nineteen-year-old man named Juan Rivera for questioning. Rivera might have seemed an unlikely suspect: on the night in question, he’d been at home, something that could be confirmed by records of a phone call he made to his mother in Puerto Rico and by an electronic ankle monitor that he was wearing. (He was awaiting trial for the theft of a car stereo.)

Rivera had a low I.Q. and a history of mental illness. Police interrogated him on and off for four days, during which he slept no more than four hours. At least twice during those four days, police brought Rivera to the Reid headquarters for questioning. A turning point came when a Reid employee ad-



“Who’s the temp?”

ministered a two-part polygraph test and got mixed results, but told Rivera that the evidence conclusively showed he had caused the girl's death. Even then, Rivera vehemently denied the accusation, but afterward, when the interrogation was continued back at the jail, he confessed. By then, he had been reduced to a state of psychosis: according to a prison nurse who saw him, he had torn off a clump of his scalp and was shackled in a padded cell. A jury found him guilty and sentenced him to life.

In 2005, DNA evidence came to light showing that another man's semen had been found in the victim, and Rivera was granted a new trial. Prosecutors offered a couple of theories to explain the DNA—that the child must have been sexually active and bore the semen of one of her partners, and that Rivera, while raping her, had failed to ejaculate; or that Rivera had a partner who also raped the child. Rivera was found guilty again. He appealed the case and won. In January, 2012, after twenty years in jail, he walked free. He is now suing John E. Reid & Associates, his prosecutors, and members of the police and sheriff's departments who questioned him.

Last fall, I travelled to Washington, D.C., to meet James Trainum, who spent seventeen years as a homicide detective there before retiring. He was trained in the Reid Technique and used it for years, but he came to doubt it after a murder investigation in 1994. The case involved the murder of Lawrence O'Connell, a family man and Voice of America employee who disappeared shortly after leaving work at the V.O.A.'s office in Washington, on Friday, February 25, 1994. After his disappearance, someone tried to use his A.T.M. card at a nearby bank machine. A couple of hours later, his American Express card was used at a liquor store, a drugstore, and at a Chinese restaurant in a strip mall about thirty miles away. The next day, his body was found, bound and beaten, on the banks of the Anacostia River.

Police learned that O'Connell led a secret life: he had run up considerable debt, and his wife suspected him of consorting with prostitutes. They speculated that those he owed money to grabbed him, took him to the bank ma-



"Just a minute, Mister. You're not going out of here looking like that."

chine (which didn't work), and beat him to death.

But they had to find witnesses to corroborate the theory. Trainum and his colleagues used a grainy photograph from the A.T.M. and a composite sketch based on a description offered by the liquor-store employee to put out an alert for a short white woman wearing a baseball cap. They got a tip about a woman named Kimberly who had a troubled history and was living in a D.C. shelter with her children. They took her to the station, and, in the course of a sixteen-hour interview, she confessed to forging O'Connell's name for the credit purchases. A handwriting analyst verified the writing as hers. Later, she described how she and two men had confronted O'Connell, and how a series of incidents had led to his death. She was charged with first-degree murder.

Some weeks later, while in custody, Kimberly recanted her story. Trainum searched for more evidence, and got the logbook of the shelter where Kimberly had been staying. Based on when she had signed in and out, he didn't see how Kimberly could have taken part in the murder—she'd been inside the shelter

during the critical times. Struck by the contradiction, Trainum took the credit-card receipts to the Secret Service and the F.B.I. Their experts contradicted the original handwriting analysis, and everyone concurred that the signatures at the shelter log did belong to Kimberly. The case fell apart, and she was released.

Trainum was mystified by Kimberly's confession. He reviewed the videotapes of his interview, but could not find where things had gone wrong. Over the next decade, he became aware of other false-confession cases, particularly that of the Central Park Five, and decided to take another look. He showed me a video of Kimberly's interview. It was a Reid trainer's dream: Trainum sympathetically asking questions as the suspect sat crumpled, speaking through sobs. But, with the distance of time, Trainum started to see how he had inadvertently fed Kimberly information. At one point, he showed her the credit-card slips to "refresh her memory," as he recalls. She could see the names of the drugstore and the Chinese restaurant. Once she had that information, she started guessing at the answers that would win his approval. Asked what she bought at the



"Well, now, hold on, Jed. I think this is a Malbec."

drugstore, she said "personal items." Asked what she ate at the restaurant, she named several foods until she came up with the right one: shrimp. "She'd guess about twenty times, but we'd only remember the two things she said right," Trainum recalled. "It almost became a game of twenty questions. It was all very piecemeal: as time went on, she picked up bits and pieces until her story became more and more believable."

The experience shook his faith in the Reid training and in other interrogation techniques he had learned, and he started to read about the psychology of false confessions. His research led him to Saul Kassin, who not only shared his work with Trainum but asked him to speak to his students at John Jay College, in New York. Trainum later got in touch with a British research group, whose members informed him of an alternative interviewing technique that was practiced in several countries, including Britain and Canada.

In 1990, after a flurry of false-confession scandals in Britain, the government appointed a commission of detectives, academics, and legal experts to develop an interview method that would reflect up-to-date psychological research. After two years' work, the commission unveiled their technique, called PEACE, for Preparation and Planning, Engage and Explain, Account, Closure,

Evaluate. Training was provided for police departments throughout England and Wales, starting with major-crimes units. By 2001, every police officer in England and Wales had received a basic level of instruction in the method.

The method differed dramatically from previous practices. Police were instructed not to try to obtain confessions but to use the interview as a way to gather evidence and information, almost as a journalist would. They were to focus on content rather than on nonverbal behavior, and were taught not to pay attention to anxiety, since it does not correlate with lying. Instead, police were trained to ask open-ended questions to elicit the whole story, and then go back over the details in a variety of ways to find inconsistencies. For the suspect, lying creates a cognitive load—it takes energy to juggle the details of a fake story. Part of the process involved thorough preparation: police learned to spend hours drawing diagrams of the route they hoped an interview would take. Bluffing about evidence was prohibited. "We were not allowed to lie, coerce, or minimize," Andy Griffiths, a detective superintendent with the Sussex Police Department, told me. Their job was simply to get as much information as possible, which, along with corroborating evidence, would either incriminate the suspect or set him free.

Originally a street cop, Griffiths earned

a Ph.D. in criminal-justice studies at the University of Portsmouth. He spent last fall at John Jay College of Criminal Justice. He showed me a video of British police using the PEACE method to interview a man named David Chenery-Wickens. In January, 2008, Chenery-Wickens, of East Sussex, was accused of murdering his wife, Diane, a makeup artist who worked for the BBC. Two days after her disappearance, he had reported her missing. He told the police that the two had taken the train into London, but she never showed up for the return trip home. He thought she might have run away to Spain.

The officer leading the interview, Detective Constable Gary Pattison, was respectful and polite, asking open-ended questions about Diane's disappearance. He gave the suspect plenty of time to talk. After an hour and a half, when he got all the information that Chenery-Wickens was willing to give, Pattison ended the interview.

A few days later, they reconvened. Chenery-Wickens, a lumpy blond guy in a light-colored sweater and faded bluejeans, sat comfortably in his seat, facing the officers in an open and relaxed posture. ("You can see what a load of bunkum this body-language stuff is," Griffiths said.) As the questions wore on and Pattison kept reexamining certain parts of the story, Chenery-Wickens found it increasingly difficult to keep his facts straight—not because of anxiety, it seemed, but because of the simple cognitive challenge. For example, he had previously denied visiting a nearby town on a certain date and selling his wife's jewelry. Pattison showed him a parking ticket from that date.

"Something is not right, David," Pattison said. "Please help me, David, because I'm struggling with this." Chenery-Wickens spent several minutes trying to prevaricate, and finally said, "I'm baffled. I'm really baffled."

Later in the interview, they discussed David's claim that Diane had sent him text messages while he was on a homeward-bound train from London. Cell-phone records revealed that both phones had been on the train at the same time. Pattison inquired about the issue at length. He spoke slowly, as Chenery-Wickens's explanations for

how his wife's phone came to be on the same train became hollower and hollower. Griffiths stopped the video and said, "As you can see, this guy is digging a bigger and bigger hole. And this is what is presented to the jury." At no point did Pattison directly accuse Chenery-Wickens of murder or attempt to get him to confess. But the accumulation of lies and evidence condemned him. He was found guilty of murder and sentenced to eighteen years.

Some American law-enforcement officers are trying to develop approaches similar to PEACE. Trainum has taught a seminar on such interview techniques at various police organizations. Michael Johnson, a former civil-rights attorney with the U.S. Justice Department, teaches a PEACE-inspired course to private industry. Neil Nelson, a retired homicide detective in St. Paul, Minnesota, devised a system called RIP, which stands for Rapport-Investment-Partnership. "It's all about information-gathering and not about getting a confession," he said. He teaches the course to police departments that hear about him, usually by word of mouth. But Kassin, who has spoken to many police departments and prosecutors' offices, holds out little hope for the kind of wholesale change that was adopted in Britain. The culture of confrontation, he feels, is too embedded in our society. Still, training can be improved, he says, by requiring the videotaping of all interrogations, setting time limits on interviews, and making it illegal to lie to a suspect. Buckley supports videotaping as well, and claims that the Reid Technique already incorporates elements of PEACE. Eric Shepherd, one of the psychologists who developed PEACE, disagrees. "I think the Reid Technique was a child of its time," he told me. But science has moved on. "What you see now is a rear-guard action to defend the indefensible."

In the late nineteen-sixties, following the Miranda decision, Darrel Parker filed habeas-corpus lawsuits in the Nebraska Supreme Court and the Eighth Circuit Court of Appeals, on the ground that the 1955 confession he made to John

Reid was obtained by coercion and should have been suppressed. His case made its way to the U.S. Supreme Court, which ruled that he should have a new trial. In 1970, the state of Nebraska offered him a deal: rather than go through the trial again, it would parole him for time served.

Parker took the deal, moved back to Iowa, remarried, and started his life again. In 1988, a man named Wesley Peery died in the Nebraska State Penitentiary, and his attorneys announced that he had confessed to the rape and murder of Nancy Parker. Peery, an ex-convict at the time, had briefly been a suspect. His car had been seen parked near the victim's house on the day of the crime, and he had been detained by police, questioned, and released. Since then, Peery had accumulated a grim record, including armed robbery, the rape and assault of a pregnant woman, and the execution-style killing of a rare-coin-shop owner—a crime that had put him on death row. In 1978, Peery gave his attorneys the manuscript of a memoir that included a detailed description of the attack on Nancy Parker. Bound by attorney-client privilege, his lawyers did not release the statement until Peery died, of a heart attack, ten years later.

Parker requested a pardon, and received it, in 1991. But there's a difference between a pardon and an exoneration, and in 2009 Parker saw another opportunity to clear his name. The Nebraska legislature, shaken by a recent false-confession scandal, passed a law that makes it possible for anyone who can show that he or she has been wrongfully convicted to sue the state for up to half a million dollars.

In the summer of 2011, Parker's attorney filed suit. A year later, without waiting for the court's decision, the state attorney general, Jon Bruning, called a press conference. He publicly apologized to Parker, who was by then eighty years old, shook Parker's hand, and offered him the full five hundred thousand dollars in damages. "Today, we are righting the wrong done to Darrel Parker more than fifty years ago," Bruning said. "Under coercive circumstances, he confessed to a crime he did not commit." ♦



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THE BIG SLEEP

Insomnia drugs like Ambien are notorious for their side effects. Has Merck created a blockbuster replacement?

BY IAN PARKER

One evening in late May, four senior employees of Merck, the pharmaceutical company, sat in the bar of a Hilton Hotel in Rockville, Maryland, wearing metal lapel pins stamped with the word "TEAM." They were in a state of exhausted overpreparedness. The next morning, they were to drive a few miles to the headquarters of the Food and Drug Administration and attend a meeting that would decide the future of suvorexant, a new sleeping pill that the company had been developing for a decade. Merck's team hoped to persuade a committee of seventeen, composed largely of neurologists, that suvorexant was safe and effective. The committee, which would also hear the views of F.D.A. scientists, would deliver a recommendation to the agency. If the government approved suvorexant—whose mechanism, inspired partly by research into narcoleptic dogs, is unlike anything on the market—it would be launched within a year. Some industry analysts had described it as a possible blockbuster, a term usually reserved for drugs with annual earnings of a billion dollars. Merck had not created a blockbuster since 2007, when it launched Januvia, a diabetes drug. The company was impatient. A factory in Las Piedras, Puerto Rico, was ready to start production.

David Michelson, who runs Merck's clinical research in neuroscience, said of suvorexant, "It's huge. It's a major product." He was sitting perfectly still in his chair; his hair flopped a little over his forehead. He looked as if he were waiting in an airport for a very late flight.

For months, in rooms across Merck's archipelago of mismatched buildings north of Philadelphia, Michelson had taken part in role-playing rehearsals for the F.D.A. meeting. The focus had been on reading Joe Herring, another Merck neuroscientist; he would be the primary speaker, having run the later clinical trials of suvorexant. Herring, a straight-backed, athletic-looking man in his fifties, had

just gone up to his room, for an early night. "Joe had to find a way to be authentic," Michelson recalled. "He had to find a way to engage with the audience without becoming too informal." During the meeting, Herring would have access to a library of twenty-one hundred and seventy PowerPoint slides.

The Merck team was frustrated. The F.D.A. had just shown them the draft of a presentation, titled "Suvorexant Safety," that would be delivered by Ronald Farkas, an F.D.A. neuroscientist who had reviewed thousands of pages of Merck data. In a relentless PowerPoint sequence, Farkas made suvorexant sound disquieting, almost gothic. He noted suicidal thoughts among trial participants, and the risk of next-day sleepiness. He quoted from Merck's patient notes: "Shortly after sleep onset, the patient had a dream that something dark approached her. The patient woke up several times and felt unable to move her arms and legs and unable to speak. Several hours later, she found herself standing at the window without knowing how she got there." A woman of sixty-eight lay down to sleep "and had a feeling as if shocked, then felt paralyzed and heard vivid sounds of people coming up the stairs, with a sense of violent intent." A middle-aged man had a "feeling of shadow falling over his body, hunted by enemies, hearing extremely loud screams."

An F.D.A. presentation that focusses on individual "adverse events"—and draws attention to patients feeling "hunted by enemies"—is discouraging to a drug's sponsor. Michelson called the presentation "somewhat unusual," and emitted a dry laugh.

Darryle Schoepp, the head of Merck's neuroscience division, was at the other end of the table. During the human trials of suvorexant, he noted, it had been taken two hundred and seventy thousand times, and "every time you take a drug it's an opportunity for *something* to happen that the user can report." He added, "Go back to

the early days of Ambien. I wonder how many patient days of data they had with Ambien."

Ambien, which is now available generically as zolpidem, is one of America's most popular drugs, and it played a role—silent or spoken—in many conversations that I had heard on visits to the Merck offices. Zolpidem was the cheap drug that suvorexant had to take on, if not unseat, in order to succeed in the sleep-medication market. In addition, rising public worry about risks associated with taking Ambien—ranging from amnesiac devouring of Pop-Tarts to premature death—had reduced the F.D.A.'s tolerance for side effects in sleep medications.

John Renger was also at the bar. A forty-four-year-old neuroscientist, he has a round face, cropped hair, and a neat goatee. He helped lead the company to the suvorexant molecule, and ran the first tests on rats, mice, dogs, and rhesus monkeys. He, too, was politely indignant about the F.D.A. "They've taken the emphasis off efficacy," he said, adding, "They're saying *any* residual effects are bad. But they're not looking at the balance—What is the improvement in this mechanism?"

The central nervous system is in an ever-adjusting balance between inhibition and excitation. Ambien, like alcohol or an anesthetic, triggers the brain's main inhibitory system, which depends on binding between GABA—gamma-aminobutyric acid, a neurotransmitter—and GABA receptors on the surface of billions of neurons. GABA receptors can be found throughout the brain, and when they're activated the brain slows. Ambien encourages the process by sticking to the receptors, holding open the door to the neurotransmitter. Suvorexant, which Merck describes as "rationally designed"—rather than stumbled upon, like most drugs—influences a more precise set of neurotransmitters and receptors. Orexin neurotransmitters, first identified fifteen years ago, promote wakefulness. When suvorexant is in the



Suvorexant, a drug seeking approval from the F.D.A., was inspired by research on narcoleptic dogs.



"I'm not wearing any thermal underwear."

brain, orexin is less likely to reach orexin receptors. Instead of promoting general, stupefying brain inactivity, suvorexant aims at standing in the way of a keep-awake signal. This difference may or may not come to mean a lot to insomniacs, but Merck's marketing is likely to encourage the perception that suvorexant ends the dance by turning off the music, whereas a drug like Ambien knocks the dancer senseless.

If the Merck scientists succeeded at the F.D.A., they would be the first to bring an orexin-related drug to market. "It's an amazing achievement," Richard Hargreaves, the fourth colleague at the Hilton, said. "Everyone should be really proud." But, he added, "my worry is that a new mechanism is being evaluated on the science of an old mechanism."

"With Ambien, you've got a drug that's got basically only onset," Renger said, dismissively. That is, it sends you to sleep but might not keep you asleep. "Su-

vorexant has the onset, but it has the great *maintenance*, especially in the last third of the night, where other drugs fail." And even though suvorexant keeps working longer than Ambien, suvorexant patients don't feel groggier afterward, as you might expect. Impassioned, Renger imagined himself addressing the F.D.A.: "Why aren't you giving this a chance?"

"Drugs usually have some side effects," Schoepp said. "It's all benefit-risk." He added, "There is some dose where suvorexant will be ultimately safe—because *nothing will happen*. If you go low enough, it becomes homeopathic."

They stood to go to their rooms. Schoepp murmured, "I'd love to take it right now."

Jean-Pierre Kaplan lives in a southern suburb of Paris. When I visited him this summer, he tricked his elderly dog into thinking there was a cat in the front yard that needed chasing, and then we sat

down to lunch with Marie-Louise Pelus-Kaplan, his wife. Kaplan is seventy-four, and when he retired, in 2000, he was a patent lawyer. Before that, he was a chemist in the pharmaceutical industry, a career that ended unhappily. In the late seventies, while working in a laboratory a few miles from where we were eating, he co-invented the drug that became known as Ambien. Kaplan's name is one of two on the French and American patents.

In 2006, Ambien's manufacturer estimated that it had been taken twelve billion times worldwide. The drug was worth two billion dollars a year in American sales. (Ambien, which was patented in the U.S. in 1981, went generic in 2007.) Last year, there were sixty million prescriptions for sleeping pills in the U.S., and forty-three million of them were for some form of zolpidem, including Ambien C.R., a deftly repatented controlled-release pill. Over lunch, I asked Kaplan, who has not previously given interviews, if he'd ever taken Ambien. "Never," he said, in accented English. "I sleep very well."

Pelus-Kaplan, a retired professor of early-modern history, teasingly explained that her husband almost never takes medication. He allows his doctor to write prescriptions, and he even picks up the pills at the pharmacy, "but he never eats one. He says, 'Too dangerous.'"

"If I need a drug, I would take it, but I don't need it!" Kaplan said. "When I get flu, I stay in bed. Drugs are very important when you don't want to lose time, but when you have plenty of time you stay in bed." His annual drug intake, he estimated, was no more than ten over-the-counter painkillers.

Zolpidem is part of a third generation of synthetic compounds that treat insomnia by attaching to GABA receptors. Such drugs were first introduced a century ago, long before the GABA system was identified. The first generation, barbiturates, effectively induce sleep, but can be addictive, and it's easy to overdose on them (Marilyn Monroe, Judy Garland, Jimi Hendrix, Jean Seberg). In the second, safer generation are benzodiazepines, a class that has some mixture of sedative, muscle-relaxant, anticonvulsant, anti-anxiety, and amnesiac effects. These were invented in the fifties by Leo Sternbach, a chemist at Hoffmann-La Roche in New Jersey. He synthesized Librium

and then Valium, which, between 1968 and 1981, was the most frequently prescribed drug in the Western world. Valium was marketed as a treatment for anxiety, but insomniacs also used it. The first benzodiazepine explicitly approved by the F.D.A. as a sleep medicine was Dalmane, launched by Hoffmann-La Roche in 1970. Halcion, a benzodiazepine from Upjohn, became the world's best-selling sleep aid after its launch, in 1982.

In the early seventies, Sternbach visited the offices of Hoffmann-La Roche in Basel, Switzerland, and ran into Jean-Pierre Kaplan, who then worked there. Sternbach shook Kaplan's hand, and wished him well. Kaplan, who had grown up in Paris, was then a few years out of college. A mountain climber, he was long-haired and instinctively unaccommodating. "I felt very free," he said. "I had a very different comportment from the Swiss researchers. I did not fear anybody." (He was once told that he was the first Jewish scientist to be employed at the site. He is not Jewish.)

In 1973, Kaplan took a new job, at Synthélabo, in Bagneux, near Paris. L'Oréal had just bought a majority stake in the firm, and wanted to turn it into a major pharmaceutical force. After he identified some compounds with anticonvulsive properties, he felt that one of them was being improperly accelerated toward commercial development. He considered the drug ineffective at safe doses—"a big waste of money for the company." (The drug, progabide, was eventually approved as an epilepsy treatment in France, but not elsewhere.) Kaplan says that this disagreement, along with his activities in a trade union, had already begun souring his relations with the company when, in 1978, a colleague made a passing suggestion: why not try to build something "a little like zopiclone"?

Zopiclone, a compound that had been created several years earlier by a rival company, was an interesting oddity. Although its chemical structure was quite unlike that of a benzodiazepine, it acted just like one. It eventually beat zolpidem to market, as the first in a new category of sleep medication: "z-drugs," or non-benzodiazepines. (Lunesta, approved by the F.D.A. in 2004, is a close variant of zopiclone.) Kaplan recalled, "I thought, O.K., if zopiclone and benzodiazepines act on the same brain receptor, why don't I try to

make another drug—a hybrid? That was the gist of the invention."

The molecule, when finished, had another important characteristic. At the lunch table, Kaplan began sketching in my notebook the chemical structure of LSD. He drew hexagons attached to other hexagons. One of them had a tail of nitrogen, oxygen, and carbon. This tail helps to make LSD unusually effective at reaching the brain from the bloodstream. He said of LSD, "I knew that this kind of structure was very active in the brain." A similar tail was incorporated into zolpidem. "This was important, to have *activity* in the brain. Maybe it increases the activity one hundred or one thousand times." (I asked Kaplan if he had taken LSD. "Never!")

He and Pascal George—a younger colleague whom Kaplan described as "sympathetic and brilliant"—started by building wooden models, including ones for Valium, Halcion, and zopiclone. Colored one-inch spheres, representing atoms, were connected by thin rods, creating models the size of a shoebox. This was a more empirical, architectural approach than is typical in a lot of pharmaceutical chemistry. Kaplan and George tried to identify what these molecules had in common, structurally, that allowed them to affect the brain in the same way. Kaplan told me that their thinking wasn't wildly creative, but it was agile: "You know, at that time it was maybe clever,

because you have no computer. Now it's routine work."

George wrote a report describing a few possible types of new chemical compounds. Working separately, they built molecules of the first two types: about ten of one, five of the other. These were unpromising. A third series, made by George, looked better. When it was tested on animals, Kaplan said, "it was clear that it would be a great success. After the very first compound, I knew." But in 1980, while this work was still under way, Kaplan was taken off the project. In his account, Synthélabo, eager to get rid of him, "didn't want to give me the merit of the invention." From then on, George ran the research. Kaplan heard only rumors about how the compounds were testing.

That fall, Synthélabo applied for a French patent on a series of seventy-seven compounds. The company knew that one of the compounds had far more pharmaceutical promise than the others, but did not need to disclose this to industry competitors. So the star molecule was also hidden from Kaplan, even though his name was at the top of the document. He showed me the patent. "I was named the first inventor, but did not have the results of the compound I proposed!" he said. He looked down a list of seventy-seven chemical formulas, and pointed to the seventy-fifth: this was Ambien.

Although Kaplan felt increasingly unwelcome at Synthélabo, he would not



"I feel like every time I turn into a swan there's this expectation of sex."

resign. The company eventually moved him to an office in central Paris, to a phantom job in an empty room. He left Synthélabo in 1984, and never worked as a scientist again, considering himself blacklisted. "He was furious," Marie-Louise Pelus-Kaplan said. "He went biking in the woods to think. . . . And then he decided to study law."

In a friendly tone, Pascal George told me, "Jean-Pierre was very intelligent, but very suspicious. I would say paranoiac. Since he was paranoiac, he was very happy to be frustrated—it was a part of his happiness." (There is no evidence of ill will between him and Kaplan.) After the patent filing, it took some years before zolpidem reached the market. George recalled that "the internal resistance" at Synthélabo was "rather strong." Among other things, zolpidem had been conceived by chemists, not biologists, which was unusual. He said that drug development accelerated in 1985, when a company pharmacist, preparing a batch of syrup for the first human trial, accidentally swallowed a teaspoonful of the drug. He immediately fell asleep.

Synthélabo also established that zolpidem was "selective" in its influence on the GABA system. Zolpidem had more impact on sleep than on amnesia, muscle relaxation, and the other effects associated with drugs that bind to GABA receptors. In theory, at least, this selectivity meant

that the drug would have fewer undesirable outcomes.

Zolpidem was launched in France in 1988. Five years later, it was brought to America, with the name Ambien, in a joint venture between Synthélabo and Searle. George became the drug's acknowledged inventor, and Kaplan was sometimes left out of official accounts—"like in the former Soviet Union," he said. Pelus-Kaplan once attended a conference, incognito, to confirm that her husband was being overlooked. It was George who built the molecule, but Kaplan argues that the initial collaboration created the blueprint for all that followed. George agrees.

Ambien had the good fortune to reach the market just as the reputation of Halcion, which had been promoted as safer than barbiturates, collapsed. The public was concerned about Halcion's perceived side effects—including amnesia and panic—and about reports that Upjohn had suppressed unfavorable data from its trials. William Styron, in his 1990 memoir, "Darkness Visible," blamed Halcion for amplifying his suicidal thoughts. Philip Roth, in "Operation Shylock," drew on his own reaction to Halcion, describing a "mental coming apart" that was "as distinctly physical a reality as a tooth being pulled." In 1991, Upjohn settled a suit brought by a woman who had shot and killed her eighty-two-year-old mother after taking Halcion, and *Time* ran a story

on "The Dark Side of Halcion." That year, the drug was banned in Britain. (It remains available in the U.S., but it is no longer a best-seller.)

Searle and Synthélabo presented Ambien as a safe alternative to Halcion. Jed Black, a sleep specialist at Stanford's medical school who has worked in the pharmaceutical industry, recently recalled being visited by Ambien salespeople: "They would say to me, with a very straight face—and I think they believed it completely—'This is not a benzodiazepine, and therefore it's safer.'" Ambien did send people to sleep quickly, and the human body broke it down after a few hours, so there was a limited hangover effect. And a fatal overdose would be very hard, if not impossible, to engineer. (Ruth Madoff told "60 Minutes" that she and Bernie Madoff failed to commit suicide with Ambien: "We took pills and woke up the next day.") But, like benzodiazepines, Ambien sometimes caused amnesia and confusion. According to Black's reading of published data, the drug was selective—focussed on sleep—in its action on GABA receptors, but only in doses that were too low to induce sleep. At useful doses, it "became indistinguishable" from a benzodiazepine. Nevertheless, Ambien was accepted as a better drug. "Everyone bought into it," Black said. The situation hasn't changed. He noted that, when he lectures to physicians at Stanford, "I'll say, 'Who here would be equally happy to prescribe Halcion and Ambien?' And none of them raise their hand. Then I show them the data."

Ambien quickly became the national best-seller in its category. As Black recalled, "Everybody switched allegiance—most physicians did—and then nothing came along that was any better." Customers were satisfied, because the drug reliably induced sleep, and, as Black noted, sleep drugs that target GABA receptors "impart a sense of feeling a little less stressed, like you've had a drink or two." And Ambien, in common with many other drugs, can be tricky for some patients to give up. Those who stop abruptly may experience "rebound" insomnia that is worse than when they started. Black said, "And they inaccurately assume, 'Oh, my insomnia's really bad still.'" He laughed. "It's actually a nice feature for a drug to have, from a pharmaceutical perspective."



JOE PATOR

"Son, your mother and I, Grandpa Jack, Grandma Kate, Uncle Danny, Aunt Sue, Grandpa Sy, Grandma Jenny, Cousin Rhonda, Tugger, and Sprinkles are gay."

By the turn of the century, there were more U.S. prescriptions for Ambien than for all benzodiazepines combined, and Ambien's benign reputation seemed to help normalize the idea of medical assistance for insomnia. (In 1998, Kathy Giusti, at the time a Searle executive, explained to an interviewer, "We had to change consumer perception about the sleep category in general, to eliminate the stigma.") Between 1993 and 2006, the number of times a year that a U.S. doctor gave a diagnosis of insomnia rose from fewer than a million to more than five million.

In 1995, Kaplan negotiated a payment—about thirty thousand dollars—from his former employers. George, who stayed at the company, happily, until his retirement, in 2010, received a little less. After Kaplan retired from his career in law, he formed an organization that lobbies on behalf of people who invent things while working as a salaried employee.

Kaplan described zolpidem as a "professional disaster." He added, "It's not life-saving, it does not treat cancer, it does not treat malaria, it does not treat Alzheimer's—the most difficult illnesses to treat. Therefore, I call it a comfort drug."

A woman recently posted online a description of her Ambien experiences:

Ordered 3 pairs of saddle shoes from eBay
Sexted my best male friend who is married. I have a BF as well

Ordered \$35.00 stylus off of amazon, I must have thought it said \$3.00 or something

Played draw something w/my friend and drew penises and rainbows for every word

Tried to legally change my name on the computer

Ambien can be disinhibiting and depersonalizing. Or, to quote from the label of a bottle of sleep medication used by Tina Fey's character, Liz Lemon, on "30 Rock": "May cause dizziness, sexual nightmares, and sleep crime." Zolpidem enters the gut, passes into the bloodstream, squeezes through the liver, and then crosses the blood-brain barrier, to make GABA receptors more receptive to GABA. When the neurotransmitter sticks to its target, negatively charged chloride ions flow into cells, making the inside of the cells more negative, and less likely to fire. Traffic is interrupted, signals don't reach their destinations, and the brain starts to quiet. Many people experience this as a con-

tented swoon that silences inner chatter while giving a half glimpse of childhood; they are overtaken by sleep, like a three-year-old in a car seat.

But others resist sleep and embrace the woozy, out-of-body license. To some, this is an opportunity to take part in what Rachel Uchitel, a former girlfriend of Tiger Woods, has reportedly described as "crazy Ambien sex." At the London Olympics, some Australian swimmers took Ambien to build team spirit. After



taking the drug, they larked around and knocked on the doors of other athletes. As one of them later put it, they allowed themselves "to be normal for one night." Because the drug had been banned by the Australian Olympic Committee, and because the team failed to win medals that it was expected to win, this became a national scandal.

But for many Ambien users, like the eBay shopper, their activities on the border of wakefulness and sleep are less purposeful. Drew Fairweather, an online cartoonist, has described the phenomenon in a popular series of panels in which a walrus addresses a human companion with such suggestions as "Take some more Ambien and cut off all your hair, man. Let's do this." In 2006, Patrick Kennedy, then a congressman, crashed his Mustang into a barrier near Capitol Hill, in the middle of the night; he told police, inaccurately, that he was late for a vote. He had Ambien and an anti-nausea medication in his body. By the following spring, the F.D.A. had heard enough about Ambien-related sleep-driving, sleep-eating, and sleep-walking—accompanied by amnesia—to require new warnings. The drug's label now refers to the risk of "preparing and eating food, making phone calls, or having sex."

This kind of behavior can occur during dreamless, slow-wave sleep—the state of an unmedicated sleepwalker—or, more commonly, Jed Black suspects, while

someone is awake but disinhibited, by Ambien alone or by Ambien and alcohol. Black noted that this altered state can be mischaracterized as sleep by people who have forgotten their adventures. A recent study, described in *European Neuropsychopharmacology*, suggests that these phenomena affect five per cent of users. (Other studies have reported lower numbers.) Zolpidem's reputation for outlandish side effects may be inflated by gossip—by the interaction of medication and the Internet. Thomas Roth, the director of the sleep center at Henry Ford Hospital, in Detroit, who has consulted for Merck and other pharmaceutical companies, told me he has not yet seen persuasive evidence that there is more of this behavior among Ambien users than among the rest of the population (which includes drinkers). The F.D.A.'s 2007 warnings were prompted by doctors' reports, not by peer-reviewed data. But amnesiac confusion certainly occurs, and zolpidem's popularity makes misadventures commonplace, to the point that it's hard to use Ambien in a criminal defense. Defendants must argue that they were involuntarily intoxicated—that they couldn't have foreseen the possible consequences of taking Ambien, alone or with drinks—despite the warnings delivered both by their doctor and by Charlie Sheen, who called the drug "the devil's aspirin" after an incident, in 2010, involving a porn star and a damaged chandelier, in the Eloise Suite of the Plaza Hotel.

There may be other risks associated with zolpidem. In a recent paper in the online edition of the *British Medical Journal*, Daniel Kripke, a professor emeritus at the University of California San Diego School of Medicine, examined five years of electronic medical records collected by a health system in Pennsylvania. He compared more than ten thousand patients who had been prescribed a sleep medicine—most commonly Ambien—and more than twenty thousand patients who had not. After adjusting for age, gender, smoking habits, obesity, ethnicity, alcohol use, and a history of cancer, and after controlling, as much as possible, for other diseases and disorders, Kripke found that people who had taken sleeping pills were more than three times as likely to have died during the study period as those who had not. Those on higher

doses of the drugs were more than five times as likely to have died.

"My best estimate is that drugs like zolpidem are killing as many people as cigarettes," Kripke told me recently. That is, more than four hundred thousand Americans a year. "And suppose they're only killing a tenth as many people—you still wouldn't want them on the market." Echoing Ambien's co-inventor, Kripke called the risks unnecessary. "Nobody dies because they didn't take a sleeping pill," he said.

Kripke acknowledges that his study did not identify the cause of any death; ill people take more sleeping pills than others, and some users might have had illnesses that were undiagnosed, and therefore not controlled for in the study. And insomnia itself could present a significant health risk, although Kripke resists that idea. Jed Black finds the data interesting but too inconclusive. A representative of Sanofi—the company that Synthelabo became part of, after various mergers—told me that Sanofi stood behind its Ambien safety data, which had satisfied the F.D.A.

Other research has linked zolpidem and similar drugs to depression, suicide, and car accidents; there are also data connecting zolpidem to cancer. (Such numbers do not establish causation.) The U.S. Substance Abuse and Mental Health Services Administration recently reported that E.R. cases involving zolpidem had risen from six thousand, in 2005, to nineteen thousand, in 2010.

If the public has largely overlooked such data, even as it pays attention to Patrick Kennedy—or to his cousin Kerry Kennedy, who was arrested last year with zolpidem in her body, having driven for several miles on a shredded tire after colliding with a tractor-trailer—it may be because Ambien deaths are disguised by circumstances. "The people who die after taking sleeping pills tend to be older and obese, and to have multiple illnesses," Kripke said. "So if they happen to die in the middle of the night nobody supposes that it's from the sleeping pill. And there's no way of proving that it was."

John Renger, the Merck neuroscientist, has a homemade, mocked-up advertisement for suvorexant pinned to the wall outside his ground-floor office, on a Merck campus in West Point, Pennsylva-

nia. A woman in a darkened room looks unhappily at an alarm clock. It's 4 A.M. The ad reads, "Restoring Balance."

The shelves of Renger's office are filled with small glass trophies. At Merck, these are handed out when chemicals in drug development hit various points on the path to market: they're celebrations in the face of likely failure. Renger showed me one. Engraved "MK-4305 PCC 2006," it commemorated the day, seven years ago, when a promising compound was honored with an MK code; it had been cleared for testing on humans. Two years later, MK-4305 became suvorexant. If suvorexant reaches pharmacies, it will have been renamed again—perhaps with three soothing syllables (Valium, Halcion, Ambien).

"We fail so often, even the milestones count for us," Renger said, laughing. "Think of the number of people who work in the industry. How many get to develop a drug that goes all the way? Probably fewer than ten per cent."

In 1998, when Renger was in Japan, finishing his postdoctoral work, two groups of scientists announced almost simultaneously that they had identified, in rodents, a previously unknown neurotransmitter. One group, in San Diego, called it hypocretin, after the hypothalamus, the area of the brain where it is produced. The other team, in Dallas, called it orexin, as in "orexigenic," which means "appetite-stimulating." Its primary function was thought to be the regulation of food intake. Orexin-abundant mice gained more weight than others on the same diet. (The naming question has still not been settled, although "orexin" is more widely used in nonacademic circles, including pharmaceutical companies. Renger referred to hypocretin partisans, affectionately, as "a stubborn group.")

The orexin papers were widely noticed, in part because of the connection to feeding. Several pharmaceutical companies, including Merck, began investigating possible obesity treatments. A year later, a remarkable paper from Stanford sent everyone in another direction.

Since the seventies, Stanford sleep scientists, led first by William Dement, had bred narcoleptic dogs. This was an achievement in itself. The animals suffered from extreme daytime sleepiness

and had a propensity for mid-coital collapse: at moments of high emotion, the dogs, like narcoleptic humans, experienced sudden muscle weakness, or catalepsy. The first Stanford dog was a poodle named Monique. Later, there were other breeds; the Stanford colony, mostly Dobermans, had eighty dogs at its peak. Narcoleptic dogs gave birth to narcoleptic puppies; the disorder in canines has a single genetic cause. In 1999, after a decade-long search, a team led by Emmanuel Mignot, a researcher at Stanford, located the damaged gene, and reported that it encoded a receptor: the same one that had just been identified by the work done in California and Texas. Narcoleptic dogs lacked orexin receptors.

Mignot recently recalled a videoconference that he had with Merck scientists in 1999, a day or two before he published a paper on narcoleptic dogs. (He has never worked for Merck, but at that point he was contemplating a commercial partnership.) When he shared his results, it created an instant commotion, as if he'd "put a foot into an ants' nest." Not long afterward, Mignot and his team reported that narcoleptic humans lacked not orexin receptors, like dogs, but orexin itself. In narcoleptic humans, the cells that produce orexin have been destroyed, probably because of an autoimmune response.

Orexin seemed to be essential for fending off sleep, and this changed how one might think of sleep. We know why we eat, drink, and breathe—to keep the internal state of the body adjusted. But sleep is a scientific puzzle. It may enable next-day activity, but that doesn't explain why rats deprived of sleep don't just tire; they die, within a couple of weeks. Orexin seemed to turn notions of sleep and arousal upside down. If orexin turns on a light in the brain, then perhaps one could think of dark as the brain's natural state. "What is sleep?" might be a less profitable question than "What is awake?"

Mignot had done something very unusual: he had discovered the genetic cause of a condition, helped to reframe thinking about a fundamental human behavior, and revealed clear pharmaceutical opportunities. An orexin receptor is the kind of place that many existing drugs are designed to reach. As Mignot put it, "This was druggable." (That is often not the case: researchers know the genetic cause of Huntington's disease but have

nothing to target.) A drug that activated orexin receptors might help treat narcoleptics, and a drug that blocked orexin receptors, if introduced to a brain producing orexin at unwelcome times, might help insomniacs, perhaps without intoxicating them. Pharmaceutical companies were reluctant to give up their obesity-drug ambitions, but it seemed that the orexin mice described in 1998 were fat because they stayed up late and had more time to eat.

Research at Merck had long focussed on eleven diseases, including Alzheimer's and diabetes. Insomnia was not one of them. Renger, who joined the company in 2001, recalled, "The perception at that time was, You have a lot of medications available—should we be working on this?" How large was the population of insomniacs poorly served by Ambien? Should Merck invest in a market dominated by a drug that, within a few years, would become a cheap generic? The need for an "orexin-antagonist" sleep aid was neither commercially overwhelming nor clinically pressing. (Indeed, one detects a little professional defensiveness from the suvorexant team. Renger can sound effortful when describing the distress of insomniacs: "We've got to think of the patients! That's why we make medicines.")

But orexin-related work promised pharmaceutical novelty, which is extraordinarily uncommon. Most new drugs are remixes of old drugs—clever circumventions of patent protections. The last truly original medicines in neuroscience were triptans, for the treatment of migraines, introduced in the early nineteen-nineties. "The science is really what drove us," Renger said. "To have a new target—to know the genetics of the brain's control system and to be able to focus on that specifically to control sleep—is a pretty rare event. It's like the thing people keep promising: you know, the 'cancer gene.' This was the first time there was the 'sleep gene.'"

The work was also feasible. It's easier to observe sleep than, say, a reduction in anxiety or depression. Renger, upon his arrival at Merck, had set up a sleep laboratory that could make very fast, semiautomated measurements of the sleep patterns of rodents and monkeys. The lab was designed to identify sleep-related side effects of Merck compounds, but was well suited for testing insomnia treatments.



"There's an informal Q. and A., and then, afterward, the author's sad flirting with some fan."

"With sleep, you can do an EEG study in a few days, and it'll tell you whether or not we're having an impact. I could do these studies"—he snapped his fingers—"and get an answer."

Merck has a library of three million compounds—a collection of plausible chemical starting points, many of them the by-products of past drug developments. I saw a copy of this library, kept in a room with a heavy door. Rectangular plastic plates, five inches long and three inches wide, were indented with hundreds of miniature test tubes, or wells, in a grid. Each well contained a splash of chemical, and each plate had fifteen hundred and thirty-six wells. There were twenty-four hundred plates; stacked on shelves, they occupied no more space than a filing cabinet.

In 2003, Merck conducted a computerized, robotized examination of almost every compound in the library. At this stage, the scientists were working not with Renger's animals but with a cellular soup derived from human cells and modified to act as a surrogate of the brain. Plate by plate, each of the three million chemicals in the library was introduced into this soup, along with an agent that would cause the mixture to glow a little if orexin receptors were activated. Finally, orexin was added, and a camera recorded

the result. Renger and his colleagues, hoping to find a chemical that sabotaged the orexin system, were looking for the absence of a glow.

I visited the room in which this work had been done. Yellow robotic arms, on the same scale as car-assembly robots, were moving the trays from here to there, making bursts of sound like a nut being loosened in a tire shop. "Summertime" played on a radio. A computer monitor showed enhanced images of reactions on the plates: a fuzzy grid of light and dark dots, like a blurry telescope image of distant stars.

The robots ran through Merck's collection in about three weeks. "If something's interesting, you grab that by the neck," Renger said. The molecules that best blocked orexin receptors were re-screened, in various ways. Chemists then modified the most promising candidates, much in the way that the Synthélabo chemists had worked twenty-five years earlier: they induced chemical change by heating and mixing, to build families of drug-like compounds. These were then tested on human liver cells, in vitro, and on animals in Renger's sleep lab.

Renger took me to see the rats and monkeys. The lab has soundproofed walls built out of the kind of air-infused blocks used in bomb shelters. The rats were

THE ECONOMY RESCUED BY MY MOTHER RETURNING TO SHOP

I sleep as always these dark days aquiver I awake atremble my limbs jerk I thrash like a
gaffed shark
no not shark too many sharks already fiscal financial that's why gullible guppy I was I
thought
the boom wouldn't bust the bubble not burst shred leave us hanging over this thorny
dollarless void

Markets staggered sales down the chute confidence off the cliff the aisles of the box stores
and chains
depeopled ghost towns even the parking lots empty the lane lines in martial formation like
wings
stripped of their feathers forlornly signalling for interstellar relief how not quiver not jerk
and thrash?

Wait don't give up too soon here comes my mother back from beyond and she's going to
shop!
Avid sharp-eyed alert gleaming and beaming as she always was on our old bus expeditions
downtown
with a vigilance keen and serene and hands entities sentient and shrewd cunningly separate
from her

evolved to analyze things' intrinsic or better overlooked worth as they collate the goods on
their racks—
a blouse in silk and on sale!—which she shows an admiring mirror and opens her wallet
and *buys*
buys as that president told us we should though only my mother has sufficient passion to
effect this

Didn't I once watch her unwrap a pair of new shoes to inhale the scent of their
unblemished soles
and in the very next quarter didn't the G.N.P. begin to stir the number of long-term
unemployed slip

transmitting live EEG data, wirelessly, from brain implants. So were the monkeys; they also had touch-responsive screens in their cages, on which they sometimes played games, for rewards of juice. A red square might appear on the screen and then disappear; after a pause, a red square might appear alongside a yellow square, and the monkey would be rewarded for touching the red one. ("It's like drinking soda and playing a little bit of Assassin's Creed," Renger explained.) With these games, Renger could simultaneously measure wakefulness and cognition. During the orexin research, when it was necessary to intrude on the monkeys' sleep, he played the amplified sound of a tiger's growl.

The work went back and forth between the chemists and the biologists: compounds were improved and tested. In

December, 2006, Renger put on a good suit and drove with his team to Merck's offices in Branchburg, New Jersey. At the monthly meeting of the pre-clinical-development review committee, they pitched their best bet to the company. "We had what we thought was a fantastic molecule," Renger recalled. "It had all the properties we thought we would need, and it was going to look like a drug." It seemed likely that suvorexant would have a far longer half-life than Ambien, which implied a risk of next-day effects. But Renger wanted the drug to extend sleep. "We wanted to have something that covers this system for the entire night," he said.

Merck approved the compound. "At that point, the might of the corporation swings in behind the science," Richard Hargreaves, who helped run the meet-

ing, told me. The company was now likely to fund at least a year or two of work. To bring a drug to market now costs an average of about two billion dollars, Hargreaves said. Renger and his team celebrated with drinks at the Cock 'n' Bull, in Lahaska, Pennsylvania.

Despite years of sleep problems, Samar Chatterjee, a seventy-year-old environmental engineer, had until recently never taken a sleep aid. Chatterjee, who lives in Washington, D.C., told me that he had feared "getting hooked on the drugs, and getting dozy and dopey." He referred to the extreme example of Michael Jackson, who, at the time of his death, in 2009, was taking a general anesthetic, apparently as a remedy for insomnia. But, in 2010, Chatterjee saw an advertisement for a sleep-medication

because of my mother's single-minded devotion to the subtlest aspects of commerce and exchange?

And all this after growing up *poor* in my grandmother's half-starving canned green-pea kitchen
and after surviving *Depression* and *War* how did she garner so much abstruse lore on redistribution
how accrue so many practical speculations about what we'd need to correct these failures and flops?

Delighted the gods of money must be to behold her again as she conveys herself through their portals
Here's ingenious *Hephaestus* devising for our enchantment his gadgets and gizmos and glitter
and here *Hermes* publicity market sales (not *Hermès* shrine for the rich and pretend rich)

and vast *Hades* who lurks in the fear beneath all waiting to drag us down to the realm of dire want
where a hound with three heads a banker's a hedge-funder's an under-prime mortgage broker's
snarls as my mother who once filched from her sister coins she didn't have to buy me an ice cream

croons as she crooned then *Make it last* and retires to her couch and opens her credit-card statement
and *pays* isn't it splendid to be able to pay for your new skirt your sheer stockings your *eau de toilette*
and so redeem the *Dow* and the *Nasdaq* and hallow us all for our humble hungers our almost innocent greed?

—C. K. Williams

trial, at the Center for Sleep & Wake Disorders, in Chevy Chase, Maryland, and he applied. He thought that the study might benefit society, and he hoped to learn if he had sleep apnea: people with the condition would not be allowed to participate. After being monitored over two nights of imperfect sleep, at the Chevy Chase center, Chatterjee learned that he did not have sleep apnea, or other complicating conditions, and that he was sufficiently insomniac to join the trial. (The center, one of many contracted by Merck, heard from five hundred applicants, but found only seventeen who met all the criteria.) He took a tablet every night for three months; he was usually at home, but sometimes in a bed in Chevy Chase, where EEG readings, and other measurements, recorded "sleep efficiency" (percentage of time in bed spent asleep);

L.P.S. (Latency to Persistent Sleep: the speed with which a person falls asleep); and WASO (Wake After Sleep Onset: the time spent awake in bed after initially falling asleep). When Chatterjee slept at home, he delivered an account of his night to the center, through an automated telephone questionnaire. He suspected, correctly, that he was taking a drug rather than a placebo. He fell asleep faster than usual, and stayed asleep. This seems to have pleased him, but left him ambivalent about insomnia medication. I asked him about side effects. "Nothing major," he said. "Some constipation. Maybe some dizziness or pain. Headache, that type of thing." He also experienced some sleepiness in the afternoons.

Drug trials usually have three phases, and Chatterjee had taken part in the final phase of the suvorexant trials. The

Phase I trials, begun in 2007, tested for safety. Non-insomniac volunteers—the researchers called them "healthies"—took the drug at high or low doses, or with other drugs, or the night before a supervised, hour-long highway drive in which they were told not to drift out of their lane.

These trials had barely begun when, in February, 2007, *Nature Medicine* published a paper, "Promotion of Sleep by Targeting the Orexin System in Rats, Dogs and Humans," written by scientists at Actelion, the Swiss pharmaceutical company. Merck knew that other firms had built orexin antagonists, but Actelion's paper showed that it was clearly ahead of Merck, perhaps by a year or two.

"We thought, O.K., *great*," Renger recalled, with a sigh. But the news also galvanized the Merck team: "We were

already highly motivated, but seeing someone jump in front gives you that extra kick in the ass.”

In 2008, results from Phase I studies of suvorexant showed that it was safe enough to go forward. The data also provided enough indications of efficacy—by sending “healthies” to sleep—to allow Merck to accelerate its process, and skip a formal proof-of-concept stage. In late 2008, suvorexant began a Phase II trial, involving two hundred and fifty-four insomniacs in the U.S. and Japan. The results would establish the doses for much larger, and more expensive, Phase III trials, whose results are at the center of any submission to the F.D.A. In Phase II, Merck tested the drug at ten, twenty, forty, and eighty milligrams. Sleep measurements were taken by observing patients in the lab, and by collecting sleep diaries.

Daniel Kripke, of U.C. San Diego, argues that the effectiveness of insomnia treatments should be judged by patients’ ability to function the next day. But the pharmaceutical companies, and the F.D.A., judge a sleep drug by its impact on sleeplessness. That impact is assessed objectively, with electronic monitoring, and subjectively, using patient reports. Objective data show that insomnia medications, on average, provide a gain of only ten or twenty minutes in total sleep time. But a patient’s *perception* of improved sleep is

also a recognized part of the clinical data. In this framework, insomnia is a condition not just of losing sleep but of being disturbed by sleeplessness. Indeed, most people with prescriptions for insomnia never visit a sleep lab, trusting their own assessment of a sleep deficit. This emphasis on the subjective also makes the amnesiac effect of sleep drugs oddly advantageous to those who manufacture them: the drugs inhibit people from creating memories of waking during the night.

The Phase II results were strong: suvorexant worked on insomniacs. Renger recalled that the team was ebullient: “A novel mechanism in neuroscience—whatever happens from there on, you’ve done something in your career.” They took a day trip, with families, to an aquarium in Camden, New Jersey.

By then, the company had begun considering which of the four doses of suvorexant it should take into Phase III. The placebo effect of sleep drugs is powerful. A recent paper in the *British Medical Journal* suggested that it accounts for half the effect of z-drugs. So insomnia medications need to be quite potent to distinguish themselves from a placebo in clinical trials. The Phase II results showed that, at ten milligrams, suvorexant had an effect that could be measured in a sleep lab, but the dose had no advantage over a placebo in the subjective measures—patients’ estimations of their own

speed in falling asleep, subsequent wakefulness in bed, and total sleep time.

Merck then made an important decision. For Phase III, starting in late 2009, it would drop ten and eighty milligrams in favor of twenty and forty milligrams, with forty regarded as the likely standard dose. In Phase III, Merck would also test fifteen- and thirty-milligram doses on patients sixty-five and older, who were more sensitive to the drug. The Chevy Chase sleep center, along with more than a hundred other facilities around the world, was contracted to test the four doses. Eighteen hundred patients participated in the trial.

At the time, Jed Black, the Stanford sleep specialist, was on a two-year leave of absence, working full time on almorexant, the rival drug made by Actelion. Phase III trials of the drug were under way. This work has not been published, and Black cannot discuss it, although he recently described almorexant as having “an absolutely remarkable profile” that was likely to outperform zolpidem in sleep maintenance.

But, in early 2011, Actelion announced that it was halting the drug’s development, because of an undisclosed possible safety issue. Merck’s scientists speculated about the nature of the concerns, and feared for the future of suvorexant. Black said that the problem was “straightforward,” but that Actelion had decided to pause and take its time. “I don’t think almorexant needs re-tinkering at the molecular level,” he said, implying a problem of drug delivery. Black, who is back at Stanford, suspects that almorexant will be launched, and is certain that such drugs will eventually become dominant. (GlaxoSmithKline recently published results, from Phase II studies, of its own orexin antagonist.)

Actelion’s Phase III trials had included a comparison of its drug’s performance with zolpidem’s. Merck used zolpidem in two tiny studies, but not in larger ones. This omission might seem surprising. If suvorexant really was a possible Ambien killer, then couldn’t its superiority have been demonstrated in comparative studies? Merck scientists sometimes seemed evasive in their responses to this question, but an answer eventually came into focus. On the core issues that interest the F.D.A.—efficacy and safety—a de-facto head-to-head



“If it’s the ice princess, I’m not here.”

would become available; anyone could compare published data about the two drugs. But it was risky to go beyond those requirements, even if such trials might have demonstrated other possible strengths of suvorexant: a lower chance of nighttime confusion, perhaps. The trials would have slowed suvorexant's sprint to market, and they would have been very hard to engineer: Merck would have had to use safe, low doses of the two drugs, and the differences between them might have been subtle, if they existed at all. Suvorexant might even have lost the contest, and Merck would have been obliged to include that information in its filing with the F.D.A. "We were in competition, and we were behind," Joe Herring said to me. "We wanted to get across the line with a lean program."

The real-world test—a double dose, three glasses of wine, and a laptop—would take place after F.D.A. approval. In the meantime, Merck scientists who spoke publicly about suvorexant had to restrict themselves to the data from F.D.A.-sanctioned trials; they could not discuss strengths that the drug seemed only likely to have. They had an impressive narrative about the creation of a rational, novel, and "beautiful" molecule. But they couldn't display a chart showing that suvorexant was, say, less likely than Ambien to lead to such episodes as "cooking yourself breakfast and forgetting the next day," as Renger put it.

One possibly significant difference between suvorexant and Ambien may be indicated, informally, by Merck's Phase III trials, though it wasn't part of the official results. There were no reports of euphoria—a word that is on Ambien's label. Thomas Roth, of Henry Ford Hospital, said of suvorexant, "I would not expect any kind of high before sleep." Most people would regard clear-headedness as a pharmacological virtue, but to some the Ambien buzz is a pleasure enhanced by the comforting promise of imminent sleep.

Merck's decision to forgo more comparative data was "quite bullish," Black said, but not unreasonable. "They thought that they had a good safety profile, and that there would be no problems at the F.D.A." But, as he noted, "the F.D.A., particularly under the direction of Ron Farkas, seems to be raising the bar a bit on safety." This year, the agency lowered the

recommended dose of zolpidem for women from ten milligrams to five.

If there are Merck employees who regret the decision, I didn't hear them say it. But a recently published paper, written by Renger and others at Merck, offered hints about how suvorexant might have performed in a comparative study. The paper described an experiment involving rodents and monkeys dosed with Ambien, Valium, Lunesta, and a Merck compound called DORA-22—another orexin antagonist that Merck made alongside suvorexant. The DORA-22 study first established the amount of each drug necessary to send the animals to sleep, and then—using cognitive tests like the red-square game—measured the extent to which the drugs, soon after ingestion, affected memory and attention span. Renger was "elated" by the results. DORA-22 performed far better than its rivals. In one test, monkeys administered thirty times the sleep dose of DORA-22 showed no impairment after being woken and given an attention test. The Ambien monkeys were dozily incompetent even at doses too low to have initiated sleep.

The unspoken promise of orexin antagonists, then, is sleep without stupidity. The DORA-22 experiment measured mid-dose confusion. In effect, it was the Patrick Kennedy test. "You can publish this kind of data and get people to think about it," Renger said, though he emphasized that the animal study had its limits. "You don't know if it translates," he said. "Maybe this is a monkey thing."

Colorcon, the world's leading supplier of tablet coatings, provides its clients with a pill-color chart. Dots of various hues are arranged in a circle and divided into pizza slices of pinks, blues, and greens, which darken toward the edge. The chart can be overlaid with plastic sheets that are opaque but dotted with clear circles, allowing you to see some of the colors beneath. One sheet reveals the acceptable colors for pills in the E.U. and North America; another—showing intolerance for dark grays, dark greens, and the brightest pinks—also covers Japan.

Rick Derrickson, Merck's director of project leadership, recently showed me this chart, and recalled meetings, early in 2011, with the company's experts on drug stability, marketing, and supply chains. As Derrickson remembered it,

the issue was: "Do I want to look like something on the market, or do I want to be totally different? Do I want to convey strength or emotion?" He explained, "Reds are culturally not acceptable in some places. It has to do with death. And some colors are viewed as candy. And you don't see black, either."

He showed me the finished suvorexant tablets. The forty-milligram version was a pale-green oval. Thirty milligrams was yellow and round. Twenty milligrams was white and oval, fifteen milligrams white and round. "We were looking for non-offensive," he said. "Hopefully, we won't run into a country that says, 'There's no way we'll take green.'"

At this time, suvorexant had already been "on a tablet path" for two years. "Everyone in the industry tries to gravitate toward a tablet," Derrickson explained. "It's tried-and-true technology. When you get into some of the exotics—like putting something under your tongue—people aren't always comfortable." In its purest form, suvorexant is a fine crystal, with a texture somewhere between sugar and flour. Merck synthesizes it in Ireland, and ships it across the Atlantic in hundred-and-twenty-litre drums. (Derrickson expected Merck to need "several metric tons" a year.) That active chemical is mixed with a polymer that helps the drug's absorption by the body. The mixture is heated and then extruded from a machine, like pasta, and flattened between rollers. It cools and flakes, and those flakes are ground very finely, added to filler, and pressed into tablets.

"The U.S. prefers everything in a thirty-count bottle," Derrickson said. "The rest of the world prefers blisters"—that is, blister packs made of plastic and foil. In 2011, he asked for thousands of suvorexant tablets, in the various doses, to be packaged both ways and placed in several climate-controlled rooms, including one set at 86°F. and seventy-five-per-cent humidity. This was the start of a trial assessing the tablets' perishability. The F.D.A. asks for at least a yearlong trial, and Merck planned to run the study for three years. In addition to the main batch, some bottled suvorexant tablets were held in other rooms, for an "in use" study, where bottles were opened and closed, manually, on different schedules, as they might be by an occasional user of the drug.

The unopened bottles protected

suvorexant well. But some of the “in use” bottles did not: the tablets absorbed moisture, their coating cracked, and they started to crumble. The advantages of an orange plastic bottle over blister packs were so evident to Derrickson—“Cheaper, and more friendly,” as he put it—that he was slow to accept the results. Laura Jacobus, who was in charge of that process, recalled, “He was saying, ‘Are you *sure*? Check one more time.’”

When Merck made its formal submission to the F.D.A., in August of last year—with forty-one gigabytes of material—it proposed selling suvorexant at fifteen, twenty, thirty, and forty milligrams, in blister packs of ten, in a child-resistant plastic case.

People attending the F.D.A. committee meeting on suvorexant passed, in a lobby, a display case of pharmaceutical shame. On shelves, behind glass, were samples of a century’s worth of toxic drugs, including a pack of thalidomide—the sedative and antiemetic, launched in Europe in the nineteen-fifties, that caused thousands of birth defects before it was withdrawn, in 1961. The F.D.A. is proud that thalidomide was never approved for sale in America; in 1962, Frances Oldham Kelsey, the agency reviewer who blocked it, received a President’s Award for Distinguished Federal Civilian Service.

A red rope bisected a large hall. To the left, rows of seats reserved for the public went largely unused. To the right, there was a crush of dark suits: committee members sat at a U-shaped desk, and were flanked, in a kind of parliamentary arrangement, by Merck employees on one side and F.D.A. employees on the other.

Opening remarks were delivered by Russell Katz, the director of neurology products at the F.D.A. He affably described suvorexant as “an exciting compound,” but almost immediately spoke of an emerging F.D.A. preference for drug doses that are as low as one can “get away with.” Without naming zolpidem, he referred to the drug’s recently reduced dosage for women, saying, “We believe this is the right way to go.” He noted that suvorexant was shown to impair next-day driving at a twenty-milligram dose, and perhaps at fifteen milligrams.

Katz also observed that Merck’s

Phase II investigation of ten milligrams had shown that it outperformed a placebo in sleep efficiency and Wake After Sleep Onset, although not in the time taken to fall asleep. “These data, in our view, taken together, argue for recommending doses as low as ten milligrams, or even perhaps lower than ten milligrams,” he said.

It was 8:30 A.M. The men and women on Merck’s benches looked grimly composed, like C.E.O.s being scolded at a Senate hearing. For a few days, they had known that the committee was likely to discuss a dose of suvorexant that Merck had examined, and then rejected, four years earlier, at the end of Phase II trials. If this idea was pursued by the F.D.A., then there was the odd possibility that a drug could go to market at a starting dose that Merck had studied only long enough to conclude that it didn’t work. A drug sold at an underperforming starting dose would, of course, be at a disadvantage.

Joe Herring, Merck’s main speaker, was next. Company leaders were watching a live video feed on the F.D.A. Web site, as were pharma investors, and pharma analysts ready to tweet. Herring didn’t need to make the case already made by his Phase III data: suvorexant was effective, particularly in maintaining sleep. His primary task, whose strangeness colored the rest of the day, was to talk down the effectiveness of suvorexant at the ten-



milligram dose. He agreed with Katz that the objective Phase II results for ten milligrams were “substantial and encouraging.” But the subjective, patient-reported results were no stronger than those for a placebo, and insomnia “involves patient perception of sleep disturbance and clinically significant distress.” He noted that the F.D.A. had expected Merck to find subjectively significant doses to take into Phase III.

Herring then gave reassuring accounts

of the side-effect data connected to the higher doses, and disputed the idea that any reported reactions to suvorexant could be thought of as “narcolepsy-like.” (Herring knew that Ronald Farkas’s unfriendly PowerPoint presentation would make the suggestion.) The direct link between narcolepsy and orexin made such suspicions natural, but Merck, assisted by an external committee, had looked for cataplexy in the data and had not found it. A few episodes of excessive daytime sleepiness, at high doses of suvorexant, and of sleep paralysis, could be explained without reference to narcolepsy. Thomas Scammell, a narcolepsy specialist at Harvard who has published widely on orexin, was sitting on Merck’s benches, as a consultant, and he later spoke to the committee in support of the company’s position. (Emmanuel Mignot, the researcher at Stanford, recently told me that suvorexant seems to produce a rather normal experience of sleep, except that patients are hurried into the REM phase, which is also the experience, in a more extreme way, of narcoleptics. Suvorexant might not be the best drug for people prone to nightmares, he said.)

After Herring finished, David Michelson—the executive who had said that suvorexant was a “huge” product for Merck—spoke. A committee member asked him if suvorexant had been compared to zolpidem in a head-to-head study. No, he acknowledged.

Farkas then gave his PowerPoint presentation. Phrases like “violent intent” appeared in large type. He recommended a ten-milligram dose, and said, “It really does come down . . . to what dose would you want used for your mother?” He seemed to enjoy his role: slightly ill-mannered, and happy to open the door to doubt. He began one sentence, in an innocent tone, “I think we don’t want to raise concerns that suvorexant causes narcolepsy by causing an autoimmune death of cells that produce orexins.” He also took a moment to undermine the importance of subjective results, saying, “Everybody knows that sleep interferes with your ability to know how much time you’ve slept.” John Carroll, an industry analyst, tweeted that the meeting was a “disaster” for Merck.

During a lunch break, Renger ate Doritos and grouched: “Ten years of work, all this innovation—novel science—and

we're talking about dose and driving studies!" In the afternoon, Merck continued its effort to undermine the ten-milligram plan: Julie Stone, an expert in statistical modelling at Merck, delivered an elaborate analysis and said, flatly, "We don't believe that ten milligrams would be an effective dose." Herring, speaking to the committee again, said, "Ten milligrams is ineffective from a patient perspective."

In the midafternoon, committee members began to answer a series of questions asked by their F.D.A. hosts. They started with: Was suvorexant effective at the doses suggested by Merck? In two votes, the committee members agreed that it was.

The F.D.A.'s next question began, "The applicant has submitted data supporting the conclusion that ten milligrams is an effective dose."

This was peculiar. Robert Clancy, a professor of neurology and pediatrics at the Children's Hospital of Philadelphia, pointed out that it wasn't true.

Katz agreed: the F.D.A., not Merck, was arguing for the efficacy of ten milligrams. He said, "We shouldn't couch it in terms of 'Has the applicant done it? Have *we* done it?'"

The committee's opinion was mixed. Jason Todd, a neurologist from North Carolina, said, "Honestly, it looks like the best treatment, in terms of balancing effectiveness and side effects, is placebo." Ronald Farkas wondered if ten milligrams would have performed better in a larger study. "A small, underpowered, negative study does not mean the drug does not work," he said.

The committee was asked to vote on the question: Would a ten-milligram dose require additional studies before it could be approved by the F.D.A.? It voted no. Paul Rosenberg, a psychiatrist at Johns Hopkins, said, "I'm convinced that it maybe works." Clancy said, "I feel like I'm stuck in an old episode of 'The Twilight Zone.' The company's arguing their drug doesn't work, and the F.D.A. is arguing, 'Yes, it does.'" He said that he needed a sleeping pill.

By the end of the session, the committee had recommended to the F.D.A. that thirty and forty milligrams should not be approved, for safety reasons. Doses of fifteen and twenty milligrams should be approved, but the F.D.A. should con-



"Before we go to lockup, you've got to see this hilarious video."

sider instructing Merck to make ten milligrams the drug's starting dose.

David Michelson sank slowly into a chair in the lobby. "I'm exhausted," he said. "Just emotionally. You're up and down, and you don't know where it's going to go. You're forced to sit there and watch it. You're thinking, This is going south!"—that the committee would vote suvorexant out of existence. "And then it wasn't going south." He added, "It's certainly unusual that they'd be willing to consider approving a dose that had not been extensively studied."

Jed Black followed the day's events from afar, and was at this moment wondering if Merck "might just say, 'Screw this,' and proceed with another molecule." I asked Michelson if Merck would pursue ten milligrams, if necessary, despite the company's public disparagement of the dose. He foresaw discussions. He and his colleagues then walked to their bus, pulling wheeled luggage, in a tight, flight-attendant formation.

A few weeks later, the F.D.A. wrote to Merck. The letter encouraged the company to revise its application, making ten milligrams the drug's starting dose. Merck could also include doses of fifteen and twenty milligrams, for people who tried the starting dose and found it unhelpful. This summer, Rick Derrick-

son designed a ten-milligram tablet: small, round, and green. Several hundred of these tablets now sit on shelves, in rooms set at various temperatures and humidity levels; the tablets are regularly inspected for signs of disintegration.

The F.D.A.'s decision left Merck facing an unusual challenge. In the Phase II trial, this dose of suvorexant had helped to turn off the orexin system in the brains of insomniacs, and it had extended sleep, but its impact didn't register with users. It worked, but who would notice? Still, suvorexant had a good story—the brain was being targeted in a genuinely innovative way—and pharmaceutical companies are very skilled at selling stories.

Merck has told investors that it intends to seek approval for the new doses next year. I recently asked John Renger how everyday insomniacs would respond to ten milligrams of suvorexant. He responded, "This is a great question." After the approval process is finished, the marketing division of Merck—a company whose worldwide sales last year totalled forty-seven billion dollars—will conduct a different kind of public trial. The study will address this question: How successfully can a pharmaceutical giant—through advertising and sales visits to doctors' offices—sell a drug at a dose that has been repeatedly described as ineffective by the scientists who developed it? ♦

OUR BROKEN CONSTITUTION

Everyone agrees that government isn't working. Are the founders to blame?

BY JEFFREY TOOBIN

If there is a single point of consensus in this heated political moment, it's that everyone loves the Constitution. "Conservative or liberal, we are all constitutionalists," Barack Obama wrote, in "The Audacity of Hope." Ted Cruz, the junior senator from Texas, who emerged as a principal antagonist of the President's during the government shutdown, has often said much the same thing. The Founding Fathers, Cruz said, "fought and bled for freedom and then crafted the most miraculous political document ever conceived, our Constitution."

These homages are more than rhetorical tropes. Most politicians consider the validity of the Constitution off limits as a subject for debate. The Constitution, and the structure of government that it established, provides the backdrop, but never the subject, for every controversy. Obama, who taught constitutional law for more than a decade at the University of Chicago Law School, wrote, "The outlines of Madison's constitutional architecture are so familiar that even schoolchildren can recite them: not only rule of law and representative government, not just a bill of rights, but also the separation of the national government into three coequal branches, a bicameral Congress, and a concept of federalism that preserved authority in state governments, all of it designed to diffuse power, check factions, balance interests, and prevent tyranny by either the few or the many."

It's often noted that the United States is governed by the world's oldest written constitution that is still in use. This is usually stated as praise, though most other products of the eighteenth century, like horse-borne travel and leech-based medical treatment, have been replaced by improved models. (Thomas Jefferson believed that any constitution should expire after nineteen years: "If it be enforced longer, it is an act of force and not of right.")

Outside Washington, discontent with the founding document is bipartisan and widespread. In many ways, the contemporary debate reflects the framers' arguments, more than two centuries ago. How insulated should elected officials be from the demands of the people? How should power be divided among the federal and the state governments? What rights of the individual must be protected against the claims of the government? The Constitution offers only contingent answers to these questions. Indeed, in recent years particularly, it's become clear that politicians and voters, as well as judges, can play crucial roles in defining the contemporary meaning of the Constitution. The critics have the advantage of having seen the Constitution in action. On the left and the right, they are asking whether the pervasive dysfunction in Washington is in spite of the Constitution or because of it.

In 1987, Philadelphia hosted the national celebration of the two-hundredth anniversary of the signing of the Constitution. There were parades and an exhibit called "Miracle at Philadelphia." To foster viewer participation, the exhibit culminated with two scrolls, each bearing a question: first, "Will you sign this Constitution?" And, second, "If you had been in Independence Hall on September 17, 1787, would you have endorsed this Constitution?" Sanford Levinson, a professor of law at the University of Texas at Austin, made his way through the exhibit and struggled with the decision of whether to add his name to the scrolls.

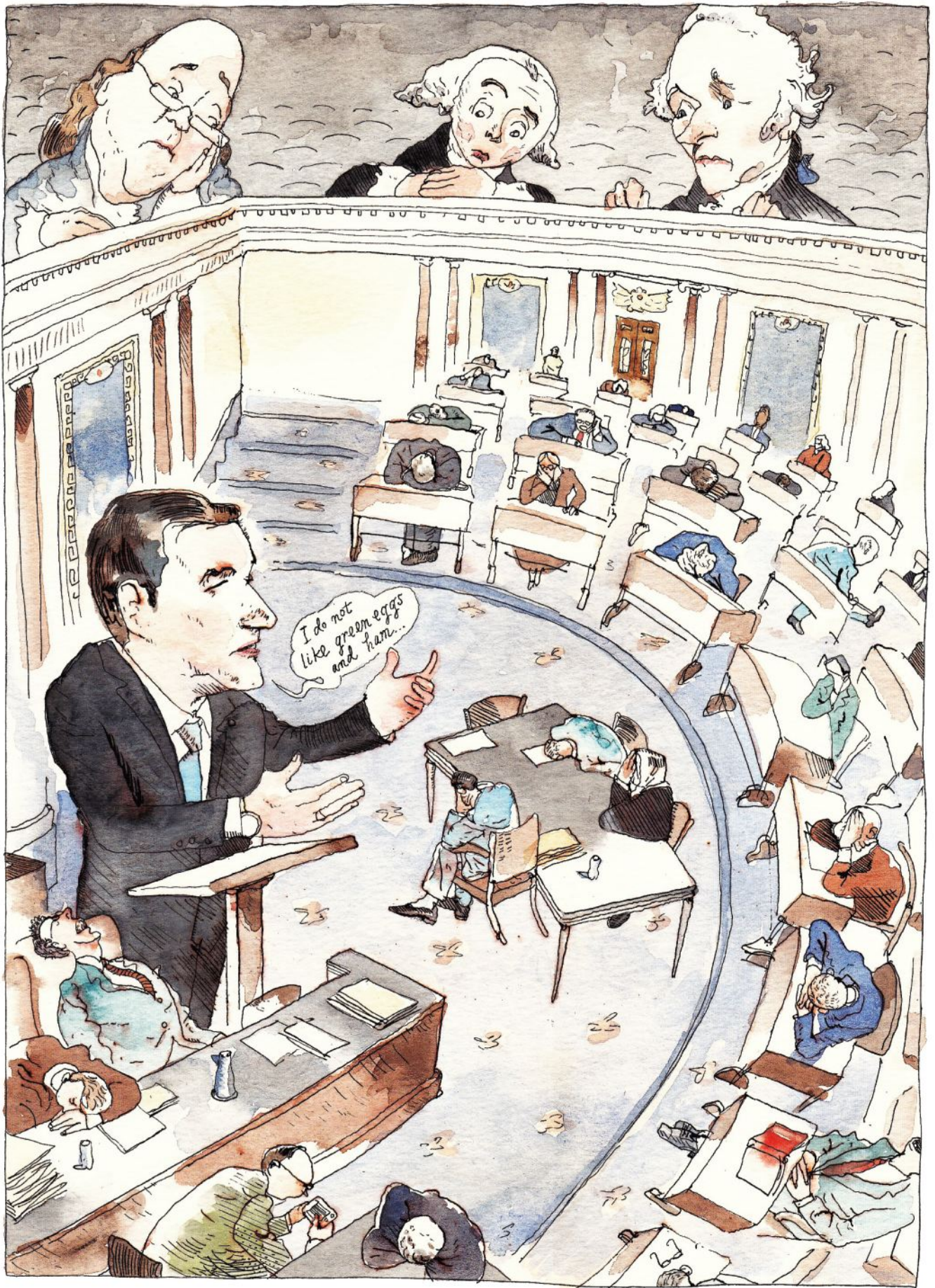
Now seventy-two, Levinson is white-haired and cherubic, with an air of perpetual amusement. Seated in his office at Harvard Law School, where he is a visiting professor, Levinson described his dilemma. "I thought long and hard," he said. "If you look at the Constitution,

you see that it was drafted by people who were not little-'d' democrats." This was most evident in what Levinson has called "the brooding omnipresence of American history—race and, more precisely, slavery." Implicitly but unmistakably, the 1787 Constitution allowed for the continuation of slavery. Women could not vote; in many places, only property owners could. The Bill of Rights, with its explicit defense of individual rights, did not become part of the Constitution until 1791.

Still, Levinson signed. He recalled that Frederick Douglass, the great abolitionist, ultimately supported the Constitution, with all its flaws, because he saw in it the "potential to mount a critique of slavery, and much else, from within." Levinson remembered, too, the words of Representative Barbara Jordan, the African-American from Texas, who served on the House Judiciary Committee during its impeachment investigation of Richard Nixon, in 1974. "My faith in the Constitution is whole; it is complete; it is total," Jordan said. Levinson concluded, "If it was good enough for them, it was good enough for me."

In 2003, Levinson returned to Philadelphia for the opening of the National Constitution Center, the sprawling museum and exhibition hall dedicated to celebrating the document. Visitors were again invited to pass judgment on the work of the founders. Indeed, the center organized a travelling nationwide project called "I Signed the Constitution," which purported to put visitors in the place of the delegates in 1787.

This time, Levinson didn't sign. "Between 1987 and 2003, I became less concerned about inputs and more concerned about the outputs," he told me. "In 1987, I thought a lot about the procedures that were used to set up the Constitution—whether they were democratic or not. At that time, I used to



Some critics consider the creation of the Senate, which acts as a brake on legislation, the original sin of the Constitution.

think, Well, what's the difference if it works? But I came to see that the system just does not work anymore. The outputs fail. It's not a government that can solve problems." Levinson elaborated on his misgivings in a 2006 book, "Our Undemocratic Constitution," which laid out a comprehensive critique.

The Constitution, Levinson wrote, places "almost insurmountable barriers in the way of any acceptable notion of democracy." He acknowledged that the worst aspects of the eighteenth-century Constitution—the institutionalization of race and gender discrimination—had been corrected through the amendment process. Still, he wrote, "the constitution is both insufficiently democratic, in a country that professes to believe in democracy, *and* significantly dysfunctional, in terms of the quality of government that we receive." In the past decade, Levinson has become the unofficial spokesman for progressive critics of the Constitution.

The core challenge of the Constitutional Convention was to persuade the representatives of the states to surrender some of the power they possessed under the Articles of Confedera-

tion, which had produced a weak and ineffectual national government. The delegates devoted most of their attention to the rights of states, not of individuals. This led to a debate about just how democratic the new government would be. "The framers were motivated by both democracy and élitism," Akhil Reed Amar, a professor at Yale Law School and the author of "America's Constitution: A Biography" (2005), told me. "The framers didn't trust ordinary people to make every decision. So you had Congress made up of a very small number of people. And their terms were longer than their counterparts in the state legislatures under the Articles, so they had some freedom to act outside of public pressure."

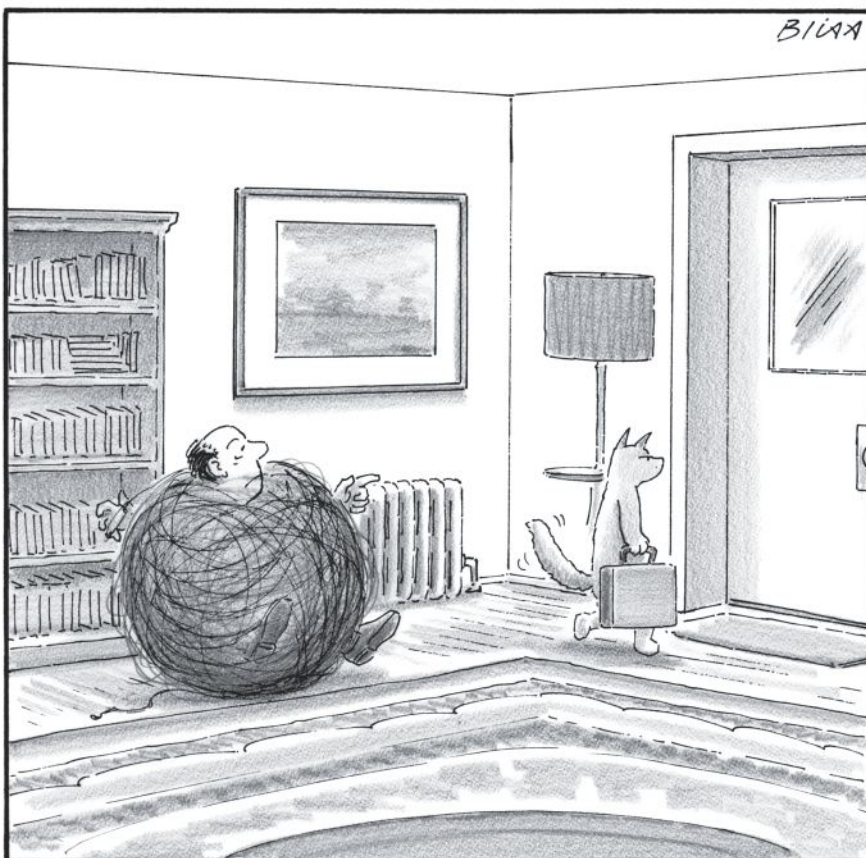
Both struggles—state vs. federal power, democracy vs. élitism—came together in the fight over the creation of the Senate. Federalists like Virginia's James Madison and New York's Alexander Hamilton, who were from larger states, insisted that the government existed to serve people, not the artificial entities known as states. Hamilton went so far as to consider the abolition of states altogether, with all power to be

vested in the national government. Less radically, Madison pressed for a legislature based solely on proportional representation; the number of legislators would reflect the number of people in the state, not the state itself. As Hamilton wrote later, in Federalist No. 22:

Every idea of proportion and every rule of fair representation conspire to condemn a principle, which gives to Rhode Island an equal weight in the scale of power with Massachusetts, or Connecticut, or New York; and to Delaware an equal voice in the national deliberations with Pennsylvania, or Virginia, or North Carolina. Its operation contradicts the fundamental maxim of republican government, which requires that the sense of the majority should prevail.

Several times during the summer of 1787, the Convention nearly collapsed as the small states refused to yield the powers they enjoyed under the Articles. Prodded by Benjamin Franklin, the éminence grise of the Convention, Connecticut's delegates, led by Roger Sherman, came up with the compromise that saved the young Republic. There would be two bodies in Congress—one based on proportional representation (the House of Representatives) and the other based on states (the Senate). "As an additional sop to the states, the Constitution said that senators would be chosen by state legislators, not voters," Amar said. "That was designed to make sure that the federal government would be responsive to the needs of the states."

In creating the national legislature, the delegates had to address the issue of slavery. Although slaves weren't citizens and couldn't vote, the Southern states wanted them to be included in the calculation of the over-all population, in order to boost the region's representation in the House. The North thought that the slaves should not count at all. In a way, the negotiated solution reflected the shameful reality that slaves in the United States were judged less than fully human. The standoff led to a notorious compromise: for purposes of apportioning seats in the House, each slave would count as three-fifths of a person. As the University of Pennsylvania historian Richard Beeman noted, in "Plain, Honest Men," his 2009 account of the Convention, the debate over the three-fifths rule took place with "a near-total



absence of anything resembling a moral dimension."

Progressive critics of the Constitution object to the compromises that favored the states' rights and the elitist side of the debate. "The process that produced the Senate is understandable," Levinson told me, "but the end result is indefensible." The distortion created by small states having an equal number of senators has dramatically worsened over the centuries. In 1787, when the Constitution was drafted, the largest state, Virginia, had about eleven times as many people as the smallest, Delaware. Today, California has roughly seventy times more people than Wyoming. To Levinson, the creation of the Senate was the original sin of the Constitution. The most obvious offense was that the power reserved to the slave states insured the survival of slavery. It took the Civil War to end it, and the Thirteenth, Fourteenth, and Fifteenth Amendments to overrule the three-fifths compromise.

The Senate continued to reflect its anti-democratic structure long after the Civil War. Through most of its history, it has been a graveyard for legislation, even after the Seventeenth Amendment, ratified in 1913, established the direct election of senators. Its primary function has been to stop bills, which are often supported by a popularly elected President and House members, from becoming law. In theory, the senatorial veto is available to both political parties, but a Senate in which less populated states wield disproportionate influence is fundamentally conservative in nature. In simple terms, in a world where progressives want government to change things and conservatives favor the status quo, a legislative body that makes legislating difficult will be a conservative force. The Senate blocked ratification of the League of Nations treaty after the First World War, civil-rights laws after the Second World War, and the Clinton health-care reform in the nineteen-nineties. "You've basically always had two parties in the country where one wants change and the other is more supportive of the status quo," Noah Feldman, a professor at Harvard Law School, said. "The Senate is an institution that stops change. That's how it's designed, and that is always going to hurt that party that wants

change, the activist party. Today, that's the Democrats."

This, in a way, is the story of the Obama Administration. Obama was elected twice, both times by comfortable margins in the popular vote and by landslides in the electoral college. Though he will spend eight years in office, his tenure as the actual leader of the national government lasted about a year and a half. On July 7, 2009, Al Franken was seated, after a recount, as



the sixtieth Democratic senator. (Sixty votes are needed to overcome a filibuster.) Between that time and the end of 2010, Obama pushed through Congress health-care reform (the Affordable Care Act), financial reform (the Dodd-Frank legislation), a bailout of the automobile industry, a repeal of "don't ask, don't tell" in the military, and the ratification of an arms-control treaty with Russia. The President also won the confirmation of two Justices to the Supreme Court. In the midterm elections of 2010, Obama's party lost control of the House and fell below the filibuster threshold in the Senate.

Since then, Obama has failed to accomplish almost anything in Congress. Following his second Inauguration, the President embraced a gun-control bill that had universal background checks as its centerpiece. Even though polls showed that roughly ninety per cent of the public supported the idea, the legislation died in the Senate. (The less populated, more rural states are the ones most fiercely opposed to gun control.) A similarly large percentage of the public supports comprehensive immigration reform. That bill passed in the Senate but appears doomed in the House. Obama even failed to persuade Congress to fulfill its basic obligation to pay the bills and keep the government open. The shutdown, which lasted sixteen days, ended in a ceasefire, but the threat of closure and default will return early next year.

Levinson and his allies believe that the Constitution mandated a kind of institutional paralysis that allowed Obama to do too little. Another leading revisionist, arguably more influential than Levinson or any other law professor, draws the opposite conclusion: the Constitution allowed Obama to get away with too much.

Bald, bearded, and professorial at fifty-six, Mark Levin seems an unlikely media star. After serving in Ronald Reagan's Justice Department, he went on to lead a small conservative public-interest law firm, the Landmark Legal Foundation. Stints on Rush Limbaugh's radio program led to an offer, in 2003, to host his own nightly show on WABC, in New York. Levin (pronounced "le-vinn") doesn't have Limbaugh's raucous humor and he doesn't cheerlead for Republicans in the manner of Sean Hannity, but he has become the country's most widely followed commenter on the Constitution. His show is in the top five nationally (drawing more than seven million weekly listeners), and his books sell hundreds of thousands of copies. In "Men in Black: How the Supreme Court Is Destroying America," "Liberty and Tyranny: A Conservative Manifesto," and "The Liberty Amendments: Restoring the American Republic," Levin lays out a comprehensive critique of what he sees as the modern desecration of the Constitution.

Levin calls himself a "constitutionalist," which he has turned from a generic term (Obama used it in his book) into an ideological one. Like many conservatives, he is an originalist, holding that the Constitution's meaning was set and fixed by the framers. But Levin combines originalism with a kind of apocalyptic fatalism, a belief that the nation has gone so drastically off course that the damage may be irredeemable. "I think in many respects that we are in a post-constitutional era," Levin told me. "It's difficult to think of our current federal government—so ubiquitous in our lives, with its tentacles into everything—as consistent with what we understand to be the real meaning of the Constitution. The system that the framers set up was a good one, but it's not one we're living under."

Levin's prominence is bound up

with the Tea Party movement. When Republicans took control of the House in 2011, their first act was to stage a public reading of the Constitution (except the parts about slavery). Tea Party Republicans speak obsessively about how contemporary politicians, especially President Obama, violate the strictures of the Constitution. Levin assails the Affordable Care Act as the epitome of all that is wrong with modern American government. When a lower court struck down the law, in 2011, Levin said, "It is a great day for the rule of law and the citizenry." (The law was later upheld by the Supreme Court.)

Levin's constitutionalism has a distinctly populist edge. For him and the Tea Party as a whole, the meaning of the Constitution can be understood by any ordinary citizen, not just a small priesthood of lawyers and judges. As Theda Skocpol and Vanessa Williamson wrote, in "The Tea Party and the Remaking of Republican Conservatism" (2012), "A persistent refrain in Tea Party circles is the scorn for politicians who fail to show suitable reverence for, and detailed mastery of, America's founding documents"—documents that "are immediately accessible and obviously clear [and] can be understood by each person without the aid of expertise of intermediaries."

Levin has proposed a series of Liberty Amendments, most of which reflect well-known aspects of the Tea Party agenda. He wants to set term limits on members of Congress, limit federal spending and taxes, and allow three-fifths of the states to overrule any federal legislation. He also wants to repeal the Seventeenth Amendment and return the election of senators to state legislators, rather than to voters. "The original purpose of the Senate was to give state legislators a say in the national government, and that's gone," Levin told me. "State legislators are closer to the people, and they should have more of a voice in how the federal government runs." In any case, "The Senate is not supposed to be democratic. The framers did not want the popular vote to control everything. I do not understand a mind-set with some of these professors who, on the one hand, seem to argue for the greatest ex-

PUSHING THE DEAD CHEVY

I'm trying to remember the name of the mountain
where the monkeys lived and how it looked
from the window of the train. Seasonal bonfires stacked
and burning in the shape of the Chinese character for "luck."
And perfect, in the time that remains, the corpse pose,
also maybe the frog and the wheel and the boat.
While visualizing the goldfish in the bowl on our table—
O O O, her perpetual look of surprise.
Like me are you surprised to find yourself
in this chair / bus station / room by the sea?
Walking in some city on uneven pavement wearing clogs.
Wondering whatever happened to long summer nights
listening to Dylan's bootlegged sessions complete
with barking dog. Whatever happened to the dogs,
the string of cars with bad batteries and the hills
we rolled them down waiting for the engine to kick in.
As always the paper lantern hung in the garden stands for
that which is unblemished in us.
And the wind blowing west to east across the river
has cornered the market on endurance.
Queen Anne's lace grown chest high gone fragrant.
Beware the urge to haul everything you own
to the top of a mountain in order to hurl it.
Like the pink tint your white socks turned
in the wash, something was there in the background
waiting to be spoken and now isn't.

—Maya Janson

pansion of democracy possible and, on the other, rely on the smallest majority possible—five Justices on the Supreme Court. Do you trust the plebiscite mentality or the judicial-supremacy mentality?"

Levin has a pre-Civil War conception of federal power, roughly akin to that of the great states' rights advocate of the era, John C. Calhoun. Above all, Levin would like to curb the power of the federal government. The Supreme Court would exist mostly to police the federal government, keeping it from overstepping its authority. (Liberals generally embrace a vigorous role for the Supreme Court as a defender of individual rights against the intrusions of the state.) Levin's ideas are shared well beyond the realm of talk radio. Steven Calabresi, a professor of law at Northwestern University and a co-founder of the Federalist Society, a conservative lawyers' group, proposed to me that half the Justices on the Supreme Court be se-

lected by the current method of Presidential appointment and Senate confirmation, and the other half by a vote of the fifty state governors. "I would also allow Congress, by a two-thirds vote of both houses, to override Supreme Court decisions in the same way in which it can override Presidential vetoes," Calabresi said.

Randy Barnett, a professor at Georgetown University Law Center, was a principal architect of the lawsuit challenging the Affordable Care Act, on the ground that Congress exceeded its powers under Article I of the Constitution. He has an elaborate proposal that advances the interests of states. A few years before Levin devised his Liberty Amendments, Barnett created a Bill of Federalism—ten constitutional amendments that would, among other things, give more power to the states. The Levin and Barnett proposals have much in common. Barnett calls for eliminating the federal income tax; prohibiting the imposition of

unfunded mandates on the states; and allowing half of the states (provided that they represent half of the national population) to rescind any federal law. Notably, Barnett proposes an amendment that would effectively ratify the Supreme Court's decision in the *Citizens United* case, which struck down a key portion of the McCain-Feingold campaign-finance law. That provision, according to Barnett's draft, states, "The freedom of speech and press includes any contribution to political campaigns or to candidates for public office."

There is perhaps a populist symbiosis between Sanford Levinson's progressive critique of the Constitution and Levin's and Barnett's conservative vision. Both posit that substantial majorities of the states should be able to override congressional actions. "There are two groups of people who are thinking about amending the Constitution," Barnett said. "Sandy and his group don't like the form of government that the Constitution provides. They want to change the Constitution to affect the situation in Washington so that it's easier to get things done. They are majoritarians. They want a Western European parliamentary system, where a new government comes in and can pass its program right away. They are happy to abuse political minorities, depending on who is out of power at any given time. Majority rule is the only form of checks and balances they feel is justified, so the majority can do whatever it wants. The effect of that thinking is that California and New York get to run the country. That's what the results of these policies are—to screw the people in the middle of the country. The minority can't fight back. They always lose. That's just a dangerous system."

"What's motivating me is completely different," Barnett went on. "We established a republican form of government that is *not* majoritarian. Legitimacy does not come from numbers—it comes from individual rights."

Levinson told me, "Randy is basically right—I don't like our form of government. I do think the republican form of government imagined by Madison and his friends was extraordinarily fearful of any kind of rule by the people. They really didn't have any confidence in citizens. But what Randy finds himself defending is a veto by small, basically rural states, who

ought not be subjected to majority rule by people who live in cities. This is one of the great American fault lines."

The debate between law professors can seem abstract, but their disagreements play out in contemporary Washington, especially in the Senate. The career of Orrin Hatch, Republican of Utah, offers a partial refutation to the theorists on both sides, who insist that the Constitution defines the Senate in a specific way. Hatch's long tenure suggests that the Constitution allows the Senate to evolve in keeping with the demands of its members—for better or for worse.

Hatch was first elected to the Senate in 1976, which makes him the second most senior member of the body. (Patrick Leahy, of Vermont, is the most senior.) Hatch maintains a hideaway office in the Capitol, just steps from the Senate floor. It used to be Ted Kennedy's—a room that is said to have once been Jefferson's library. On the wall of Hatch's hideaway is a painting by Kennedy of the family compound in Hyannis Port. He inscribed it to Hatch with the words "We'll leave the light on at the compound for you any time."

"We fought like hell," Hatch told me, "but we loved each other."

Hatch arrived in the Senate as a kind

of advance guard for the Reagan revolution—a small-government, Western-style conservative. He first made his mark leading the fight against Jimmy Carter's labor-reform bill, in 1978, killing a piece of legislation, widely expected to pass, that would have made it easier for unions to organize workers. Later, alternately as the chairman and as the ranking minority member of the Judiciary Committee, Hatch was a fierce advocate for Republican judicial nominees. His support of Clarence Thomas and his denunciation of Anita Hill, in 1991—he accused her of cribbing her accusations against Thomas from "The Exorcist"—remain his defining moment in the public mind.

At the same time, Hatch became an accomplished legislator, adept at building partnerships with unlikely allies. The seventies and eighties were also a kind of golden age in the Senate, where ideological adversaries figured out ways to make common cause. Hatch and Kennedy together passed the Ryan White CARE Act, which dealt with AIDS, in 1990, and the State Children's Health Insurance Program, in 1997. More informally, they steered many contested nominations of judges and others through the Senate. In other words, Hatch has played both roles in the Senate—as a partisan obstructionist



"And remember those goofy old movies that showed everyone in the twenty-first century wearing the same unisex outfit?"

and a consensus-seeking deal-maker.

As befitting a senator from one of the less populated states, Hatch has always been a zealous defender of the provisions of the Constitution that preserve states' rights. "If you didn't have the Senate, then the large states would control everything," Hatch told me when I met with him earlier this fall. "If you look at the red states, we have at least a significant ability in the Senate to force more compromise and more getting along, and that has happened time after time." From the beginning of his Senate career, Hatch also opposed plans (supported by Richard Nixon, among others) to abolish the electoral college and decide Presidential elections by popular vote. "You would not have any real representation of the people who are basically in the middle of the country," he said. "The difference between states matters, because there are different people in each state, different economies, different natural resources. If it was just the large states, we'd be dominated completely."

"The Senate was never designed to be like the House," Hatch said. "In the House, if you can get fifty per cent plus one, you can pass anything. In the Senate, you have to make a real case. You are going to need sixty votes to get it passed. Here there shouldn't be a plethora of bills going through all the time." He invoked the famous metaphor, attributed to George Washington, that calls the Senate the saucer into which boiling water is poured to cool. "This has never been a democracy," Hatch said. "This is a representative republic with heightened democratic principles." After a pause, he added, "I never called it that before, but I think it's right."

The sixty-vote threshold to break Senate filibusters was soon to be challenged by the Democrats. The Constitution makes no reference to filibusters, and over the years there were periodic arguments (and some lawsuits) asserting that filibusters are unconstitutional, as a violation of the norm of majority rule. These cases foundered against Article I, Section 5, of the Constitution, which says that each house of Congress "may determine the Rules of its Proceedings." Thus, judges have said, if the Senate wants filibusters, it can have them.

When Hatch arrived in the Senate, filibusters were rare, and were used mostly

against major legislation. During Obama's Presidency, the number of filibusters has grown dramatically: Democrats have had to file for cloture—that is, to stop filibusters—about twice as often as Republicans did during their early years in the majority when George W. Bush was President. Approximately half of all the filibusters in American history against Presidential nominations have taken place during Obama's Presidency.

Hatch pointed out that it was the Democrats who first began to abuse the filibuster, when they were in the minority. "It's wonderful for them to be moaning and groaning," he told me. "But it's sour grapes. They started this crap."

Hatch acknowledged that the poisonous political atmosphere within the Republican Party has also contributed to the breakdown in the Senate. For twelve years, his junior colleague from Utah was Robert Bennett, who was less well known nationally than Hatch but every bit as conservative. "Bob was a good senator and good friend," Hatch said. But, in 2010, Mike Lee, who was a law clerk to Samuel Alito, and who is affiliated with the Tea Party movement, castigated Bennett as a moderate and defeated him for the Republican nomination. "I hated to see it happen," Hatch said, and his disdain for his junior colleague is difficult to hide. Today, Lee is best known as Ted Cruz's unofficial deputy in the shutdown struggle, a fight that appalled Hatch. "I am never going to be a fan of the shutdown. That is not the



way to run the government," he said. "If they wanted to shut the government down, they have to show me that there is an endgame where it is a justifiable, or winning, fight. But there wasn't a way. I don't believe in feckless fights."

The paralysis of the Senate has reverberated through the entire government. One of the most important Supreme Court cases of the coming year, *National Labor Relations Board v. Noel*

Canning, presents an almost perfect distillation of everything that's wrong with contemporary Washington—and with the Constitution. The dispute features the excessive power of the Senate, the pervasiveness of filibusters, and the dubious authority of an eighteenth-century document being used in circumstances that are completely different from those for which it was designed.

The delegates in Philadelphia gave the President the power to appoint many senior federal officials, but such appointments were subject to confirmation by a majority of the Senate. This presented a problem at a time when Congress was in session only about six months a year, and the representatives had no way of showing up on short notice. So the framers came up with a way for the President to keep the government running, including making appointments when Congress was out of session. With little debate, the delegates included a provision in Article II, which defines the powers of the executive branch, stating, "The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session." Recess appointments, as they are known, give the President the power to bypass the Senate to fill certain jobs, but only for a limited time, until the end of the current congressional session.

For two centuries, Presidents exercised the power to make recess appointments rarely, and usually with little controversy. But, as relations between the Senate and the White House became more contentious, Presidents began to do it more often. Bill Clinton made a hundred and thirty-nine recess appointments; George W. Bush made a hundred and seventy-one. But neither of them faced the kind of obstruction that Obama has encountered during his four-plus years in office. In an effort to lower the temperature of his disputes with Congress, Obama initially resisted using recess appointments, but he picked up the pace in 2010. Although he has made only thirty-two in total, his adversaries launched an unprecedented legal counter-offensive against him.

Republicans in the Senate were

particularly reluctant to approve Obama's choices for the National Labor Relations Board, a body for which the G.O.P. has minimal regard. For members of this and other agencies, Republicans did not vote the nominees down—they didn't have fifty-one votes. Rather, they used filibusters to prevent the full Senate from considering them at all. In the instance of the N.L.R.B., Obama responded by making recess appointments to fill a quorum at the board. In a fairly routine case from 2010, the board filed an unfair-labor-practice charge against Noel Canning, a soda bottler in Washington State, for improperly withdrawing a contract offer to the union representing its workers. The company charged that the action was invalid, because it was made by board members who had been given unconstitutional recess appointments.

In a decision handed down earlier this year, the United States Court of Appeals for the D.C. Circuit sided with the company, striking down the board's judgment in the case. Indeed, the court said that all actions taken by a broad swath of recess appointees—literally hundreds of rulings—were unconstitutional. The case has the potential to undo the work of any number of independent agencies whose members were installed through recess appointments. Among them are the Equal Employment Opportunity Commission and the recently created Consumer Financial Protection Bureau. The Supreme Court will hear the case later this term.

Why, in an era of jet travel, should Congress have recesses at all? How can the words of delegates in Philadelphia about recesses illuminate an issue that they could not possibly have anticipated? Even accepting the structure that the framers devised, how can the Senate simply refuse to act on a President's appointments, as the current Republican minority has done so often? How can the actions of forty senators prevent an administrative agency from functioning at all? And how (as the D.C. Circuit ruled) can the President remain powerless in the face of this kind of obstruction?

This fall, the strife became intolerable to a majority of senators. The trigger was a Republican filibuster of three



"Just saying, most parents mark their kid's height against the wall with a pencil."

Obama nominees to the D.C. Circuit, which, thanks to cases like Noel Canning, is generally regarded as the second most important in the country. Recently elected Democratic senators, who had known only a Senate paralyzed by filibusters, became more aggressive in wanting to do something about it. "I think the Constitution was very wise in terms of allowing for super-majorities in certain situations, like the ratification of treaties," Tom Udall, the first-term New Mexico Democrat, told me. "But it's supposed to be a cooling saucer, not a deep freeze. We have six-year terms, and have only a third of us up every two years. That insulates us from being a hot-headed legislature. But the system is being abused. We can't accomplish anything. It's been turned on its head. It's not the tyranny of the majority—it's the tyranny of the minority."

The Republicans' refusal to allow a vote on the D.C. circuit nominees galvanized even veteran Senate Democrats to join in the effort to limit filibusters. On November 21st, the Senate enacted the so-called "nuclear option," which allowed a simple majority of members to end debate on Presidential nominees (except those to the Supreme Court). "I think this was a big victory for democracy," Udall told me after the change in the

Senate rules. "What we've done is return to what the Constitution says—that we operate around here by majority rule."

Still, filibusters on legislation are unaffected by the new rule, so the legislative agenda of the President (or his successors) may remain moribund. Small-state senators still exercise disproportionate power. "Two senators to a state is part of the basic document, and we all should have the basic ability to work on behalf of the country," Udall said. Or as Al Franken, the Minnesota Democrat, said, "The framers made a deal to get the votes of the smaller states, and that's our Constitution. And there are things that were particular to the time, and that's carried through. Do I say to Mike Enzi and John Barrasso—"It's ridiculous that you're here"? No, I don't. Not exactly," Franken said. "The Constitution has lasted a long time. It's done pretty well."

During the shutdown crisis, it became apparent that the House of Representatives—the founders' nod to proportional representation—had, in its own way, become dysfunctional as well. Richard Posner, a professor at the University of Chicago Law School and a federal appeals-court judge appointed by Ronald Reagan, thinks that

the Constitution is not to blame for the country's political stalemate. Rather, it's the irrationality of an influential wing of the contemporary Republican Party. "If a country allows itself to get into deep economic trouble, that is going to unsettle the political system," Posner told me. "That's what happened in the thirties, with the Depression, and it's happening now. People get very upset, and they become vulnerable to extremist appeals. That's what's happened to the Republican Party in the House of Representatives." Akhil Amar agrees. "One half of one of our two great political parties has gone bonkers," he said. "That's the problem. Not the Constitution."

The modern Republican Party asserts itself most clearly in the House, where partisan redistricting has transformed the political calculus for most members of that body. And the Supreme Court has said that that is just fine under the Constitution.

Article I says that members of the House shall be "chosen every second Year by the People of the several States," but it doesn't say how they should be chosen. "Congress passed a law in 1842 that said members had to be chosen from single-member districts," Pamela Karlan, a professor at Stanford Law School, said. "But Congress could pass a law tomorrow to move to a system of proportional representation, or some other system." By one method, voters could elect House members from statewide slates of candidates.

The system of single-member districts generally suits incumbents. Drawing district lines has always been a deeply political undertaking, because elected officials in every age cultivate a strong instinct for self-preservation. In 1811, Elbridge Gerry, the governor of Massachusetts, sculpted districts in such a way that one looked like a salamander—a process that gave rise to the term "gerrymander." With the help of computer software, the art of gerrymandering has evolved into a science. After the 2000 census, which cost the state of Pennsylvania two seats because of population loss, Republicans carved up the districts so that the G.O.P., which had formerly held ten congressional seats to the Democrats' eleven, held a twelve-to-seven advantage, even though the

over-all statewide partisan breakdown was basically unchanged. A group of Democratic voters challenged the Republican plan, arguing that the new congressional map deprived them of equal protection of the laws, in violation of the Fourteenth Amendment.

The case, *Vieth v. Jubelirer*, went to the Supreme Court in 2004, and the Justices handed down one of the most important (if least known) decisions of the decade. The Justices refused to strike down the Pennsylvania map, embraced the right of political parties to gerrymander for partisan gain, and, in a fundamental sense, guaranteed the polarized House of Representatives that has become so familiar. In *Vieth*, the Court was badly splintered. Antonin Scalia wrote the lead opinion, declaring that "political affiliation is not an immutable characteristic, but may shift from one election to the next; and even within a given election, not all voters follow the party line. We dare say (and hope) that the political party which puts forward an utterly incompetent candidate will lose even in its registration stronghold." Scalia said that the plaintiffs sought "a right to proportional representation. But the Constitution contains no such principle. It guarantees equal protection of the law to persons, not equal representation in government to equivalently sized groups. It nowhere says that farmers or urban dwellers, Christian fundamentalists or Jews, Republicans or Democrats, must be accorded political strength proportionate to their numbers." Besides, Scalia said, even if there had been a violation of Democrats' right to vote, there was no way the Court could design a remedy that election experts could agree on.

After the 2010 census, Republicans parlayed their landslides in that year's elections to draw favorable lines in several states where they had new majorities. In Pennsylvania, which lost another seat, Democrats still enjoy an advantage in party registration, but Republicans now have a thirteen-to-five advantage in House seats. Democrats made similar efforts in states where they controlled the process, especially in Maryland and Illinois. Over all, though, Republicans played the game much better. In 2012, House Democratic candi-

dates across the country won about half a million more votes than their Republican opponents, but the G.O.P. emerged with thirty-three more seats than the Democrats.

It is true, as scholars like Nolan McCarty, of Princeton, have argued, that partisan redistricting does not account for all the polarization in the House. In recent years, Americans have tended to live near their political allies more than in the past. Thus, any district lines would tend to clump like-minded voters together. But there is no doubt that state legislators devoted painstaking attention to designing districts for the sole purpose of taking partisan advantage. As a result, incumbents in the House, especially Republicans, fear primaries more than general elections, and thus take pains to avoid being caught in the act of bipartisanship. What has followed is rancor, extremism, and stalemate.

The Constitution may be amended, but the process is arduous. According to Article V, any amendment must receive the endorsement of two-thirds of the House and the Senate and three-quarters of the state legislatures. Article V also limits any change in the makeup of the Senate. It affirms that "no State, without its Consent, shall be deprived of its equal Suffrage in the Senate." To Levinson, the difficulty of the amendment process is one of the document's critical defects. "You have a situation where legislators representing less than one-tenth of the population of the country can stop any amendment," he said. "That's completely undemocratic."

Still, like Mark Levin and Randy Barnett on the right, Democrats have long had their own favored constitutional amendments. In the sixties and seventies, there were attempts to memorialize the welfare state in the Constitution, with guarantees of rights to food, shelter, and health care. The Equal Rights Amendment, guaranteeing equal treatment of the sexes, fell just short of ratification, in 1982. More recently, some academics, like Noah Feldman, at Harvard, have entertained the possibility of creating a right to education; others, like Jamal Greene, a professor at Columbia Law School, advocate a

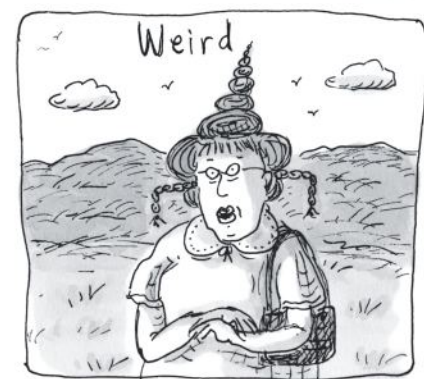
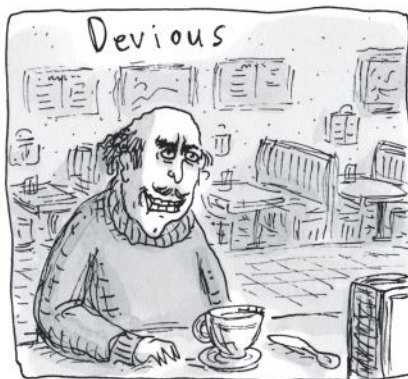
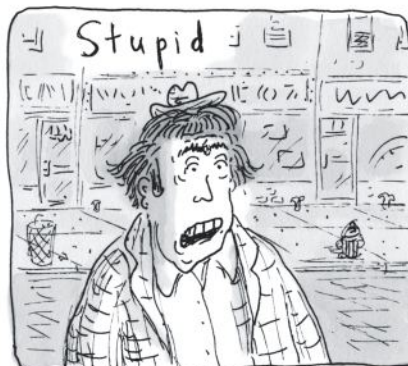
repeal of the Second Amendment right to bear arms. In Congress, a number of senators, including Tom Udall and Al Franken, have proposed a constitutional amendment to overturn the Citizens United decision and allow legislators once again to regulate campaign contributions and expenditures. (One of Barnett's proposed amendments would do the opposite, protecting Citizens United from being overruled by a future Supreme Court.)

None of these amendments are likely to become law. "It *should* be difficult to amend the Constitution," Amar said. "You should have to obtain a very broad consensus before you pass an amendment. I agree with Sandy Levinson that the Constitution could be better. But you have to remember that it could also be worse. We've had proposed amendments to stop flag burning, and to ban same-sex marriage, and that's when I was glad it was difficult to amend. There have been only twenty-seven amendments, and twenty-six of them are good. Prohibition was bad, and it was overturned." For partisans on the left and the right, it's tempting to see constitutional amendments as shortcuts to political gain. But the difficulty of the process makes that impossible. Political change leads to constitutional amendments; amendments do not lead to political change.

The Constitution can and often does change without being formally amended. This is the real lesson of the past decade or so. Levin and his Tea Party followers have shown that agitation about the Constitution can serve a conservative political agenda. In everything from television advertisements to law-review articles, they made the case that the Second Amendment protects an individual's right to bear arms—a concept that the Supreme Court emphatically rejected in the past. In 1939, the Court said that the amendment concerned only "the preservation or efficiency of a well regulated militia." But, in time, the Court came around to a different view. Conservatives also came within a whisker of success in their constitutional arguments against Obamacare.

There is nothing inherently conservative about the honorable and long-held idea that citizens can understand, and

PRE-EXISTING CONDITIONS

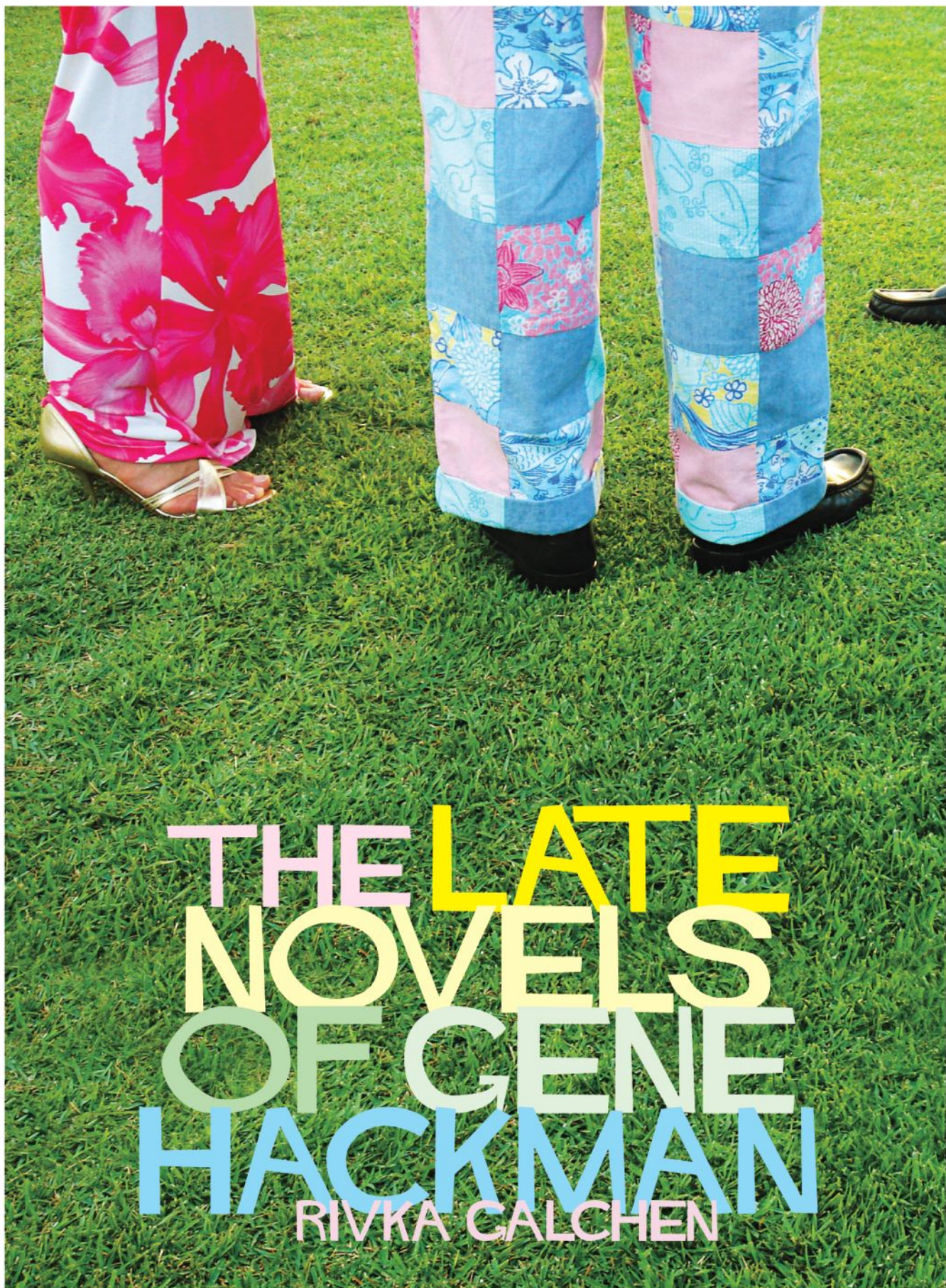


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even change, the meaning of the Constitution. Liberals, despite themselves, have proved the same point. *Plessy v. Ferguson* (1896), which condoned racial segregation, gave way to *Brown v. Board of Education* (1954), which ended it. As recently as 1986, the Court dismissed the idea that the Constitution protected gay people from discrimination as, "at best, facetious." Today, that principle is enshrined in the bedrock of constitutional law. And the Court's decisions have accomplished most, if not all, of what the Equal Rights Amendment was supposed to do for women's rights. Judicial appointments played a role, but more important was the demand from an engaged populace. Under pressure from voters, individual states expand (or limit) the rights to own firearms, to obtain abortions, and to marry someone of the same gender. Within broad limits, the Constitution invites these sorts of local experiment.

Moments after the Senate passed the filibuster reform last month, President Obama expressed his appreciation,

but decried the tactics that made the change necessary. "Today's pattern of obstruction, it just isn't normal," he said. "It's not what our founders envisioned." Obama was engaging in the politician's customary absolution of the founders: the virtues of the system are all due to them; the defects are all due to us. This seems wrong on both counts. The compromises, misjudgments, and failures of the men in Philadelphia haunt us still today. But the founders also left just enough room between the lines to allow for a continuing reinvention of their work. On some occasions, as with race and gender discrimination, the Constitution is renewed and improved in courtrooms; on others, as with the Senate's recent act of self-improvement, the government finds ways to repair itself. In all events, the roots of these changes are the same. The Preamble to the Constitution says nothing about judges or politicians. It invokes what should be the true and ultimate authority in American government: We the People. ♦



Most of the presenters at the conference in Key West were somewhat old, and the audience was very old, which was something J was accustomed to, being among people considerably older than herself, since it is the older people, generally, who have money, and who thus support the younger people, who have youth. Or something. The young have something to offer. J had accepted the invitation to the writers' conference in the middle of a cold February, because it had promised a warm idyll for the following January, and because she was promised a "plus-one." When the time came, months later, to choose the plus-one, J had invited not her gentle husband but her stepmother, Q, to join her. Q's latest business venture, an online Vitamins Hall of Fame, had failed. Also, Q's hair, which into her sixties had been a shiny Asian black—Q was Burmese—had begun to gray, and when she dyed it at home it hadn't gone back to black but had instead turned a kind of red. J thought that this sounded like no big deal, but it was apparently very distressing to Q. Same with the slightly below-normal results from a bone-density scan. "Do you think when someone sees me on the street they think to themselves, There goes an old woman?" Q asked.

"No," J said. This was on the phone. "I doubt they think anything at all." Then J felt bad for saying that. That was when she impulsively invited Q to go down to Key West with her the following January. J lived in Pittsburgh and Q lived near Cleveland, so their communication lacked for enlightening facial expressions. J had recently e-mailed Q, jokingly, about its being an ideal time to invest in Greek yogurt. Q wrote back saying that she'd bought ten thousand shares of Groupon's I.P.O. J couldn't imagine where Q had got the money. After the initial offering, Groupon's shares sank dramatically. It was rumored that there might have been fraud, insider information—why had Q thought she could swim with sharks?! But Q hadn't purchased shares; she had just been joking. Q seemed upset that J had even briefly believed that she had purchased Groupon shares. Only a sucker would do such a thing. Did J really think she

was such a sucker? Was that what she thought?

J would definitely pack reading for their week together.

At the airport in Key West, J and Q were to be picked up by M, who was somewhat old, or old on paper if not old in person, and who was one of the heads of the event. Though J had never met M, she had been informed that M's wife, who had been quite young, or younger, had died not that long ago. Of something. One of the young-woman cancers was the impression she had. They had only just got married when the diagnosis came. Also, J knew that M wore an eye patch. The eye patch was from an injury years before that involved a champagne cork launched haphazardly by a third party, unnamed, and surely still feeling guilty.

"Please don't stare at the eye patch," J instructed Q. "I'm telling you about it in advance, so that you don't stare."

"I would never stare at an eye patch," Q said.

They exited from the plane directly into the outdoors and then proceeded from sunshine into the small terminal building for baggage claim. Above the airport entrance gate, there were full-color, life-size statues of tourists or immigrants or both, a crowd of them, with sculpted suitcases, gathered together, in greeting or suffering; the statues resembled somewhat melted Peeps marshmallow candies. J and Q walked under them and into a tiny airport lobby. There was M! The eye patch made him easy to spot. "Everything good?" he asked. Yes, yes. "And you're . . ." He extended his hand to Q, who said that she was Q, which didn't clear up much, but enough. They headed out to the parking lot and the surprise of a little green convertible M.G.

It was a sunny afternoon and the wide road went along sandy beaches at the soft water's edge. Just driving this little car, ideal for two, must be traumatically lonely for him, J found herself thinking. Sorrow's black wing now shades his brow, she thought, as they continued at twenty-five miles an hour on the quiet shoreline road, past occasional seagulls and the foam of gentle waves. J was riding shotgun. Q was in the tiny back, digging between the cushions, in search of a seat-belt buckle that was not to be found. M was smiling. He was a prominent popu-

lar historian. He chatted to J about the upcoming events, where dinner was that evening, what the expected weather was, who had already arrived, and where they were staying—

"You must feel like a bride," J said.

"A what?" M said.

"Like a bride," J repeated.

"Bride? Hmm. Well. No. I don't feel like a bride. What do you mean?"

J felt obliged to stand by the tenuous comparison. "You know: all this planning, now it's happening."

"I see. Well. No," M repeated. "I don't feel like a bride. I don't really do much of the organizing. We have staff that does that. My position is mostly honorary."

"Of course . . ."

"I just send a few initial e-mails to get things started. I don't do the real work. It's just that I live here. Many of us have lived here, part time, for decades. It's very nice—you'll see."

"Wait, why is he supposed to feel like a bride?" Q called out from the back seat.

"Not like a bride!" J corrected. "I was wrong about that."

M dropped J and Q off at their hotel, Secret Paradise, and said that he looked forward to seeing them at dinner. J avoided saying what for some reason came brightly to mind: God willing.

The clock read 2:22 P.M. Their accommodation had a spacious bedroom, living room, kitchen, and luxury shower, in addition to a large private deck. Instead of the blank feel of a modern hotel room, it had the eccentric collectible-salt-shakers-and-wicker atmosphere of a specific personality. "I could never live in this kind of a place," Q said. "With so many things on the wall and on the tables. I mean, it's nice. But it's very American."

J didn't like the décor, either, but she said, "Well, we are in America. Sort of."

"That man who picked us up didn't look like a writer," Q continued. "He was so tall. Like a lawyer, or a businessman."

"He's more a historian."

"A writer looks more like— There was that nice dog cleaner, remember? The guy who wrote poetry and did at-home dog cleaning? You remember, he had that van, and would come to the house, and he would clean Puffin just there in the driveway; it was an excellent business idea that he had."

J was unpacking her things. "With

animals it's called grooming, not cleaning. Cleaning is for carpets."

Q lay on the sofa and turned the television to the Weather Channel. J went out onto the deck. A wooden fence suspended on posts a foot or so off the sand blocked the view of the ocean, which was odd, though it did offer privacy.

J opened to the beginning of her book, which investigated the disappearance, in 1938, of Ettore Majorana, an Italian particle physicist. Majorana's disappearance might have been an escape, or might have been a suicide, or might have been a murder by Mussolini's government, or might have been something else. Majorana had for years behaved strangely: he hadn't wanted to publish his work, or cut his hair, or see people—including his mother—whom he had previously enjoyed seeing. He may have been paranoid, or merely depressed. His work might or might not have been relevant to research into developing an atomic bomb. The historical moment made internal states that would normally be considered deranged—anxiety, grandiosity—seem quite possibly reasonable. Whatever the case, Majorana withdrew all the money from his bank account, boarded a boat to Palermo, and sent an apologetic goodbye-forever telegram to his employer, and another to his family asking that they not wear black, then a further telegram to his employer saying that, in fact, he would be returning—that he hadn't meant to be dramatic or like an Ibsen heroine, and that he would explain it all on his return, a return that never occurred.

The book J was reading had been written in the nineteen-seventies by a Sicilian novelist who was famous, apparently, and had most often written about the Mafia. J looked over to the sofa where Q had lain down, but she could see only the sofa's back. For a moment, J felt certain that Q was gone. J walked over to the sofa; Q was there.

J's father had married Q two years after J's mother died. J couldn't really remember her mother, though she had one vivid and most likely fabricated-from-a-photo memory of eating a frosted doughnut with sprinkles with her at a Winchell's, when she was three or maybe four. J still loved doughnuts; Q had bought them for her every weekday morning. J and her sister were both

blond and blue-eyed, and Q had often been mistaken for the girls' nanny. "Let people think their thinks" was a Q motto. When J's father had died, three years earlier, he'd left Q a house and a teachers'-union pension fund that must have been worth something. Q had sold the house—not that she told the girls that she had done this—and moved into a small but tidy apartment. Q still worked part time only, as a backup receptionist at a law firm, so there must have been some money left over, but it seemed possible that the bulk of it had been lost. Or, maybe, anxiously piled high in a savings account somewhere that she wouldn't touch. Or maybe loaned out irretrievably to distant Burmese cousins with unfortunate or naïve investment strategies. That kind of thing had happened before with Q. When the sisters recently visited Q, she'd announced on the first evening that she had stopped ordering takeout, because it was for spoiled people. Maybe Q had bought the Groupon shares after all? And on margin? You never knew with Q. One day, J had idly opened Q's passport, and it turned out that Q was eleven years older than she had been letting on for all those years.

"Your sister tells me Q has been staying at Morris's place," J's husband said. This was on the phone, around five o'clock, when J had stepped out to look for a lemonade she never found. Key West was humid and sleepy and closed. "Staying there while Morris is in the I.C.U., with some sort of bad pneumonia." Morris was a retired accountant who had been in the same community choir as Q.

"She's probably just keeping the place airy and clean. Collecting the newspaper."

"Maybe. Or maybe she doesn't have her own place anymore."

"Illusion of trouble," J said, cheered that the conversation was moving her to the square of reason, since her husband had made a knight's move to the square of paranoia.

As they talked, J found herself picturing their steep driveway, the cleavages of snow, a pile of the neighbor's discarded shingles waiting for pickup. And then it was "I love you, angel, I love you so much, O.K.?"

J felt scared. They were getting off the

phone. One was supposed to be content and complete on one's own, to need nothing, and from that position one could truly give love—something like that.

When J returned to the room, Q said, "I think I won't come to the dinner."

"Why not?" J asked, alarmed.

"Maybe you don't want me there," Q said.

"But I do. It's a bunch of people I'm supposed to be collegial with, which is stressful. I don't want to go alone," J said, mostly truthfully.

"But I should lose weight," Q said. "I shouldn't go until I lose weight."

"You look nice. Plus, you don't even know these people."

"Even more so."

"The people who are thinner than you will be happy to feel relatively thin; the people who are larger—well, they'll be thinking about themselves. Actually, most everyone will be thinking about themselves. You taught me that. Now I finally believe you. Just come. I suspect the food will be good."

The dinner was held in a large Art Deco home that J couldn't help but estimate as being worth around \$2.2 million. Greeters—professionals wearing tidy black-and-white outfits—were in place at the entrance to an inner courtyard, and, in addition to greeting, they were warning guests that the house had many "tripping hazards." "Please be careful. There are a lot of steps that you might not notice," one of the greeters clarified. "We've marked them with red tape." It was true: there was a step down to the living room. A step up to the dining room. A couple of steps down to the porch. Steps back up to other rooms. Everything had its level. The back yard, which featured an artificial stream, crossable by a small footbridge, had tables set up for about a hundred guests, maybe more. The party was already crowded when J and Q arrived. Was Twitter like the ancient Arcades or was it the end of literature? someone was asking. Someone else was explaining that his younger brother, after their bohemian upbringing in the Oregon woods and then having lived for years on boats, had run off with an evangelical musical-theatre project called Up with People. Reverse rebellion. What could you do?

J didn't manage to start up a conversa-

tion with anyone. She saw Q speaking with the hostess, with some intensity; M was also there, listening. Q was holding a drink. She looked as if she was enjoying herself. The hostess was wearing an aquamarine leather jacket that had slashes in the back, exposing an underlying black leather in a way that made J think of deboning a fish. The meal was grilled salmon on a quinoa salad, and also greens.

At the table: "It's so good to have a break," Q said to a prominent science-fiction writer sitting near her. "Too many of my friends are sick or in the hospital."

"In the hospital for what?" a well-regarded older feminist who knew a lot about birds asked.

"Who's in the hospital?" M asked.

Q seemed to have the attention of the whole table.

"My friend was driving to the airport," Q said. "He was going to fly to the Philippines and then he couldn't turn his head, so he drove straight to the emergency room of the nearest hospital. Of course, they just left him on a stretcher in the hallway for two days. They wouldn't have cared if he died—they did nothing for him. That's America for you. But then his friend arranged a transfer to another hospital. And at the second hospital they scanned him, and they found he had a big tumor in his neck. Also, he was missing one of his, I can't think of the word—"

"You write about medicine?"

"No, no, I just write e-mails," Q said. "I'm not a writer. But I was married to J's father—that's how I'm connected to J. J says I write very good e-mails."

"I woke up with my neck sore like that once," another science-fiction writer said. In addition to writing, he was in a band that had a hit song based on Beowulf. "I didn't go to the hospital, though. I just took ibuprofen."

"But you *could* have gone to the hospital," Q said. "Because you all have insurance in England. The whole country is insured."

Now J was worried that Q didn't have health insurance; this was how her secrets usually manifested, like a tuba sound straying into a pop song. J intervened. "It wasn't just painful to move his neck. I think he really couldn't move it," she argued, as if Q were beleaguered, when in fact she seemed aglow. Also, J was just guessing at these details; she didn't know who Q was talking about.

"They have names like C2, C3," Q was explaining. "One of those C's—he was missing it entirely."

"It had eroded away?" M asked.

"No, they just didn't know where it had gone," Q said. "I think maybe it was never there."

"I visited him after he had the surgery," Q went on. "They didn't remove the tumor, because it was in a bad place for removing it, but they did give him an extra C made out of concrete—"

"I doubt it was concrete."

"When I left to come down here, he was still in the hospital, because he was afraid to go home until he had the results from the biopsy. But I think he'll be fine. They scanned the rest of his body and found tumors in other places, too, which is a good sign—"

"That sounds like a bad sign," the woman knowledgeable about birds said.

"It's not a bad sign," Q said definitively. "I have a friend who's a doctor." Now Q seemed not aglow; she began to speak more slowly. "She says that, after a certain age, if we look at anyone's body there's all sorts of things there. When there's many things like that, it's not a problem."

"Incidentalomas," M said. "That's what you're trying to say. That lots of things are just incidentalomas. I agree completely."

"Has anyone seen that George Clooney movie that's playing?" J said. She ate quickly.

J and Q weren't the very first to leave, but they were almost the first, though they were detained near one of the tripping hazards as a very elderly and apparently blind man, dressed in an all-white suit and holding a cane, was being guided out by the greeters.

As he was passing, J asked, "Q, is there something medical going on with you?"

"I'm livelier than you are," Q said. "I could stay another hour, easy."

"I mean, do you have medical news?"

"You should be more cheerful," Q said.

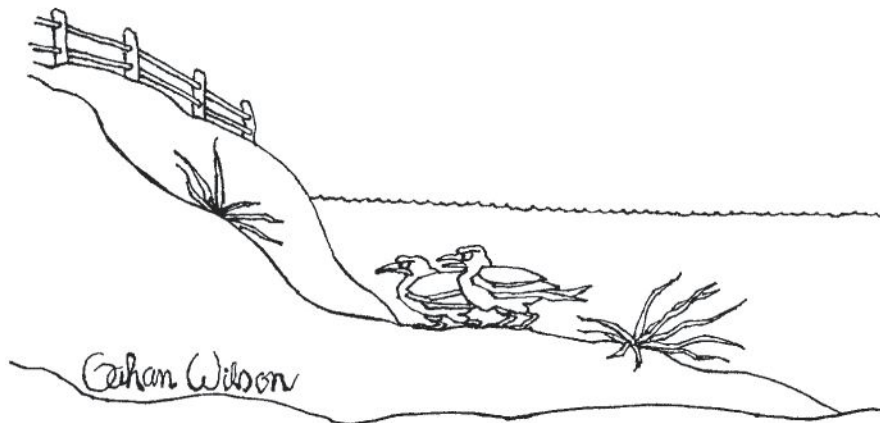
"It would be good for your health. You know, that would be something good to write about. Staying in a good mood in order to have good health. You do that for thirty days and track what happens. That's something that would really sell. I mean, I admire that you tell stories of make-believe people in worlds that don't exist and that have no relevance to how we live. That can be nice, but people also like things that are uplifting, and practical."

The next day, they were out the door by 8:19 A.M. There were almost no obligations; it wasn't until the following afternoon that J was expected to give a brief talk—on Martian dystopias—and later have an also brief conversation. Her only other duty was to enjoy. And there was even a small stipend.

J and Q looked for somewhere to have breakfast. At the first café, omelettes were \$13.95, which seemed a bit much. Not a lot much, but it just seemed unpleasant, and as if it would set expectations that the omelette would be quite good, which surely it wouldn't be. It was already hot outside. At the next place, omelettes were \$16.95. They went back to the first spot, where a window seat was available.

"I feel skinny in this town," Q said. "At least there's that."

It was true: although the festival participants were relatively fit, the locals were relatively not fit. And a little flush in the face. Like alcoholics. Obviously they also had less money. One felt guilty



"Where did all the big things with food go?"



"Which part are you reading for?"

noticing. Apparently, the locals were called Bubbas. Why did everyone, even J and Q, feel superior to the Bubbas? It was terrible.

"And I think for a time, supposedly, this was a fashionable town," J said. "Artists and gay people. Which are both groups that I think of as made up of mostly thin people. And maybe a few charismatically fat ones."

"It's never charismatic to be fat," Q said.

"It can be, I think."

"No, never. And there are no children here, either," Q observed. "That's the other weird thing."

J, of course, had no children, not yet, anyhow. Neither did Q—no "natural" ones.

"It's very weird," Q said, "to not have children. People who never have children are always still children, which, if you ask me, becomes disgusting. Even though children, of course, are sweet. I think the people who live here—I think they must have come here to run away from other things."

J had of late turned over in her mind the idea of having a baby that Q might move in to help raise; and maybe Q needed a place to stay? "How's your friend Morris doing these days?" J asked. "I heard he was in the I.C.U."

"I think he's better," Q said. "To be honest, I didn't like visiting him in the hospital. I really thought he was dead. It was unpleasant."

"Who's taking care of his place while he's in the hospital?"

"Maybe his children? Though they're very selfish. Morris said over three hundred people visited him while he was in the hospital. That's because of his activity with the Toastmasters club."

The omelette was not that good, though it wasn't bad. There was a newspaper.

"It says here that Gene Hackman was hit by a truck," J said. "He lives here. He was on his bicycle, and he was hit. Not very far from here at all."

"Is he O.K.?"

"It doesn't say."

"Is he old?"

"It says eighty-one."

"These days, that's young. I bet he'll turn out to be fine."

Why would he be fine? J thought. It was a truck. He was eighty-one. The physics was not promising.

Twenty-four hours then passed in an extraordinarily slow blink. It was too hot to read or think or get hungry, and it wasn't even that hot. One could walk around, but there wasn't much territory to cover. The local graveyard was probably the prettiest thing in town. The graves were above ground, because the ground wasn't really ground; it was hard coral that could not be dug up. The graveyard didn't look all that much like a graveyard; it was more like an ambitious papier-mâché project that schoolchildren had put together. Except that there were no children. One saw lots of Margarita bars. There was a party for a ninety-five-year-old art collector—maybe the blind man in white?—who owned many things in town, but J and

Q slept through it. Finally, it was the next afternoon, and J did an unusually bad job with her minimal obligations.

"You should have just told some jokes or something," Q said. "Everyone likes to laugh."

"I failed," J said.

"Sometimes failing is what's needed. I think it can put people in a good mood, to see someone fail. Let people entertain themselves. I think that's one of the reasons people are so lonely in this country. Because they always have to rush out and have someone else in the room entertain them. It's terrible, the loneliness here. People live in coffins. Like Morris—if it weren't for the Toastmasters, Morris would be in his coffin."

That evening, there was a double birthday celebration for two people named Norm. The Norms! Turning seventy-five and eighty-five. J and Q didn't sleep through the party; they didn't avoid it; they rode rented bicycles over to it. There were many loud-print shirts, and lots of alcohol. A woman with thick, long gray hair held back by a headband was wearing a high-waisted bright-yellow skirt and platform sandals. Among the snacks were bright-yellow peppers. The party was mostly outdoors, on a spacious deck between the main house and a guesthouse. Gentle lighting illuminated a small swimming pool. A little baobab tree grew through a hole in the deck. What might have been an anti-mosquito device had black-light properties, or, at least, there was a pale-blue Gatorade sort of drink that glowed in its aura, like new sneakers in a haunted house.

J found herself in conversation with a woman whose mouth dragged left, perhaps from a stroke, or maybe it was just a thing. The woman was the host, it turned out. It was her house; one of the Norms was her husband—her husband who was younger than her. The other Norm was staying in host Norm's guesthouse with his young lover, although apparently his young lover was, just for this week, staying elsewhere for half the time, because *his* even younger lover—"the chestnut," a graduate student in French literature—was in town. J realized that the host was the woman who had written a book called "Real Humans," which J had for years been pretending to have read; it was a seminal nine-hundred-plus-page post-

apocalyptic book that imagined another way to live decently, ethically. On an island that it had been speculated was modelled on Tasmania; there were creatures like wallabies there. J commented on how nice the guesthouse looked. "Yes, we built that so our kids can stay there when they visit us. With their kids."

"That sounds smart," J said.

"Do you have kids?" the author of "Real Humans" asked.

"I don't," J said.

She looked J over. "Well, one day you will," she said. "What you'll find out then is that you don't like to cook breakfast for them. People are weird with their breakfasts. They have very particular demands, and you'll find that dealing with them can be very annoying."

"I can imagine," J said.

"You know what's strange?" the woman asked.

"O.K. What's strange?" J wondered where Q was.

"You're going to go on living," she said. "And I'm not going to go on living. I might go on for a while. I'm eighty-seven. But you're going to continue into a future that I'm never going to see, and that I can't even imagine. I mean, this cocktail party is just like one my parents might have thrown fifty years ago. But, in other ways, it's a completely different world. I hear people on their cell phones saying, 'Yes, I'm on the bus now. I'll be there in ten minutes.' Or, 'I'm in the cereal aisle now.' Well, that's just so strange to me. I don't find that normal. Do you find that normal? Do you do that tweeting? Do you understand those things? I know that I can't follow. So I just don't. But you're just going forward into the future. You'll go forward and forward, into it. And I won't."

"I'm here with my mom," J said. "I better go check in with my mom." J couldn't recall ever having used that phrase out loud. It sounded almost like science fiction.

She couldn't find her!

Then she found her.

Q was in conversation with M. And also with the lover of the other Norm, the guesthouse Norm. And also with a man who had lived for a long time on a boat. The man had lived on the boat when real estate in Key West was too expensive, he was explaining, but now he was back on the island again. Which had he liked

more? Well, he liked both. Then the other Norm's lover was explaining that, sure, Norm didn't like to sleep alone when "the chestnut" was in town. Especially since his recent health scare. But one couldn't be at the sugar-teat all the time, the lover was of the opinion. The other Norm was in sight, looking pretty happy, talking to some people near a fountain. The other Norm was a painter and a language poet, known to have been living in relative health and joy, and with numerous lovers, while H.I.V.-positive, for decades.

J did feel a little spooked by the openness of it all.

It had to be how it had to be, the lover was saying. And it helped keep things hot—there was that, too. The conversation went back to boats.

Someone startled J with a tap on the shoulder.

"Did you find your mom?" It was the "Real Humans" woman.

J blushed.

"Look," the woman said. "I can see you're disgusted by us."

"What?" J said.

"I know about young people. They're very conservative and very judgmental." She had now opened up her speech to the whole group, but she was still clearly addressing J. "You think we're all decayed and dying, which we are, of course, but you're dying every day, too. You'll just keep dying and dying. I know from my own children." She took a sip from her little blue drink. "I mean, look at you. Quiet as a superior little mouse."

"Let me get you some water," M said to the woman.

"No, no," she said. "I don't need water. I'm just saying something about this young woman. She's had her little bit of success. She's thinking to herself, I'm not going to make the mistakes these people made. I'm going to keep my head down and work and not hurt anyone's feelings too much and not get hurt myself. She thinks she's solved it all with her preemptive gloominess and her inoffensiveness."

"You should enjoy your party," the man who had lived on a boat said.

"There's a subspecies of these young people," the woman was saying. "They're very careful. The young women especially; they're the worst—"

"You're so right," Q said. She took hold of Real Humans' arm. "They are the worst. This one's innocent enough, though."

"She's a wily mouse, you don't know. Do you have children?" she now asked Q. "They're very judgmental. If you have children, you know."

"This one's kind of my daughter."

She gave Q the once-over. "Yes, they're all kind of our daughters, aren't they?"

"I wouldn't take any of this too seriously," Norm's lover said to J. "She's been starting arguments at parties for thirty years. Haven't you?"

"For fifty years," Real Humans said.

"Did you hear about Gene Hackman?" Q asked.

"He doesn't really live here," Real Humans said. "He lives one island over. I heard he's doing just fine."

"I feel kind of elated," J said.

"Sure you do," Real Humans said.

It was as if Q's secret wasn't that she'd lost her home, or lost her money, or was secretly ill, but that she actually knew what she was doing. Or maybe she had lost her money and her home, and maybe she was ill, but she was able to handle it. All these partygoers seemed able to handle their lives.

"He was just scratched up a bit," Norm's lover said.

"Who was scratched up?"

"Gene Hackman. He wasn't really hurt at all."

"That's what I thought," Q said. "I thought he would be fine."

Everyone admired Gene Hackman.

"Hasn't he had a sad life?" J asked. "I thought I'd been told that. That his mother died in a fire started by her own cigarette?"

No, no, his life had worked out. He had a great life. He joined the Navy. He was a failure in acting school. When his old teacher saw him working as a doorman in New York, the teacher said he'd always known that he'd amount to nothing. He was retired from movies now. He had three kids. He had paired up with an underwater archeologist to write three adventure novels. Maybe four adventure novels. Or one was a Western, maybe. It was titled "Justice for None." ♦



THE CRITICS



THE CURRENT CINEMA

IT'S COLD OUTSIDE

"Inside Llewyn Davis" and "Frozen."

BY ANTHONY LANE

The new Coen brothers film, *"Inside Llewyn Davis,"* is set in the biting winter of 1961. The story takes place in New York, with a brief excursion to Chicago, and lasts no more than a few days. They are hardly red-letter days: more of a rough, pencilled scrawl, as Llewyn Davis (Oscar Isaac) goes about his ordinary business. This consists of begging friends for money and a place to sleep; getting into trouble, or making it from scratch; trying to keep warm; and, when required—or, more reluctantly, when asked—sitting down with his guitar to sing.

Llewyn is a folk singer. He sports a beard, a mop of springy hair, and, for want of a coat, a scarf looped and knotted around his neck. He lurks in Greenwich Village. He performs in a shadowy club, in the glare of a recording studio, at a dinner table, and in a vacant auditorium. And here's the thing, the masterstroke of the movie: Llewyn is very good, but he's not great. The Coens could have made a film about a genius, just waiting to be dug up like a diamond. Indeed, in the closing minutes we see and hear the young Dylan at the back of a room. But Llewyn is a semiprecious stone, and that is the half-tragedy of his life.

The problem is that, considering the mess he makes of other people's lives, he needs to be a genius; that would be his only excuse. Take his sister Joy (Jeanine Serralles), who offers him a place to crash, at her family's home in Queens, but whose values he

disdains. "Exist? That's what we do outside of show business?" she asks. Or take Jean (Carey Mulligan), who is carrying what could be Llewyn's child, although the father might also be her partner—and singing partner—Jim (Justin Timberlake). She despairs of Llewyn, and devotes most of their scenes together to swearing at him. That is partly a joke about Mulligan, who currently possesses the sweetest smile in movies, but it's also a sign that the peaceable mood wafting through a lot of folk music seldom lasts beyond the final strum. Then, there's Mitch and Lillian Gorfein (Ethan Phillips and Robin Bartlett), who couldn't be nicer. "Llewyn isn't an Upper West Side guy," Mitch says, but they give him a bed anyway, and what does he do in return? He loses their cat.

The Coens have a fondness for shaggy-dog stories, and, on this occasion, the dog duties are handed to an unshaggy marmalade cat. It leads Llewyn a merry, if exasperated, dance through the city; watch its eyes, widening in wonder as it travels by subway and sees the names of the stations flash by. Later, on a more ominous journey, Llewyn finds himself driving back from Chicago, with the nighttime road unspooling before him. We sense only danger and darkness ahead, as we did back in *"Blood Simple,"* and the snow that glitters down serves to thicken the air of mystery. If the whole film is an odyssey (and the allusion is made explicit at one point), then this

is a trip to the underworld. That is why, while in Chicago, Llewyn goes to the Gate of Horn—a real folk club, but perfect for the Coens' purposes, since it is through that gate, Homer explains in *his* odyssey, that true dreams, rather than false or deluding ones, will pass.

The truth, in this instance, is uttered by Bud Grossman (F. Murray Abraham), the owner of the Gate of Horn, who asks Llewyn to play for him, one to one. Nothing onscreen this year has been more gratifying than the sight and sound of this great actor, as he sits, motionless as a graven image, listens, and then issues his Sibylline prediction: "I don't see a lot of money here." Oof. Llewyn accepts the verdict, as you should from any god, and leaves. Back in New York, he goes to enlist in the Merchant Marine. "I'm out, I'm done," he says to Jean. He is a Ulysses with a ship but no home port, and his destiny dwindles: to strive, to seek, not to find, and, in the end, to yield.

If you love the Coens, or follow folk music, or hold fast to this period of history and that patch of New York, then the film can hardly help striking a chord. Some of its joys are gleefully precise, like the quartet of white-sweatered harmonizing Irish crooners, or the novelty number "Please Mr. Kennedy," which Llewyn, Jim, and Al Cody (Adam Driver) chant for Columbia Records. Yet something in the movie fails to grip, and it has to do with the hero. Bud Grossman, again, gets it right, telling him, "You're no front man." If that is bad news for a musician, it's worse for a dramatic lead, and, as though to compensate for this lack of energy at the core, the Coens plump up their peripheral figures—people like Roland Turner (John Goodman), a jazzman who is given not just a pair of walking sticks, like the lawyer in *"The Lady from Shanghai,"* but a drug habit and a funny toupee to boot. Being Goodman, he provides a juicy distraction, though before long we return to the gloom of Llewyn. He's such a grouch and an ingrate, and so allergic to human sympathy, that, like his friends, we can't always be bothered to extend it. Also, he never looks as poor and as starving as he is meant to, or even very down-at-heel. In

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fact, the whole movie is so beautifully shot, by Bruno Delbonnel, that, if anything, the beauty hazes over the shabby desperation that, by custom, should plague the struggling artist. (“Bound for Glory,” Hal Ashby’s 1976 biopic of Woody Guthrie, was no less immaculate, even in the wake of a dust storm.) Al Cody calls his apartment “a dump,” but, when Llewyn shows up, it looks pretty neat and clean.

On the other hand, there are the songs. All but one are new arrangements of old melodies; the project was supervised by T Bone Burnett. When Llewyn stops his mooching and meandering, stays still, and sings, in a stirring tone that is purer, calmer, and just plain better than anything else about him, everything coheres. “Hang Me, Oh Hang Me” is delivered at the start of the film, and then at the end. Nothing much has changed in the meantime, yet the feelings enshrined in the ballad seem freshly charged. He isn’t a star, as Bud said, but, in these rare and blessed moments, he ceases to be a pain in the ass. Just for once, inside Llewyn Davis is a fine place to be.

How much of Hans Christian Andersen survives in “Frozen,” the new Disney film? Only splinters. Andersen wrote nothing more radiant, rushed, or bizarre than “The Snow Queen,” and its fame has never thawed. I’m always amazed that Disney himself, in his heyday, didn’t adapt the tale. Some of its details, like the dancing chunks of ice and the talking reindeer, would present no problem to the creator of Thumper, even if others belong to “The Interpretation of Dreams”—the robber maiden, say, who holds a knife to the heroine, throws a pigeon in her face, and slides grateful hands into her muff. At the same time, youthful innocence acquires a Christian sheen; when a little girl speaks the Lord’s Prayer on a frosty night, her breath condenses into angels. Music, surely, to the ears of Uncle Walt.

There are no angels, thank heaven, in “Frozen,” but we do get a lovely sequence in which somebody is turned to ice and a last, pitiful puff of life escapes her lips. Extravagant care is

taken with minutiae, and the directors, Chris Buck and Jennifer Lee, whistle through the first twenty minutes of the plot with a controlled giddiness that would leave many live-action adventures staggering in their tracks. Yet what a curious plot it is. Where Andersen focussed on two poor children, one of whom is snatched by the Snow Queen, “Frozen” is about a couple of royal sisters, swiftly grown up, one of whom is the snow queen. She is called Elsa, and her merest touch is arctic; she wears gloves to stop the spread of such contagious cold, and, even when she flees and holes up in a mountain palace, her sole desire is to be alone. In short, where is our villain? Idina Menzel, who voices Elsa, played the green-faced lead in “Wicked,” on Broadway, so everything is set for vengeance and spite, but nothing happens. True, Elsa starts waltzing around in a long skirt slashed to the thigh, which is hot stuff for Disney, but, still, Cruella de Vil would skin her alive.

The other sister is Anna (Kristen Bell), who follows on from Belle, in “Beauty and the Beast,” and Rapunzel, in “Tangled,” being spunky and reckless, with a hint of tomboy, though retaining her capacity to swoon if anything princely shows up. Most of the men, by contrast, look milky and mild, with a hint of tomgirl, and, once a chatting snowman is introduced, presumably to keep your toddlers satisfied, much of the movie turns to slush. Disney has thus arrived at a mirror image of its earlier self: the seriously bad guys and the top-grade sidekicks—the Shere Khans and the Baloo—are now a melting memory, while the chronic simperers, like Cinderella, have been superseded by tough dames. As Anna sings, “For years I’ve roamed these empty halls, / Why have a ballroom with no balls?” Go get ‘em, sister. ♦

CONSTABULARY NOTES FROM ALL OVER

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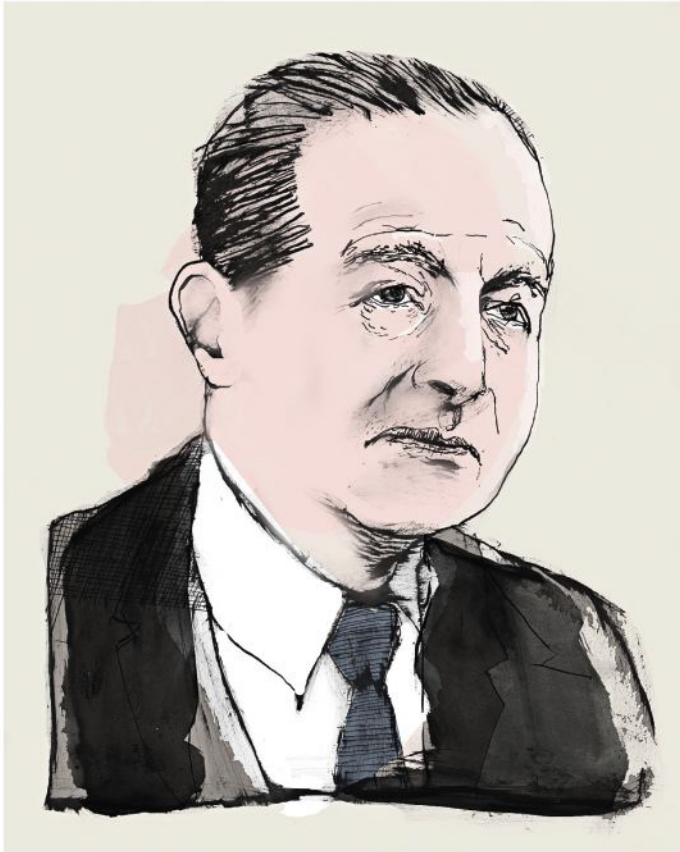
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A CRITIC AT LARGE

THE BOOK OF BOOKS

Erich Auerbach and the making of "Mimesis."

BY ARTHUR KRYSTAL



No one knows how he came to Istanbul: whether he caught the Orient Express in Munich or drove from Marburg to Genoa and boarded a ship for Athens. We know that he arrived in September, 1936, and was joined, two months later, by his wife and thirteen-year-old son. We know that he hadn't wanted to go, and didn't think that he would stay long. A year earlier, he had told a colleague that Istanbul University was "quite good for a guest performance, but certainly not for long-term work." As it turned out, he stayed nearly eleven years, three of which were devoted to writing a book that helped define the discipline of comparative literature.

That book, with its totemic one-word

title, represented for many of its readers the apex of European humanist criticism. The German edition was published in 1946 and the English translation in 1953, and for decades "Mimesis" was the book that students of comparative literature had to contend with. For one thing, its author, Erich Auerbach, moved effortlessly among eight ancient and modern languages, including Hebrew, which probably helped the book live up to its daunting subtitle: "The Representation of Reality in Western Literature."

"Mimesis" contains twenty chapters, each one anchored to a characteristic passage from a theological or literary work, which is then tested for tone, diction, and syntax, and enfolded within a specific historical context. Auerbach viewed Eu-

ropean literature as an evolving pattern of themes, motifs, narrative devices, and Judeo-Christian affiliations; and his book is essentially a history of Western literature in which successive periods are classified by levels of realism fashioned from a specific mingling of styles. Auerbach distinguished the high style of classical Greek and Roman rhetoric from the more psychologically complex phrasing of Hebrew Scripture, which, in turn, was less graphic and immediate than the story of God's incarnation through the vessel of a lowly carpenter, which forever changed the way man viewed reality. Addressing Peter's denial of Jesus, in the Gospel of Mark, Auerbach finds

something which neither the poets nor the historians of antiquity ever set out to portray: the birth of a spiritual movement in the depths of the common people, from within the everyday occurrences of contemporary life, which thus assumes an importance it could never have assumed in antique literature. . . . A scene like Peter's denial fits into no antique genre. It is too serious for comedy, too contemporary and everyday for tragedy, politically too insignificant for history.

For Auerbach, a philologist by training, but a historian-philosopher by temperament, literature is always bounded by the writer's sense of reality, which, at its deepest level, depicts everyday life in all its seriousness. Classical decorum and medieval allegory fell short on this score, but over time the gradual transformation of thought, from the sublime tragedy of the Greeks to the tragic realism of the modern novel, came to define European literature. Style was the great indicator, and it enabled Molière to be as much of a realist as Balzac, though his style was informed by a very different reality.

What gave "Mimesis" ballast for a generation of readers was more than its interpretative ingenuity. Unlike other works of criticism, it had a backstory. Tucked away in Istanbul without the books and periodicals that he needed, Auerbach speculated that "Mimesis" might owe its existence to the "lack of a rich and specialized library." The legend of the bookless scholar took hold in 1968, when Harry Levin published an essay about the careers of Auerbach and Leo Spitzer, both Jewish philologists who were forced to leave Germany and ended up at American universities. Spitzer, who preceded Auerbach at Istanbul University, laid the groundwork in his own account of a

The German scholar wrote his masterwork while deprived of his libraries in Istanbul.



"My worst nightmare is seeing apostrophes where they don't belong."

meeting with the dean, who, when asked about the university's meagre library, had replied, "We don't bother with books. They burn." It was this deficit, Levin believed, that forced Auerbach to write "a more original kind of book than he might otherwise have attempted," to produce "an imaginary museum."

But "Mimesis" was more than an imaginary museum, as Auerbach himself hinted when he carefully noted that it was written between May, 1942, and April, 1945, as the smoke was rising above Auschwitz and Bergen-Belsen. For many critics, Auerbach, in recapitulating Western literature from Homer to Woolf, wasn't just shaking his fist at the forces that drove him into exile; he was, in effect, building the very thing that the Nazis wished to tear down. Geoffrey Green, who devoted a book to Auerbach and Spitzer, concluded that Auerbach saw his work "as a fortress—an arsenal—from which he could wage a passionate and vehement war against the possible flow of history in his time." And so "Mimesis," a singularly powerful study of narrative, arrived complete with its own soulful narrative.

Erich Auerbach was born into a well-to-do Berlin family on November 9, 1892. He attended the illustrious Französisches Gymnasium and went on to study law, receiving a doctorate from the University of Heidelberg in 1913. In

Heidelberg, he seems to have met Georg Lukács, Walter Benjamin, and Karl Jaspers, who undoubtedly fed his interest in literary and philosophical matters. When war broke out, he was sent to the Western Front, where he was wounded in the foot and received the Iron Cross Second Class. Afterward, he gave up law and in 1921 took a doctorate in Romance languages from the University of Greifswald. In 1923, he began a job at the Prussian State Library, in Berlin, and married Marie Mankiewicz, whose family was the largest shareholder in Deutsche Bank. During the next six years, he contributed to scholarly journals, translated Giambattista Vico's "New Science," with the assistance of Benedetto Croce, and finished a study of Dante.

Auerbach was made for Dante. Everything about the poet, his work, and his times combined to win Auerbach's admiration:

The noble style in which the poem is written is a harmony of all the voices that had ever struck [Dante's] ear. All those voices can be heard in the lines of the *Comedy*, the Provençal poets and the *stil nuovo*, the language of Virgil and of Christian hymns, the French epic and the Umbrian Lauds, the terminology of the philosophical schools and the incomparable wealth of the popular vernacular which here for the first time found its way into a poem in the lofty style.

As in much of Auerbach's work, the erudition is more than a little intimidating.

One might know that the *stil nuovo* refers to a literary movement of the thirteenth century, but who can hum an Umbrian Laud?

Ensnared in the Berlin library, with his family and friends nearby, Auerbach seemed almost envious of the poet, who began the "Commedia" after being exiled from Florence. Exile, he observed, enabled Dante "to correct and overcome that disharmony of fate, not by Stoic asceticism and renunciation, but by taking account of historical events, by mastering them and ordering them in his mind." On the strength of the book, in 1929 Auerbach was appointed professor of Romance philology at the University of Marburg, assuming the position once held by Spitzer, who was now at the University of Cologne.

Auerbach arrived in Marburg the year after Martin Heidegger left. "He's a terrible fellow," he later wrote, "but at least he's got substance." Other faculty members also had substance, including Hans-Georg Gadamer and the theologian Rudolf Bultmann. The Auerbachs were happy in Marburg—the intellectual historian Malachi Haim Hachoen says that they regarded these years as "a golden age"—and did not think of leaving, in spite of the fact that Jews were officially barred from the civil service in 1933. As a veteran, Auerbach was exempt, and, like other Jews of the professional class, he kept a low profile, even taking the mandatory pledge of allegiance to Hitler, in September, 1934.

Auerbach was typical of many assimilated Jews in the days of the Weimar Republic. A self-described "Prussian of the Mosaic faith," he gave his son a Christian name (Clemens) and only had him circumcised, for medical reasons, at the age of fourteen. Not all assimilated Jews are assimilated in the same way. He had fought for his country, and he wanted to remain in it. But, once the Nuremberg Laws were passed, in 1935, Auerbach knew that his own exile had been decreed.

Fortunately, Spitzer, who had decided to immigrate to America, lobbied for Auerbach to be named his successor at Istanbul, and Auerbach found himself competing with other scholars, including Victor Klemperer, for a position that he would have scoffed at a year earlier. Auerbach prevailed, and Klemperer remained in

Germany, where he somehow managed to survive. (His diary, "I Will Bear Witness," caused a sensation in Europe when it was published, in 1998.) Before he was forced to depart from the University of Marburg, Auerbach negotiated an official leave with the possibility of returning after 1941. The idea of permanently settling elsewhere had not yet sunk in.

In Istanbul, he felt isolated but not unhappy. "I am fine here," he wrote to Walter Benjamin in March, 1937. "Marie and Clemens are reasonably over the flu. . . . The house on the Bosphorus is glorious; as far as research goes, my work is entirely primitive, but personally, politically, and administratively it is extremely interesting." And then, in a place where books were scarce, he produced his book about books.

Not everyone is convinced that "Mimesis" sprang, Athena-like, from Auerbach's head. Kader Konuk, of the University of Michigan, argues persuasively, in her book "East West Mimesis,"

that Istanbul in 1936 was far from an intellectual backwater. It was, in fact, home to a thriving community of scholars who, in addition to their own well-stocked libraries, had access to bookstores and municipal libraries around town. Moreover, Auerbach had colleagues he could talk to and former colleagues who regularly sent him scholarly articles before the war. As Konuk notes in her illuminating account, he could also visit the library at the Dominican monastery of San Pietro di Galata and its set of Jacques-Paul Migne's "Patrologia Latina," consisting of hundreds of volumes of commentaries by the Church Fathers, which figured significantly in Auerbach's work. As for the dean who dispensed with books, it seems that he was actually a bibliophile with some sixteen thousand volumes to his name. As Konuk sees it, Istanbul was a cosmopolitan city where Auerbach "found humanism . . . at the very moment it was being banished from Europe."

Ultimately, though, exile isn't about

numbers; it's about displacement. For Levin, exile was "a blessing in disguise," the very thing to have inspired Auerbach's conception of "Mimesis." Fifteen years later, Edward Said, himself something of an exile, reinforced the point: "Mimesis" was not only "a massive reaffirmation of the Western cultural tradition, but also a work built upon a critically important alienation from it, a work whose conditions and circumstances of existence are not immediately derived from the culture it describes with such extraordinary insight and brilliance but built rather on an agonizing distance from it."

Then again, there's also the distinct possibility that, given Auerbach's temperament and interests and the ideas already worked out in his "Dante: Poet of the Secular World" and in his long essay "Figura" (published in 1938 and posthumously collected in "Scenes from the Drama of European Literature"), he would have produced something very much like "Mimesis" had he remained in



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Germany or moved of his own volition to Stockholm or Spokane. Konuk, of course, will have none of this. She insists that Istanbul was more like home than the Berlin of 1942, and that, "in some sense, he found himself at home in exile."

Another point of dispute centers on Auerbach's motives. Hacoen, for one, suspects Auerbach of having an antipathy toward his own Jewishness, and wonders why he turned down Martin Buber's request that he write an introduction to the Hebrew edition of "Mimesis." In Hacoen's eyes, Auerbach was "a progressive mandarin" who "made a special effort to ignore" Jews while maintaining an "interplay of proximity and distance facing the Holocaust." He thinks Auerbach's silence leads readers to "find clues to the Holocaust" in "Mimesis" where none exist. On the other hand, Earl Jeffrey Richards, who teaches at the University of Wuppertal, in Germany, claims that "Mimesis" is "unified not so much by its stylistic analysis but by its underlying meditation on the Shoah." He also suggests that Auerbach may have aided Monsignor Angelo Giuseppe Roncalli—the prelate who had allowed him use of the library at the Dominican monastery, and who later became Pope John XXIII—in his efforts to save Balkan Jews from the Gestapo.

Auerbach himself is no help in sorting through these contesting claims. Although he allowed that "Mimesis" was "quite consciously a book that a particular person, in a particular situation, wrote at the beginning of the 1940s," he was tight-lipped about his politics and didn't say much about his wartime experiences. When he mentioned current events in letters, it was usually in the most general terms. "You know me sufficiently . . . to know that I can understand the motives of your political views," he wrote to the philosopher Erich Rothacker when Rothacker declared support for the National Socialist Party. "But yet it would pain me much . . . if you wanted to deny me the right to be a German." Not the strongest of words, although it could be argued that he opposed the Reich's policies in subtler ways.

During the nineteen-thirties, many religious leaders in Germany traduced the Old Testament's authority, in an attempt to strip Jewish history of its original meaning. In 1933, Cardinal Faulhaber

noted (disapprovingly) the widespread sentiment that a "Christianity which still clings to the Old Testament is a Jewish religion, irreconcilable with the spirit of the German people." In April of 1939, the Godesberg Declaration of the Evangelical Lutheran Church concluded that the Christian faith did not arise from or complete Judaism but "is the unbridgeable religious contradiction to Judaism." The clergymen who signed the document were, in effect, echoing the Nazi propagandist Alfred Rosenberg, who blasted the Old Testament for turning normal people into "spiritual Jews," and who claimed that there wasn't "the slightest reason to believe" that Jesus Christ was of Jewish ancestry.

A Jew in Germany, even an unobservant one, must have been dismayed by all this. And, to some degree, "Figura" was Auerbach's response. The essay conjures up an interpretation of historical events in which the first event "signifies not only itself but also the second, while the second encompasses or fulfills the first." Events in the Old Testament are reaffirmed in their significance when they can be shown to have prefigured events in the New Testament. By tracing the etymology of *figura* in patristic literature and stressing Augustine's conception of the Old Testament as "phenomenal prophecy," Auerbach explored the deep bond between the Old and the New. And, by emphasizing that figural interpretation "had grown out of a definite historical situation, the Christian break with Judaism and the Christian mission among the Gentiles," he tacitly linked that break with the Nazis' attempt to despoil Jewish law and theology. The scholars David Weinstein and Avihu Zakai go so far as to describe the essay as part of "Auerbach's *Kulturkampf* against the premises of Aryan philology and the spread of Nazi barbarism."

"Mimesis," too, may have taken its bearings from German cultural politics. The book's compelling first chapter, "Odysseus' Scar," which contrasts Book 19 of the *Odyssey* with Abraham's intended sacrifice of Isaac, lays out the differences in attitude and articulation between the Homeric epic and Hebrew Scripture. But because the discussion pivots on the binding of Isaac and Abraham's reflexive anxiety—one of several Biblical scenes forbidden in German schools—the

chapter can also be viewed as Auerbach's nod to Jewish martyrdom. At least one Auerbach scholar wants to take this even further, claiming that Auerbach was "pressing philology in the direction of something utterly unheard: a new resistant, if implicit, *Jewish* philology."

But how to tease apart the Jew and the philologist? No literary critic ever paid such attention to "the strange moral dialectic of Christianity" and its influence on literary style, which for centuries had to juggle the eternal alongside earthly transience. Auerbach may have wanted to upend German philology, but his central concern was the gradual transformation of Christian realism into modern literary realism. If a few veiled references in "Mimesis" or the more explicit words at the end of the first epilogue ("I hope that my study will reach its readers—both my friends of former years, if they are still alive, as well as all the others for whom it was intended") touch on the tragedy, that's all they do.

After the war, Auerbach arrived in the United States—teaching first at Pennsylvania State College, then at the Institute for Advanced Study, at Princeton, and, in 1950, at Yale. He and Marie became U.S. citizens, but he remained, according to his colleague René Wellek, a perpetual émigré, someone whose bags were always packed. Nonetheless, when he was offered a chair at Marburg, in March, 1953, he declined. Auerbach visited Europe in 1956 and spent the following summer in Germany, where he suffered a mild stroke. Upon his return to America, he entered a sanatorium in Wallingford, Connecticut. He died on October 13, 1957, three weeks before his sixty-fifth birthday.

By then, he was, at least by academic standards, famous. When another German philologist, Ernst Robert Curtius, the author of "European Literature and the Latin Middle Ages," visited the United States, he grumbled that "one hardly hears anything but 'Mimesis.'" The book was praised by Alfred Kazin and Delmore Schwartz, and Lionel Trilling included the first chapter in his 1970 anthology, "Literary Criticism." In 2003, on the fiftieth anniversary of the

English translation, Edward Said wrote an introduction to a new edition, which Terry Eagleton, among the foremost popularizers of literary theory, commended in the *London Review of Books*.

Since then, a cottage industry has grown up around Auerbach's oeuvre. Until recently, that oeuvre consisted primarily of four books—"Dante: Poet of the Secular World," "Mimesis," and two posthumous collections published in the late nineteen-fifties. Now there's a fifth book: "Time, History, and Literature," edited by James I. Porter and energetically translated by Jane O. Newman, containing twenty essays, only eight of which have previously appeared in English. There are, as one might expect, erudite disquisitions on Dante, Vico, and Herder. But there are also musings on Montaigne ("When he enjoys life, it is himself that Montaigne is enjoying"), Pascal ("Pascal's hatred of human nature arose from radical Augustinianism"), and Rousseau ("the first who, despite a thoroughly Christian constitution, was no longer able to be a Christian").

Auerbach is one of those critics whose ideas seem to grow organically from the loam of their narrative soil. We sense this as we follow him on his excursions around the seventeenth century ("Racine and the Passions" or "La Cour et la Ville"), or read his account of the history of Augustine's *sermo humilis*, the mode of expression that best conveys the reality of the Passion of Christ. But it's also true that his immersion in the German philosophical tradition sometimes makes him resort to knotty, high-sounding formulations that seem to waffle ever so slightly. Said sensed this in Auerbach's attraction to "the dynamic transformations as well as the deep sedimentations of history." And this, I think, lies at the heart of Auerbach's presumed detachment. Deeply influenced by Hegelian idealism, he viewed life on earth as a purposeful unfolding in which the tempo of history is continually roiled by events. So, even as the world changes in front of us, it should be viewed in retrospect, since only then can such changes become part of the tempo.

In a lecture that Auerbach delivered in Turkey about European realism, included




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in Konuk's book, he interjects an apparent non sequitur. After observing that the art of realism is leaning toward a depiction of "the life shared in common" by all people, he asserts, "Those who understand this should not be shaken by the tragic events occurring today." He was speaking in the winter of 1941-42. "History is manifested through catastrophic events and ruptures. That which is being prepared today, that which has been in preparation for a century, is the tragic realism I have discussed, modern realism, the life shared in common which grants the possibility of life to all people on earth."

Even a great critic must have his critics. The eminent medievalist Charles Muscatine chided Auerbach for blurring "half a dozen medieval realisms," and Wellek wondered whether his notion of realism was fully consistent. Auerbach tended to undervalue the comic and, consequently, gave short shrift to both Dickens and Thackeray. He neglected American literature entirely, except for a brief allusion to Pearl S. Buck. Moreover, his characterization of realism as the unvarnished reenactment of the common man's sojourn on earth is oddly restrictive. As Eagleton pointed out, ordinary life is no more real than "courts and country houses," and "cucumber sandwiches are no less

ontologically solid than pie and beans."

Curiously, for a critic who seemed so buttoned up in his own everyday life, Auerbach wanted us to know that a strong personal element stamped his work, that his own experiences directly led to his "choice of problems, the starting points, the reasoning and the intention" found in his writings. Anyone looking for these experiences, however, is going to be disappointed. Although Auerbach occasionally displays an animus toward a writer, he wasn't what you'd call an emotionally demonstrative critic. But, because he valued the historical situation of literary works, he thought that we should regard his own work as that of a particular man writing at a particular time.

Perhaps he feared that his reserve, his formality, and his lofty style would cause readers to presume a worldly detachment on his part, even a lack of sympathy for the Jews of Europe. There's not much pain or outrage in this 1938 assessment of Fascism:

The challenge is not to grasp and digest all the evil that's happening—that's not too difficult—but much more to find a point of departure for those historical forces that can be set against it. . . . To seek for them in myself, to track them down in the world, completely absorbs me. The old forces of resistance—churches, democracies, education, economic laws—are useful and effective only if they are renewed and activated through a new force not yet visible to me.

That new force never emerged, and Auerbach could never take solace in the future. He was a Jew outside of Judaism and a German ousted from Germany. His main academic interest—the flow of history through the conduit of Christianity—also attested to his expatriate status as both a critic and a Jew. Even when he regarded Germany as his homeland, he hadn't felt completely at home. Writing to Walter Benjamin in October, 1935, he refers to the strangeness of his situation at Marburg, where he was "living among people who are not of our origin, and whose conditions are very different—but who, nevertheless, think exactly as we do. This is wonderful, but it implies a temptation for foolishness; the temptation consists in the illusion that there is a ground to build upon." Such awareness is already a form of exile.

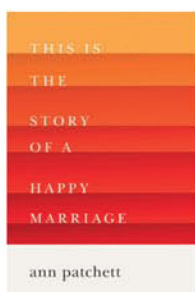
It's difficult to say when exile began to define him. But, almost twenty years after his book on Dante, he's still musing on the poet's ejection from Florence, and the way Dante "never ceased to feel the bitterness of exile, his nostalgia for Florence, and his hatred for her new rulers." This works both as literal truth and as an obvious analogy to Auerbach himself. "You are to know the bitter taste / of others' bread," he quotes, "how salt it is."

In one of his last essays, "The Philology of World Literature," Auerbach seems to be reflecting on his own situation, a man caught between the place where he was born and the work that he was born to. "The most precious and necessary thing that philologists inherit may be their national language and culture," he writes. "But it is only in losing—or overcoming—this inheritance that it can have this effect." He then cites the twelfth-century theologian Hugh of St. Victor: "The man who finds his homeland sweet is still a tender beginner; he to whom every soil is as his native one is already strong; but he is perfect to whom the entire world is as a foreign land." Auerbach now muses, "Hugh's intended audience consisted of those individuals whose goal it was to free themselves from their love of this world. But it is also a good path to follow for anyone who desires to secure a proper love for the world." Who, though, can acquire such love? Auerbach never did; history wouldn't let him. ♦

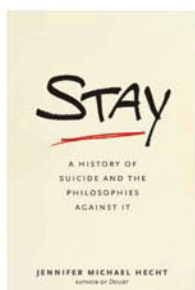


"I have to go. I have another coffee break on seven."

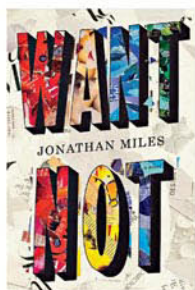
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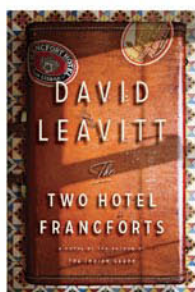
THIS IS THE STORY OF A HAPPY MARRIAGE, by *Ann Patchett* (HarperCollins). No one could ever accuse Patchett's wide-ranging fiction of being overly autobiographical, as she acknowledges in this sparkling collection. It's a point of pride for her, as a writer who has always seen fiction as her art, and articles for magazines and newspapers as a means to support her art. The pieces gathered here cover diverse subjects: a passion for opera; the experience of passing the entrance exam for the L.A.P.D.; the story of her unhappy first marriage and of her stabilizing second one; an assignment to "infiltrate RV culture" in a rented Winnebago out West. But there is a through line, which is Patchett's commitment to craft and her recognition of both the vicissitudes and the joys of the writing life.



STAY, by *Jennifer Michael Hecht* (Yale). The author of the best-selling "Doubt" offers a history of suicide and of arguments against it. She recounts episodes from the canon of voluntary self-murder, including the deaths of Socrates, Cato, Samson, Sylvia Plath, and even Jesus—whose end, according to some scholars, was tantamount to suicide. After studies showed that sensationalized accounts of suicide inspired imitators, journalists began to tread lightly. Hecht puzzles through the anti-suicide insights of Western thinkers such as the neoclassical Aquinas, the "Zen-like" Arthur Schopenhauer, and the rational Kant. Even Camus, who found the search for meaning as absurd as pushing the same boulder up a cliff every day, urged his readers to "imagine Sisyphus happy," and to live.



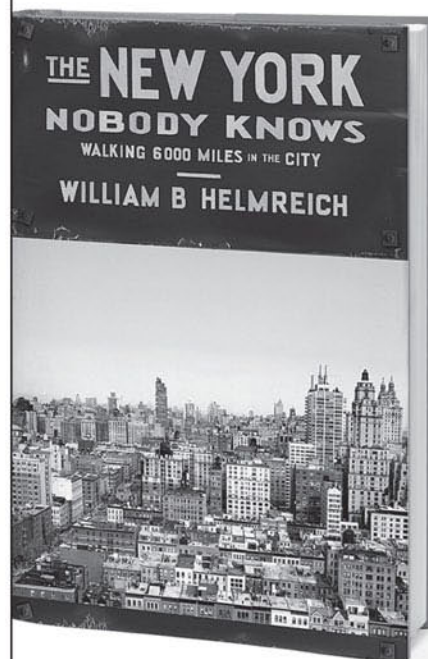
WANT NOT, by *Jonathan Miles* (Houghton Mifflin Harcourt). The author weaves together three energetic, warm stories, each of which could have stood alone: a freegan couple sifts through New York City's trash; members of a well-off—if culturally deaf—family in the New Jersey suburbs keep secrets from one another; a worn-out linguistics professor sells his belongings on Craigslist and befriends other misfits from the world's "bycatch." Miles strains to make known the novel's preoccupations—excess, acquisition, spoil, waste—and can shove, rather than guide, the reader toward conclusions: "How obscene and astonishing it was, she thought, that amidst all this digital plenty, there could still be nothing."



THE TWO HOTEL FRANCFORTS, by *David Leavitt* (Bloomsbury). Set in 1940, this novel follows a stylish American expatriate couple who have fled occupied Paris for Lisbon. There they fall in with a mysterious couple who write detective novels together under the nom de plume Xavier Legrand, and indulge their myriad flights of fancy, both intellectual and sexual. A self-conscious glee in literary genre hangs over the novel, not with good effects. There is a levity to the way in which very consequential actions—homosexual flings, broken marriages, suicide—flit through the narrative frame; credibility suffers. Leavitt draws such delight from the procedures of fiction that he neglects one of its most basic pleasures—the inquiry into why people behave as they do.

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ON TELEVISION

TWEEN FOR A DAY

Buddy comedy on “Sam & Cat”; “Six by Sondheim.”

BY EMILY NUSSBAUM



Despite my profession, there's plenty of television I don't watch: cooking shows and Fox News, the sixteen post-Vegas seasons of “The Real World,” sports that are not the Olympics. Before I had children, I also didn't watch children's television. Luckily, by the time that became a requirement, the genre was in full, crazy flower, from trippy delights like “Yo Gabba Gabba!” to the witty “Phineas and Ferb.” These were shows that were easy to recommend, bright and sophisticated. An adult could even watch them alone, just for fun.

Occasionally, however, I'd stumble upon a show intended for kids slightly older than my own—twens, that hideous word—and feel a dank chill. Clearly, there was an alternative universe of children's TV out there, and these series ap-

peared to be the sort of show that only a child could understand. They aired on Disney and Nickelodeon, and, judging from glimpses, they seemed to feature eleven-year-olds in miniskirts, standing in school hallways, engaged in catfights and cruel pranks. There were laugh tracks and cheap sets. My neighbor once told me that his girls were allowed to watch any television for children except “the shows with lockers.” This struck me as a sensible guideline.

“Sam & Cat,” a new series on Nickelodeon, was an opportunity to confront this neon bogeyman of a genre. A buddy comedy about teen-age girls living as roommates, the show shared some DNA with “Laverne & Shirley,” one of my favorite seventies sitcoms. It was created by Dan Schneider, a former teen star and the

impresario behind Nickelodeon series like “Kenan & Kel,” “Drake & Josh,” and “iCarly.” And there was something intriguing about “Sam & Cat”'s approach to the TV spinoff, extracting sidekicks from two of Schneider's previous shows and pairing them up: the abrasive best friend Sam, from the hit “iCarly,” matched with the sweet and dopey Cat Valentine, a minor character on one of his less successful series, “Victorious.”

Sam and Cat follow the blueprint of Beavis and Butt-head, Romy and Michelle, and even Thelma and Louise. Sam (Jennette McCurdy) is brassy and borderline violent, with a criminal record. Cat (the pop star Ariana Grande) dresses in pink, has a ridiculous voice, and is a bit nicer, but she is also so dumb that she doesn't understand basic words. The two girls start a babysitting service. Refreshingly, there are none of the mean-girl/princess themes that dominate teen-girl culture: no crushes, no talk about looks. Instead, “Sam & Cat” is all gut-punch surrealism, with two characters who care mainly about bingeing on junk food and watching TV, and who pull pranks like making nunchakus out of barbecued ribs—stoner comedy for ten-year-olds. As a side effect, the show passes the Bechdel test with ease, unlike many better kids' television series.

In certain ways, the show fulfilled my worst fears: it has a hee-hawing live audience and is defiantly ugly. Grande has charisma, but she plays Cat Valentine in a falsetto monotone sprinkled with up-speak, which is sort of funny but more often grating. McCurdy, on the other hand, is a real charmer, with legitimate Suzy Quatro swagger—Quatro being the leather-clad pop star who played Leather Tuscadero on “Happy Days.” But the show's most striking quality is how little it cares about looking good to grownups: it's an anarchic, vaudeville goof, a relief from anything wholesome and nice. In this sense, it reminded me of the beloved junk TV of my own youth, those low-rent Sid and Marty Krofft TV shows of the seventies, like “H.R. Pufnstuf” and “Lidsville.” Those shows made me laugh my head off when I was seven; when I was thirty-five, they seemed baffling and idiotic. Compared with “H.R. Pufnstuf,” “Sam & Cat” is Noël Coward.

In a typical episode, Sam and Cat take care of a kid who is so clumsy that his

“Sam & Cat” is an anarchic, vaudeville goof, a relief from everything nice.

mother drops him off with a bag of soggy noodles, the only food safe enough for him to eat. They take him to their favorite restaurant, Bots, where the danger keeps amping up: somebody screams, "Aw man, my tarantula got out!"; then a spearfisherman joggles a faulty trigger; finally, the kid gets sprayed with hot cheese. In another episode, the girls compete over who is the better babysitter, and when their schemes to impress the kids collide, a fake Justin Bieber (who keeps muttering, "Swag") gets knocked out by a frozen turkey shot from a cannon. In the show's best moments, it's like Jackass, Jr., testing the limits of lurid slapstick.

There are plenty of worst moments, too, of course. Yet perhaps the most subversive element of "Sam & Cat" is the case it makes for bad TV. Like MTV's *Daria*, who watched a tabloid show called "Sick, Sad World," Sam and Cat love nothing better than to binge on their favorite shows. Their taste runs to reality competitions ("Toilet Wars") and silly sitcoms ("That's a Drag," in which all the guys dress in skirts). At the same time, they're critical viewers. "Look, on TV shows they don't let them use real Pear computers," Sam explains to Cat, as they watch a show that features a laptop with a glowing banana logo. "So they change the pear to a banana."

In Season One's most meta moment, Sam and Cat get visitors: Penny Marshall and Cindy Williams, the stars of "Laverne & Shirley." The duo play bitter enemies who once starred on a seventies show called "Salmon Cat" and who are suing for copyright infringement. It ends with the usual moronic head-bonking, but there's a great moment early on, when Sam and Cat inspect a clip from "Salmon Cat." That show bears a suspicious resemblance to one of my favorite shows, "Wonder Pets!," a developmentally appropriate preschool series, full of messages about empathy, grit, and environmentalism. Sam is disgusted. "O.K., I can't watch any more of this trash," she says. After years of cunningly disguised organic kale, you can see how *Kool-Aid* might hit the spot.

For the true Sondheim fan, too much is not enough. Go ahead, televise a star-studded birthday party every year from the 92nd Street Y. Air twenty-five separate revivals of "Company" on PBS.

Do Sondheim as opera, do Sondheim as cabaret, produce a misbegotten film adaptation of "Sweeney Todd"—we don't mind, we'll still go see it. In the wake of those two thick anthologies of Sondheim's lyrics, the composer's work is more annotated than "Pale Fire," and yet you could send me something like "Six by Sondheim," HBO's latest contribution to Sondheim studies, every month, and it would jump to the top of the screener pile.

The focus here is on six songs: "Something's Coming," "Send In the Clowns," "I'm Still Here," "Being Alive," "Opening Doors," and "Sunday." Sondheim's frequent collaborator James Lapine directs, and he does an excellent job of stitching together interviews from more than four decades, including ones with Mike Douglas and Diane Sawyer, to form a portrait of the composer as both a young and an old man. Sondheim's mood shifts over time—sometimes bitter about critical reception, sometimes affectionate and philosophical—but he's eternally articulate about his ambitions to create a sharper, more adult form of musical theatre. (As a bonus, Lapine's edit gives us a time line of Sondheim beards, as well as one regrettable period when his hair resembled squid-ink linguine.) There are several affecting moments, including a teary discussion of Sondheim's love of teaching and his painful history with his mother. But my favorite bit of candor came when the composer admitted he'd never written a lyric without alcohol: not too much, he added, just enough to loosen up.

The songs themselves are dramatized in a few ways. One montage skips through YouTube covers of "Send In the Clowns," then settles on a spectacular interpretation by Audra McDonald. There's a marvellous Jarvis Cocker version of "I'm Still Here," directed by Todd Haynes. Darren Criss, America Ferrera, and Jeremy Jordan perform "Opening Doors," with Sondheim himself in a cameo. In archival footage, we get to see Ethel Merman in "Gypsy" and the "Company" cast recording "Being Alive."

In Sondheim's opinion, he had one true flop, the politely received, pragmatically made "Do I Hear a Waltz?" The show "had no passion and no blood and no reason to be," he said. "That's what failure taught me, and that was the real failure." ♦



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The centenary of Benjamin Britten.

BY ALEX ROSS

Igor Stravinsky and Robert Craft, in their 1966 book, "Themes and Episodes," scoffed at the fame that Benjamin Britten had attained in the mid-nineteen-sixties, when his "War Requiem" became an international symbol of antiwar sentiment. In the previous century, Stravinsky and Craft noted, George Bernard Shaw had adulated the composer Hermann Goetz, calling him the equal of Mozart and Beethoven. The implication was that Britten was benefitting from similar hype, and would soon fall into Goetzian oblivion.

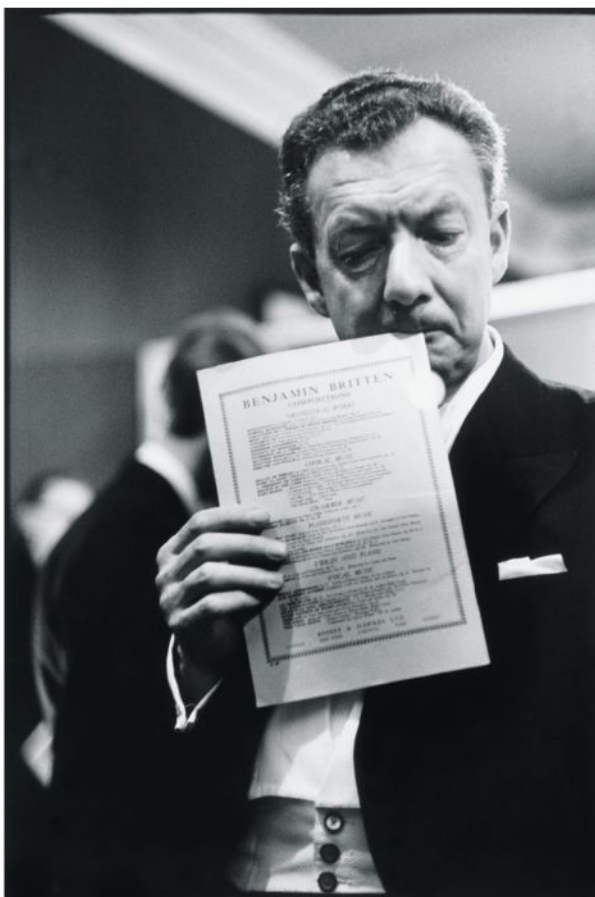
Britten's hundredth anniversary arrived on November 22nd, and the intensity of observances around the world has made it clear that Stravinsky missed the mark, as geniuses tend to do when they assess one another. Far from fading away, Britten is gradually entering the permanent repertory. Paul Kildea, in "Benjamin Britten: A Life in the Twentieth Century," an authoritative new biography, notes that, accounting for inflation, the composer's royalties have doubled since his death, in 1976. Musicians and audiences alike are compulsively revisiting Britten's music, in order to pursue its fleeting beauties and test its chilly depths.

Among other things, we keep returning to "Peter Grimes," that grand opera of small-town paranoia, which first brought Britten renown, in 1945. On the night of the composer's centenary, "Grimes" received gala treatment at Carnegie Hall, in a concert performance by the St. Louis Symphony. Each time I hear the score, it seems to change color, like the blue-green-silver

sea off the Suffolk coast, where the opera is set. With David Robertson conducting in driven, exacting fashion, I was more conscious than ever of the degree to which "Grimes" is built from attenuated, ditty-like motifs. These insidiously hummable four- or five- or six-note figures act as musical cement, binding the architecture together, while also

notes, which is picked up in the orchestra and comes to represent "hubbub among the spectators," as the score says. It is the sound of suspicion, of rumor. Later in the act, a storm breaks on the coast, and this same motif is integral to the sonic swirl, indicating that Britten is engaging in more than nature-painting: the storm is also a gathering mob. In the centenary concert, the blazing precision of the St. Louis players never let you forget the motivic connection.

If the "chatter" figure rises from a murmur to a howl, a second leitmotif in "Grimes" follows an opposite trajectory, from violence to silence. In Act II, when Grimes admits that he poses a danger to his apprentices, he exclaims, in a jaggedly descending line, "God have mercy upon me!" Anthony Dean Griffey, in the title role, made it an agonized cry, the St. Louis brass and wind framing him with cold, savage timbres. The townspeople use the same intervals to sing "Grimes is at his exercise." And the theme becomes the ground bass for the harrowing passacaglia at the heart of the act. At the very end, as Grimes dies and normal life resumes, Auntie, the local tavern keeper, dismisses a report of a sinking boat as "one of these rumors." In a stroke of meticulous brilliance, Britten sets the line to the "God have mercy" motif, showing how the townspeople have gone from hounding Grimes to forgetting him. No staging was necessary to make Britten's insight relevant: if you spend more than a few minutes in the global village, you find yourself in the Borough.



Britten is gradually entering the permanent repertory.

creating psychological unease, through insistent repetition.

At the outset of "Grimes," the brooding fisherman of the Borough is being interrogated about the death of one of his apprentices. Swallow, the lawyer, fires off questions—"Why did you do this? What happen'd next? What did you do?"—leaning on a chattering little sequence of

The anniversary obsession in classical music became stifling this year, with performances of Wagner, Verdi, Britten, and Stravinsky filling the schedule. Nonetheless, anniversaries serve a purpose when a composer is not yet an overexposed quantity. Last year's John Cage celebrations revealed the variety and vibrancy of that much maligned artist's output; likewise, the Britten festivities have shown how many musical glories

lie beyond the familiar masterpieces, such as “Grimes,” “Billy Budd,” “The Turn of the Screw,” and the Serenade for Tenor, Horn, and Strings.

The Decca label has marked the occasion by releasing a boxed set of sixty-five CDs, titled “Britten: The Complete Works,” drawing mainly from the label’s library of recordings made under the composer’s supervision, with additional items from eighteen other labels. It isn’t quite complete: Britten’s “realizations” of Henry Purcell are missing, as are various unrecorded early and incidental pieces. (The NMC label has just released a group of long-unheard radio and theatre scores, including Britten’s sly, cabaretting music for W. H. Auden and Christopher Isherwood’s 1936 play, “The Ascent of F6.”) All the same, the Decca set is a formidable and gorgeous object. Earlier this fall, I placed the music, around three days’ worth, on my computer; arranged it in chronological order; and commenced listening to the total Britten—from “Beware,” written around the composer’s ninth birthday, to “Praise We Great Men,” on which he was working at the time of his death, at the age of sixty-three.

The catalogue contains a fair number of pieces that could be described—to quote from a Britten essay by Albert Innaurato—as “well-made twaddle.” But Britten believed in writing for occasions large and small; for opera houses and village churches; for children, amateurs, and friends. The composer’s job, he said in 1965, is “to be useful, and to the living.” And the unremarkable works often have remarkable moments. Kildea, whose new biography avoids undue reverence, is right to characterize “Young Apollo,” a piano-and-strings piece from 1939, as “thin, gaudy.” For eight minutes, a great many notes are flung around A-major triads, to no obvious point. But a few pensive detours and harshly glittering sonorities take the score out of the category of the humdrum, and an abrupt ending leaves you wondering what it was all about. (It was, in fact, about Wulff Scherchen, a nineteen-year-old with whom Britten was briefly in love, before he found his life’s companion, the tenor Peter Pears.)

Listening year by year, you notice the recurring patterns: those germinal ditties, alternately innocent and sinister;

the evocation of space through the positioning of spare figures over drones or ostinatos (evident as early as the String Quartet in F, from 1928); the scampering aliveness of the rhythms. At the same time, you feel the restlessness of Britten’s intellect. Allegedly an opponent of the avant-garde, he drew on twelve-tone rows, partly improvised structures, and a wealth of non-Western influences. The major works of his illness-racked final years—“Death in Venice,” “Phaedra,” the Third String Quartet—are no longer entirely of this world: to hear them in sequence is to experience, with uncomfortable immediacy, a dying man reducing his world to bare essentials, and then letting them go.

Fortunately, New Yorkers haven’t had to rely on recordings to explore the neglected zones of Britten’s output. The New York Philharmonic, in its birthday-week tribute, presented the 1949 “Spring Symphony,” a twelve-movement cantata that the orchestra had played only once before, in 1963. It is a typically ambiguous creation, moving from pastoral innocence to premonitions of upheaval (a setting of part of Auden’s “A Summer Night” asks, “What doubtful act allows / Our freedom in this English house”), and back to innocence, in a drunken chorus that sounds like the Borough mob in a less vindictive mood. Alan Gilbert, on the podium, gave glistening clarity to the insectoid instrumental writing. The mezzo Sasha Cooke caught the dread of the Auden movement. And the tenor Dominic Armstrong, stepping in for an ailing Paul Appleby, gave an incisive, characterful, and, under the circumstances, heroic performance—he had seen the score for the first time that morning.

Carnegie Hall is hosting a lively Britten series, and the Met handsomely revived “A Midsummer Night’s Dream.” But the prize of the Britten season has been a sprawling survey at Trinity Wall Street, which began in September and ends in January. Nearly a hundred Britten works have been woven into the church’s free lunchtime concerts and Sunday services. Julian Wachner, Trinity’s music director, has elicited near-impeccable performances on limited rehearsal time. He has the advantage of a skilled pool of younger freelance musi-

cians, particularly those associated with the chamber ensemble Decoda. The oboist James Austin Smith, in “Six Metamorphoses After Ovid,” filled the church with his bold, keen sound. The violinist Anna Elashvili all but transformed the early, nondescript Suite for Violin and Piano, maintaining ferocious accuracy far into the upper register. Decoda’s core string players outclassed the Endellion Quartet, at Carnegie, in their rendition of the First String Quartet. (The Decoda ensemble will play the Third Quartet on December 5th.)

Notable young vocal soloists are tackling the song cycles. Nicholas Phan, a new star among Britten tenors, nimbly navigated the changing moods of the “Nocturne,” and the soprano Jessica Muirhead found sensuality and wit in the Auden cycle “On This Island.” Meanwhile, the Trinity Choir, one of the city’s finest, is delving deep into Britten’s choral repertory. Particularly striking was their rendition of “A.M.D.G.,” a 1939 setting of sacred poems by Gerard Manley Hopkins. For the poem “God’s Grandeur,” Britten treats voices like instruments, giving them intricate, interlocking patterns: the line “The world is charged with the grandeur of God” takes on an unexpected Latin bounce. Trinity’s account of this fiendishly difficult music dazzled the ears and mind.

The most haunting event in the Trinity series so far was a performance, on Veterans’ Day, of “Cantata Misericordium,” composed in 1963 for the centenary of the Red Cross. It took place in St. Paul’s Chapel, which served as a recovery center after September 11th and houses mementos connected to the event. (One banner proclaims, “Oklahoma Loves You!”) As the music played, tourists crept around the edges of the space, examining 9/11 relics and casting puzzled glances at the performers. The cantata tells, in Latin, of the parable of the Good Samaritan, with affecting solos for baritone and tenor (Christopher Herbert and Steven Wilson) and imploring choruses. At the end, the singers chant, “Go and do likewise,” in lines that trail off into silence. The composer, a lifelong pacifist, seems sadly aware that his plea for mercy may go unattended. Still, he raises his voice, in the hope that someone might hear. Decades after his death, Britten is not done being useful to the living. ♦

TWO FOR THE ROAD

Samuel Beckett's metaphysical slapstick.

BY HILTON ALS



The most significant incarnation of Samuel Beckett's 1953 play "Waiting for Godot" I've ever seen was staged outdoors, in New Orleans's Lower Ninth Ward. The year was 2007—two years after Hurricane Katrina—and the show was produced by the artist Paul Chan and directed by Christopher McElroen, with Wendell Pierce and J. Kyle Manzay as Vladimir and Estragon. Like Susan Sontag, who staged the play in war-weary Sarajevo, in 1993, the collaborators presumably found some truth in the bleak, science-fiction-like devastation that surrounded them, a real-life metaphor for Vladimir's observation, near the end of the play, that "in an instant all will vanish and we'll be alone once more, in the midst of nothingness." In the midst of our

"nothingness," I could smell the stench of the nearby Mississippi. I saw how the white overhead lights lit the stage and the actors' black skin and the black night sky. I heard dry grass rustling, and sometimes a dog howling. And, in the pauses between Beckett's lines about the continuum of hope or the comedy of death (I couldn't settle on which), I heard something else: a silence as heavy as a solid. The show was staged in a residential neighborhood that no longer had its residents. There were no sounds of daily life: no one to turn a television on or off, no one to clink ice in a glass or curse the weather. All that was left in that damaged, desolate space was evidence that the world could disappear in a moment, leaving you God knows where.

Beckett knew something about displacement—the fear, the hope, the cold stink of madness and loss. Born into a middle-class family in Foxrock, Ireland, in 1906, he was the second son of a genial surveyor and his critical, controlling wife. Samuel was his mother's favorite child, but he could never quite live up to her demands, which tethered him to her as Lucky is tethered to Pozzo in "Godot." At twenty-two, he fulfilled his dream of escape, landing in Paris, where he was taken up by James Joyce. (Their friendship faltered when Beckett didn't respond to the advances of Joyce's schizophrenic daughter, Lucia.) In 1938, Beckett was stabbed by a Parisian pimp and barely survived. Four years later, he was nearly captured by the Gestapo while working for the Resistance.

War, humiliation, physical and spiritual pain, our desire to connect through the skein of isolation: all of this Beckett poured into "Waiting for Godot," though "poured" may not be the right word for the play's abrupt, staccato lines. In any case, that curtiness—the meaning in the ellipses—is not the focus of Sean Mathias's current revival (at the Cort). Mathias has chosen, instead, to make the play into a "Hogan's Heroes"-ish, hail-fellow-well-met spectacle that feels like an awkward exercise in male bonding—a painful slap on the back, followed by booming laughter. His misguided approach is clear, first, in the show's design: Stephen Brimson Lewis's enormous gray set looks more expensive than deracinated. The symbolically "barren" tree upstage seems relatively healthy, as Estragon (Ian McKellen) sits beside it, fiddling with his boot. Vladimir (Patrick Stewart) enters. The men are friends, not long parted. Where did Estragon spend the night? In a ditch. Where was Vladimir? Without him. This kind of metaphysical slapstick was an essential part of the play for Beckett, but not the only part. In a letter to a German director who wanted to mount "Godot," he wrote:

The farce side seems indispensable to me as much from the technical point of view (comic relief) as for reasons to do with the spirit of the play. Therefore neither to be hurried through nor to be overdone. . . . Laugh at them then and get them laughed at . . . but not all the time . . . and always a little reluctantly.

It's a drag that Mathias wants us to laugh all the time, and a drag that, instead of seeing Vladimir and Estragon onstage, we see Stewart and McKellen. Mathias

Displaced persons: Patrick Stewart and Ian McKellen in "Waiting for Godot."

seems to bank on the actors' celebrity to carry the show, rather than making them do the heavy lifting needed to build characters from an opaque, intellectually rigorous work—a poem with more clues than exposition. Beckett is not such a difficult artist to absorb if one listens; his meaning is there in the chopped-up wordplay, in the speech that is both philosophical and mundane. But here all one can hear is McKellen's and Stewart's grand English voices. Stewart trots out his famous bass like a show dog: it races around, stands on its hind legs, and sits still only when McKellen sends his lines commandingly back. Perhaps this star-to-star one-upmanship is intended to echo the clown-upstaging-clown exchanges of Beckett's text. It doesn't work. McKellen and Stewart want to be seen, but without sacrificing their hauteur; there is no desperation in their bones, nothing funky in their "Of Mice and Men"-like portrayal, minus the girl, minus the murder.

We can sense the grievous reality behind the jokes only in the flop sweat that drenches Lucky (Billy Crudup, who is electrifying in the role), and permeates our consciousness. Even then, it takes several minutes to separate oneself from the noise of the production and appreciate just how extraordinary a creation Lucky is. There is something so shameful and primal, so stomach-churning, in the portrait of this slave bound to his master, Pozzo (the excellent, if a trifle too blowhardy, Shuler Hensley), that I couldn't help thinking that it was informed by Beckett's feeling about Jewish suffering in the Second World War. (In McElroen's staging, Lucky seemed more like a link to American slavery.) Dressed in loose-fitting rags,

with unkempt hair, Crudup's Lucky skitters along with Pozzo's rope tied around his neck. He doesn't know to be ashamed, because he doesn't know what it is to be free; he knows only what's demanded of him, the immediate desires of a master who talks and talks because, as Gertrude Stein said, repetition is insistence. But what is Pozzo insisting on? As played by Hensley, he is insisting on his masculinity—his ownership of the empty world we occupy. Lucky doesn't recognize that world. Keeping his head down, all he sees is his feet, shuffling in a repetitive dance of misery that he doesn't know is miserable. When Lucky finally tries to leave his master, Pozzo is bereft: his power over someone else is his life's blood. Still, he is aware that he himself might have been Lucky if chance hadn't willed otherwise.

Beckett's genius lay in finding these distinctly theatrical metaphors to show us how foolish and beautiful and ghoulish we are. We are all "sick" with life, contagious with it: we are all terminal, dying, in order to make room for other people, other stories. Look at Winnie in the 1962 play, "Happy Days," buried up to her neck as she chatters on about toothpaste and memories. Or Krapp, in "Krapp's Last Tape" (1958), as he breathes the last of his love into a tape recorder. These extreme images of man's immersion in and escape from life may have been Beckett's reaction against his attraction to Irish blarney, his Joycean love of song and excess. They were also a jumping-off point from which he could examine the actor's primary instrument: the voice.

Voice is at the center of Beckett's "All That Fall" (1957). Originally written as a radio play, the seventy-five-minute piece

has been directed with aplomb and understatement by Trevor Nunn (at 59E59). The show is staged in a radio studio: the actors arrive and chat soundlessly before taking their seats; microphones hang from the ceiling like upside-down thistles; a red light comes on and we're on the air. The protagonist of this story, Mrs. Rooney (Eileen Atkins, glorious in the part), is an Irishwoman on her way to the railway station to pick up her husband (Michael Gambon), who is blind. En route, she reflects on the changing face of the world. One gets the sense, even before meeting Mr. Rooney, that he is not enough for Mrs. Rooney. Indeed, the world is not enough; it continuously fails to meet her standards. Atkins maintains a downward turn to her mouth, a dead-eyed glare, and a vain but trashy posture—her Mrs. Rooney can talk a blue streak while saying blue things.

After Mr. Rooney is retrieved, we learn that a child was killed on the train tracks. Mr. Rooney clings to the child's ball as he and his wife make their way home through the elements. In their struggle, the couple embody two inseparable aspects of Beckett: his inimitable sense of the ridiculous and his sometimes sentimental faith in our ability to carry on. For the playwright, we are all like figures in the Book of Common Prayer, fighting against calamity, believing in a world "without end," because we must. Amen. How we get through it is up to us—and God. Or Godot. Whoever he is. As Beckett once wrote, "I myself know him less well than anyone.... If his name suggests the heavens, it is only to the extent that a product for promoting hair growth can seem heavenly. Each person is free to put a face on him." ♦

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VOLUME LXXXIX, NO. 40, December 9, 2013. THE NEW YORKER (ISSN 0028792X) is published weekly (except for five combined issues: February 11 & 18, June 10 & 17, July 8 & 15, August 12 & 19, and December 23 & 30) by Condé Nast, which is a division of Advance Magazine Publishers Inc. PRINCIPAL OFFICE: The Condé Nast Building, 4 Times Square, New York, NY 10036. Elizabeth Hughes, vice-president and publisher; Beth Luskó, associate publisher advertising; James Guilfoyle, director of finance and business operations; Lynn Oberlander, general counsel. Condé Nast: S. I. Newhouse, Jr., chairman; Charles H. Townsend, chief executive officer; Robert A. Sauerberg, Jr., president; John W. Bellando, chief operating officer & chief financial officer; Jill Bright, chief administrative officer. Periodicals postage paid at New York, NY, and at additional mailing offices. Canada Post Publications Mail Agreement No. 40644503. Canadian Goods and Services Tax Registration No. 123242885-RT0001. Canada Post: return undeliverable Canadian addresses to P.O. Box 874, Station Main, Markham, ON L3P 8L4.

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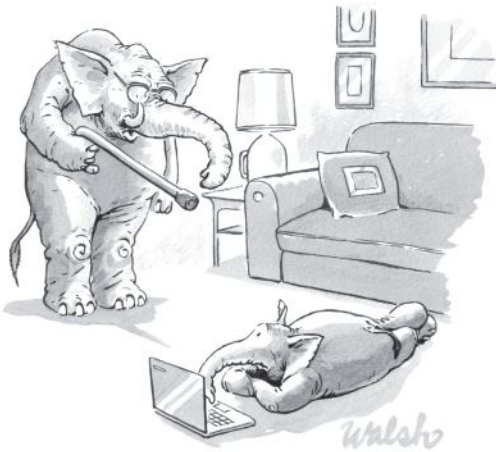
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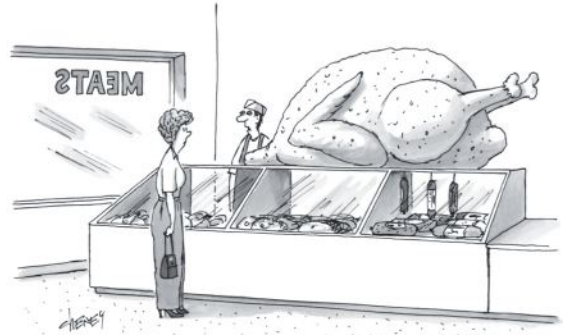
CARTOON CAPTION CONTEST

Each week, we provide a cartoon in need of a caption. You, the reader, submit a caption, we choose three finalists, and you vote for your favorite. Caption submissions for this week's cartoon, by Mick Stevens, must be received by Sunday, December 8th. The finalists in the November 25th contest appear below. We will announce the winner, and the finalists in this week's contest, in the December 23rd & 30th issue. The winner receives a signed print of the cartoon. Any resident of the United States, Canada (except Quebec), Australia, the United Kingdom, or the Republic of Ireland age eighteen or over can enter or vote. To do so, and to read the complete rules, visit newyorker.com/captioncontest.

THE WINNING CAPTION



"Still afraid to use the mouse?"
Michael Klein, New York City



THE FINALISTS

"The gravy boat is docked at the wharf."
Sean McGee, Seattle, Wash.

"It's a turduckant—a turkey stuffed with a duck, stuffed with a young, tender elephant."
Dana Sherman, Reseda, Calif.

"Don't worry. It'll plump as it cooks."
Carol Cullen, Milton, Mass.

THIS WEEK'S CONTEST



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