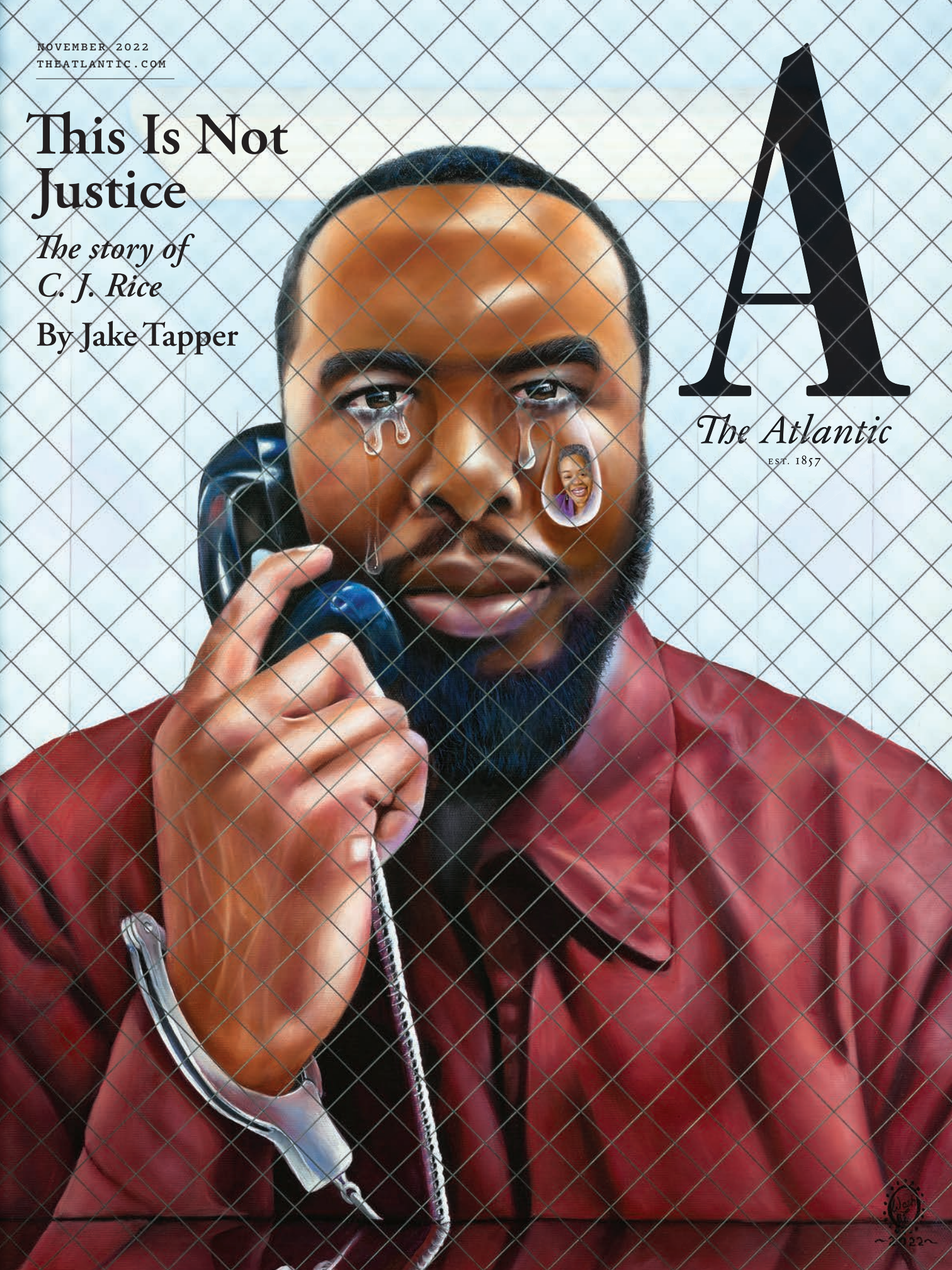
NOVEMBER 2022
THEATLANTIC.COM

This Is Not Justice

The story of C. J. Rice

By Jake Tapper



The Atlantic
EST. 1857


JOSEPH COOK,
GLACIOLOGIST


VRENI HÄUSSERMANN,
MARINE BIOLOGIST


MIRANDA WANG,
TECH ENTREPRENEUR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ENGINEER


MARK KENDALL,
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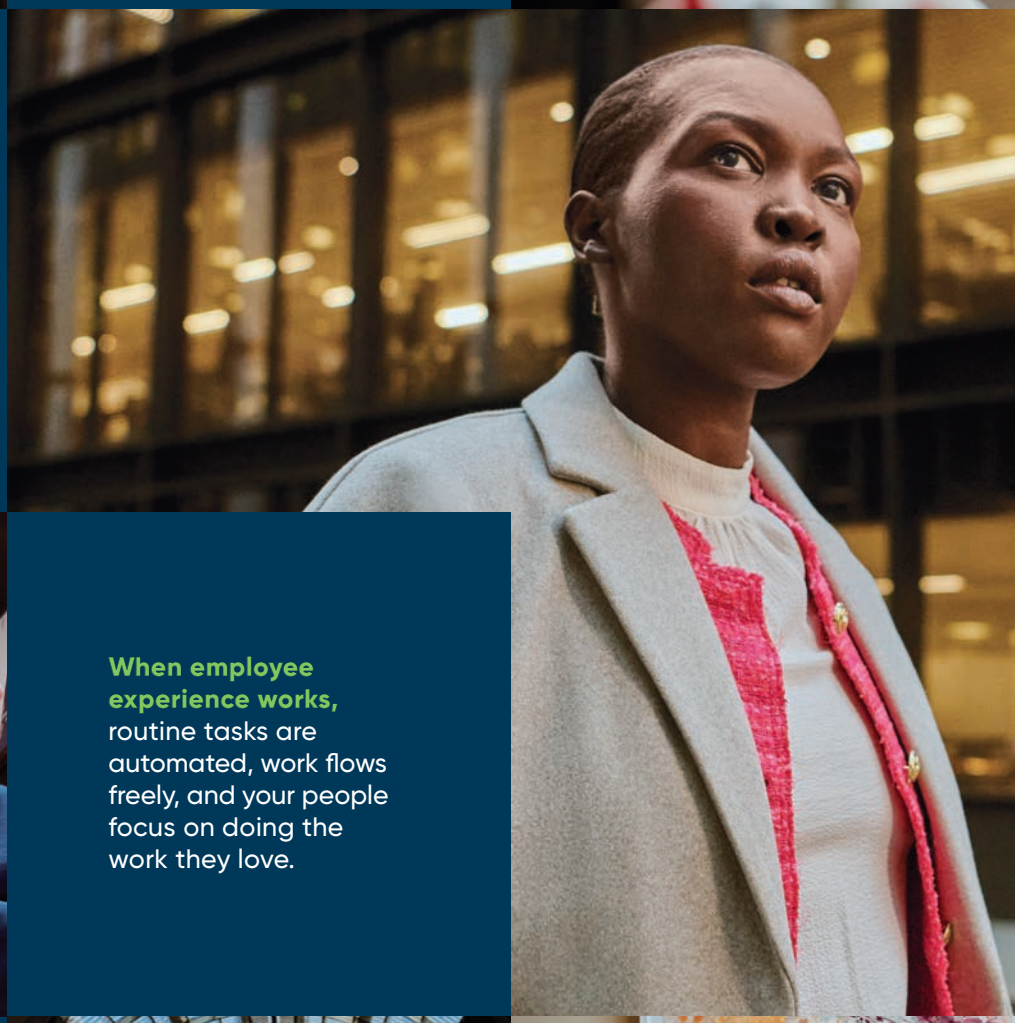

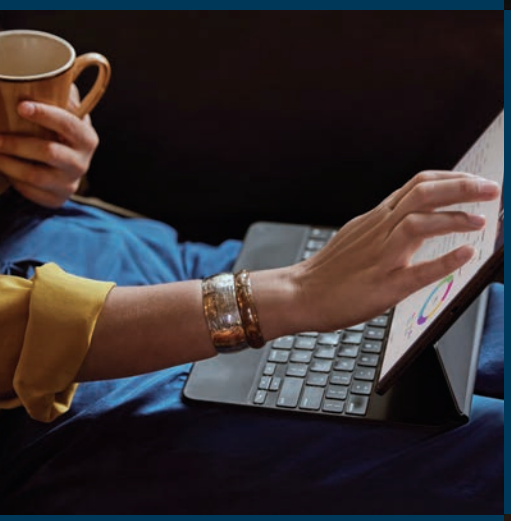

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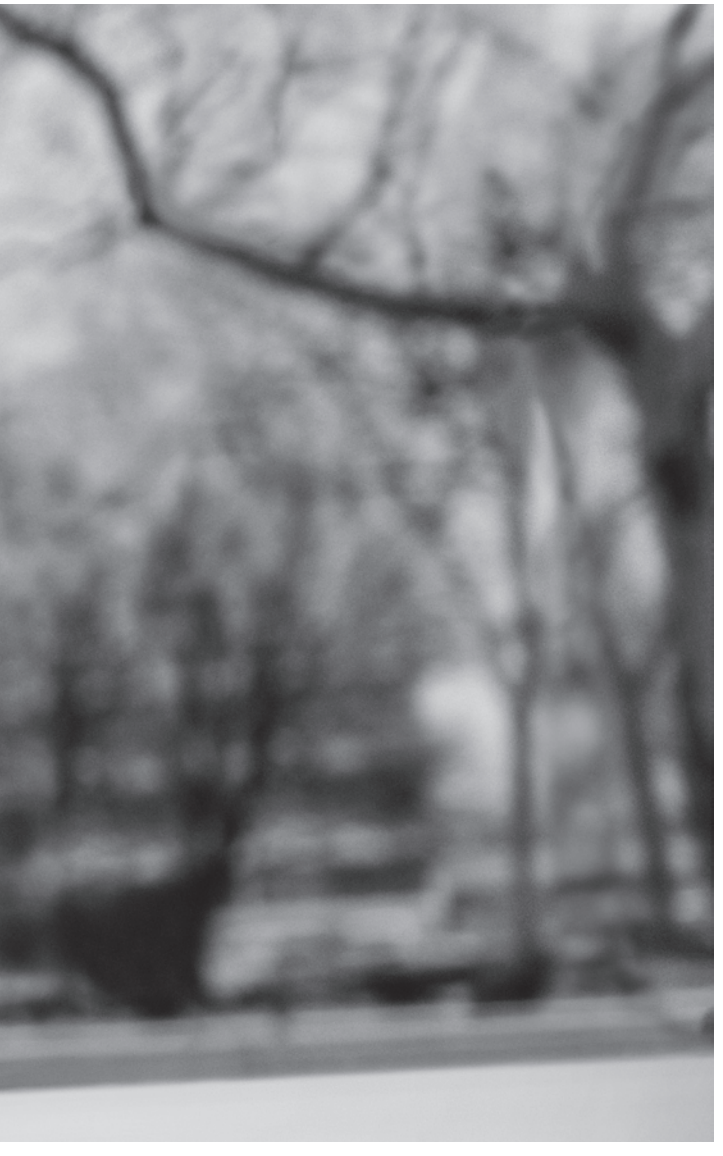

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OF NO PARTY OR CLIQUE

VOL. 330–NO. 4 NOVEMBER 2022

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At the peak of their celebrity, Siegfried & Roy were arguably the most famous magicians since Houdini.

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THE AMERICAN IDEA

In the winter of 1861, the second editor in chief of *The Atlantic*, James T. Fields, received a letter from Julia Ward Howe, the abolitionist and suffragist. Attached to her letter was a poem she hoped to see published in this magazine. The letter is worth reading in full:

> Fields!
>
> Do you want this, and do you like it, and have you any room for it in January number? I recd. your invitation to meet the Trollopes just five minutes before my departure for Washington, so could only leave a verbal answer, hope you got it.
>
> I am sad and spleeny, and begin to have fears that I may not be, after all, the greatest woman alive. Isn't this a melancholy view of things? but it is a vale, you know. When will the world come to end?
>
> In haste
> sincerely yours
> J.W.H.

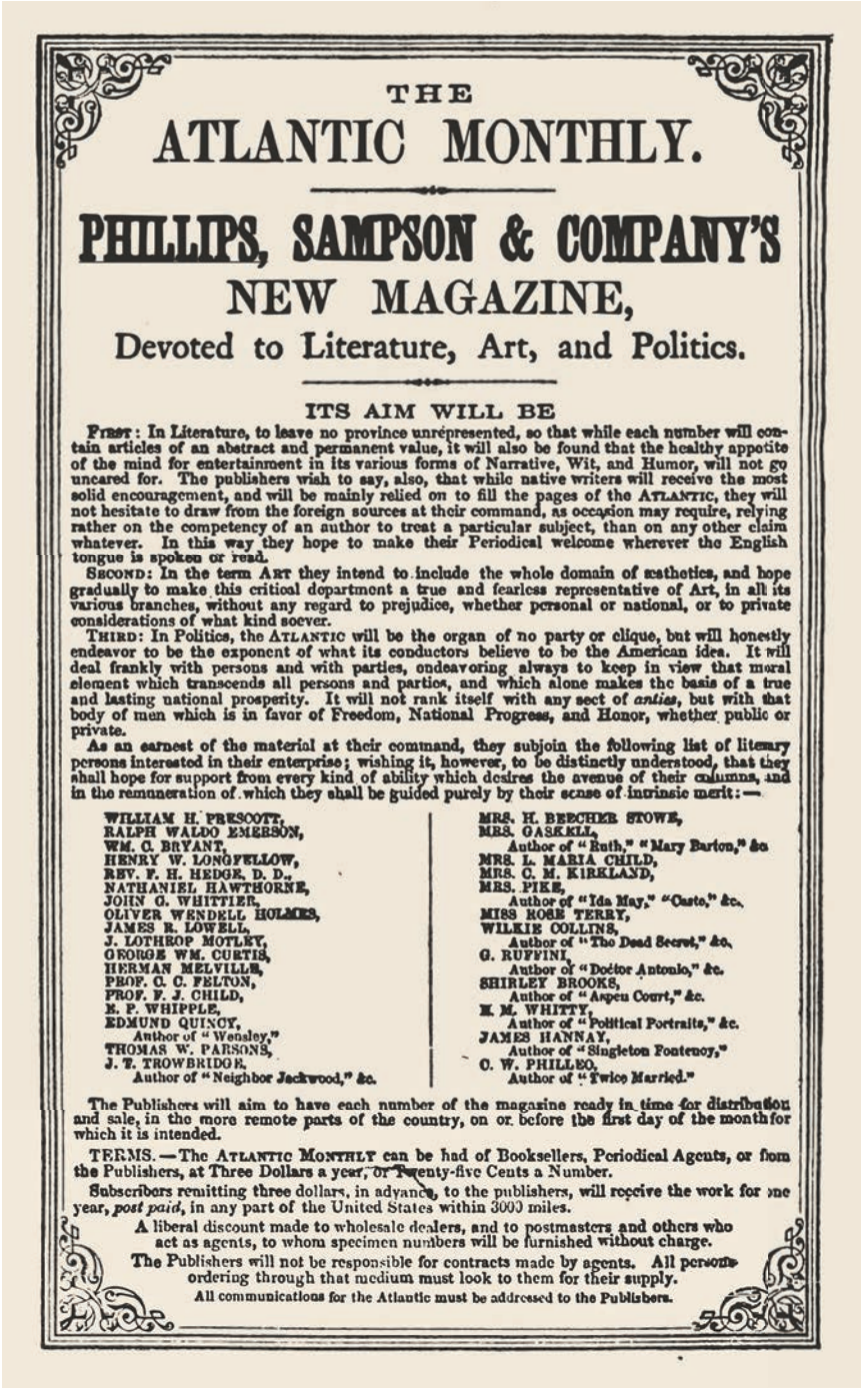
Sad and spleeny! We should all be so afflicted by Howe's melancholy-inducing imperfections. Howe had just written her poem in a fever burst at the Willard Hotel. "I awoke in the gray of the morning twilight," she later said, "and as I lay waiting for the dawn, the long lines of the desired poem began to twine themselves in my mind." Fields, in possession of that most crucial editing skill—knowing when to leave copy alone—gave it a title and published "Battle Hymn of the Republic" on the first page of the February 1862 edition. (Howe received, in return, a $5 freelance fee and immortality.)

One challenging aspect of employment here at *The Atlantic*—which enters its 166th year of continuous publication with this issue—is that we have published not only "Battle Hymn of the Republic" but also Longfellow's "Paul Revere's Ride," and the first chapters of W. E. B. Du Bois's "The Souls of Black Folk," and Robert Frost's "The Road Not Taken," and Rachel Carson's meditations on the oceans, and Einstein's denunciation of atomic weapons, and so on, ad infinitum. I sometimes ask my colleagues to look to Edward Weeks, the ninth editor of *The Atlantic*, as a model; in 1927, while still a junior editor, he brought in Ernest Hemingway. This, I tell my colleagues, should be the ambition of every editor at *The Atlantic*: to discover the next world-changing writer. We owe this to our readers, and we owe this to our predecessors, who tried very hard to make *The Atlantic* the great American magazine.

The high bar set by past editors is lowered just a bit in our minds by knowledge that not every article, short story, and poem published since 1857 has been imperishably wise. We have just recently posted our full archive online, and easy perusal has brought us to a number of unfortunate if unsurprising discoveries—for instance, far too much enthusiasm, at certain moments, for "eugenical sterilization"; an article from 1934 titled "My Friend the Jew," which is roughly what you would expect; and a poem by Thomas Bailey Aldrich, the magazine's fourth editor, titled "Unguarded Gates," written in response to Emma Lazarus's "The New Colossus," which to our chagrin was not first published in *The Atlantic* but is cast in bronze at the foot of the Statue of Liberty. Aldrich's poem, published in 1892, refers to liberty as a "white goddess" and warns of "accents of menace alien to our air." A predisposition against censorship keeps us from hiding the poet laureate of family separation in some dusty digital subbasement. The history of a great magazine, after all, is as messy as the history of a great nation.

On balance, I should say, the historical record is exemplary. I believe this has to do mainly with the preposterously talented journalists who have been drawn here over the centuries, but *The Atlantic*'s excellent record of aesthetic and moral success is due as well to a founding mission statement, crystalline in clarity, that guides us to this day. The authorship of this manifesto, which was published in the first issue, is unclear, though it was most likely drafted by Francis Underwood, the largely unheralded deputy editor who dreamed up the idea for this magazine, and James Russell Lowell, who was placed in charge by the owners at *The Atlantic*'s birth. The manifesto has as signatories many, if not most, of the literary worthies of the day: Ralph Waldo Emerson, who appeared in the first issue; Oliver Wendell Holmes, who came up with *The Atlantic*'s name; Nathaniel Hawthorne, who would become the magazine's Civil War correspondent; and Harriet Beecher Stowe, America's most popular author, and *The Atlantic*'s, too, until she launched an intemperate attack on Lord Byron and cost the magazine thousands of subscribers. (We have since recovered, as has Lord Byron.) To my sadness, *Moby-Dick* being my favorite American novel, Herman Melville never found a way to contribute, though I like to imagine that both Lowell and Fields tried hard to induce him. I can hear their plea: *Anything more on whales would be fine, Herman, really. Try again with the whales.*

The Atlantic was founded as an abolitionist magazine, and as a conveyor of "the American idea," to quote the founders in their manifesto, although, you will notice upon careful reading, they did not actually define this idea. The manifesto makes very clear that only by concentrating intently on literature, the arts, and politics in equal measure would the editors



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FIRST: In Literature, to leave no province unrepresented, so that while each number will contain articles of an abstract and permanent value, it will also be found that the healthy appetite of the mind for entertainment in its various forms of Narrative, Wit, and Humor, will not go uncared for. The publishers wish to say, also, that while native writers will receive the most solid encouragement, and will be mainly relied on to fill the pages of the ATLANTIC, they will not hesitate to draw from the foreign sources at their command, as occasion may require, relying rather on the competency of an author to treat a particular subject, than on any other claim whatever. In this way they hope to make their Periodical welcome wherever the English tongue is spoken or read.

SECOND: In the term ART they intend to include the whole domain of æsthetics, and hope gradually to make this critical department a true and fearless representative of Art, in all its various branches, without any regard to prejudice, whether personal or national, or to private considerations of what kind soever.

THIRD: In Politics, the ATLANTIC will be the organ of no party or clique, but will honestly endeavor to be the exponent of what its conductors believe to be the American idea. It will deal frankly with persons and with parties, endeavoring always to keep in view that moral element which transcends all persons and parties, and which alone makes the basis of a true and lasting national prosperity. It will not rank itself with any sect of *anties*, but with that body of men which is in favor of Freedom, National Progress, and Honor, whether public or private.

As an earnest of the material at their command, they subjoin the following list of literary persons interested in their enterprise; wishing it, however, to be distinctly understood, that they shall hope for support from every kind of ability which desires the avenue of their columns, and in the remuneration of which they shall be guided purely by their sense of intrinsic merit:—

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M. M. WHITTY,
Author of "Political Portraits," &c.
JAMES HANNAY,
Author of "Singleton Fontenoy,"
C. W. PHILLEO,
Author of "Twice Married."

The Publishers will aim to have each number of the magazine ready in time for distribution and sale, in the more remote parts of the country, on or before the first day of the month for which it is intended.

TERMS.—The ATLANTIC MONTHLY can be had of Booksellers, Periodical Agents, or from the Publishers, at Three Dollars a year, or Twenty-five Cents a Number.

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The Publishers will not be responsible for contracts made by agents. All persons ordering through that medium must look to them for their supply.

All communications for the Atlantic must be addressed to the Publishers.

The magazine's founding manifesto appeared in its first issue, in November 1857.

fulfill the founders' mandate to make this a truly American magazine: "The healthy appetite of the mind for entertainment in its various forms of Narrative, Wit, and Humor, will not go uncared for."

On culture, *The Atlantic*'s founders set out "to include the whole domain of aesthetics, and hope gradually to make this critical department a true and fearless representative of Art, in all its various branches."

On politics, their declaration of purpose stated that *The Atlantic*

> will be the organ of no party or clique, but will honestly endeavor to be the exponent of what its conductors believe to be the American idea. It will deal frankly with persons and with parties, endeavoring always to keep in view that moral element which transcends all persons and parties, and which alone makes the basis of a true and lasting prosperity. It will not rank itself with any sect of anties, but with that body of men which is in favor of Freedom, National Progress, and Honor, whether public or private.

The challenges of making this magazine have been, and continue to be, many. In the late 19th century, it was the introduction of photography and graphics into lushly funded New York magazines that threatened *The Atlantic*. In this century, it was the rise of the internet, and of a battalion of frenetic, clickbaity, hot-take websites, that caused some to believe that magazines like *The Atlantic* were the albatross of media. (Many of these illustrated weeklies and online ventures have long since proved to be … ephemeral.)

But the hardest challenge, especially in a period of national fracturing, cynicism, and populism, is to keep our promise to be above party or clique. You will forgive us if we sometimes fail; the Republican Party of the moment is more or less authoritarian and therefore unconservative in approach, and it is difficult for us to treat Trumpism as a legitimate ideology. Conservatism as traditionally understood is worthy of deep discussion and exploration, and its proponents find a hospitable home for their writing here. We could not be *The Atlantic* without these writers and thinkers. Our mission is to be big, not small; independent, not partisan; and, above all, rigorous.

We also try very hard to be interesting. This is a prerequisite. If we can't entice you to read our articles, there's no point in publishing our collective findings about America and the world. I believe our team is doing an excellent job of being interesting, and I hope you'll agree. I'm very glad that you, our readers, are on this ride with us. *The Atlantic* has been arguing the cause of "Freedom, National Progress, and Honor" for 165 years now, and, thanks to you, we'll be doing this for a long time to come.

— Jeffrey Goldberg

"We Need to Take Away Children"

In the September issue, Caitlin Dickerson wrote about the U.S. government's family-separation policy.

Letters

What a superb piece of investigative journalism by Caitlin Dickerson. I hope the detailed history of this sordid story leads readers and voters to be more diligent about watching the way governments, both state and federal, deal with immigration.

Ron Kochman
Kenilworth, Ill.

Caitlin Dickerson's breathtaking investigation exposed the malice and incompetence of the Trump administration, as well as the failure of hundreds of government officials to stop a policy that deliberately traumatized thousands of children and parents. It reaffirms why Physicians for Human Rights concluded in 2020 that family separation meets the United Nations' criteria for torture and enforced disappearance.

As outlined in the UN's Convention Against Torture—which the United States ratified in 1994—four elements must be met to legally define acts as torture. Torture (1) causes severe physical or mental pain or suffering; (2) is done intentionally, (3) for the purpose of coercion, punishment, or intimidation; and (4) is conducted by a state official or with state consent or acquiescence. Both Dickerson's investigation and PHR's reports on the health consequences of family separation show that all four criteria for torture were met. The trauma from these separations did not disappear when families were finally reunited. As a perpetrator of state torture, the U.S. government is obligated to provide prompt and effective redress to survivors, including psychological rehabilitative services. Despite calling family separation "criminal" on the campaign trail, Joe Biden has done little for its survivors. Instead, his administration's Department of Justice is fighting these families in court and defending the abhorrent family-separation policies of the Trump administration.

Thank you to *The Atlantic* for keeping this issue in the public spotlight. The officials who devised family separation or who stood by while this abuse was perpetrated may wish to turn the page and move on, but the thousands of families who were separated cannot do so until the U.S. government acknowledges the harm it inflicted and provides redress.

Ranit Mishori
Senior Medical Adviser,
Physicians for Human Rights
Washington, D.C.

As a state child-protection caseworker for 30 years and, more simply, as a human being, I was horrified when I first heard of Donald Trump's family-separation policy several years ago. Caitlin Dickerson's putting names and faces to that policy gave it a more poignant and personal horror.

I grieve for the America that these leaders are carving out for my children and grandchildren. I feel anger

LIKE MINDS

How four visionary artisan-entrepreneurs are bringing unparalleled spirit, attention to detail, and purpose to their craft—evoking The Glenrothes' adherence to daring elegance in the process.

ABOVE: JOHNNY ORTIZ

To call yourself an artisan is easy. To actually be one takes sacrifice, meticulousness.

A joyful obsession with not only doing it well, but doing it right.

From the farmlands of rural England to the sun-soaked industry of Los Angeles to the high desert of northern New Mexico, four artisan-entrepreneurs—Johnny Ortiz, Joshua Shapiro, and Cath and Jeremy Brown—are taking craft to the next level. Each one's philosophy mirrors The Glenrothes' ethos: an esteem for the integrity of nature, for legacy and origin, for thoughtful design that will transcend passing eras and fleeting moments in time.

PHOTOGRAPH BY COLEY BROWN

LEARN HOW THESE PIONEERS ARE MOVING THE DIAL FROM THEIR CORNERS OF THE WORLD

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and disgust at the moral bankruptcy and incompetence of the Trump world, and I was brought to outrage and despair by the report that border agents mocked immigrants. How can one possibly conceive of ripping a baby from a mother's breast while chanting "Have a happy Mother's Day"? Is this the face of America? May God help us all!

Fred Putnam
Houlton, Maine

I could read only a page or two at a time of Caitlin Dickerson's article. The pain of the families being ripped apart was palpable. Reunification will be merely the first step; healing the rupture of trust will take far longer. Studies of trauma indicate that this pain and its consequences may be passed on for generations. We, the people of the United States, allowed our government to do this. We should hang our heads in shame.

We can't heal the immigrants' trauma or mend the hearts of the perpetrators. What we must do is update and restructure our immigration system, now.

Judith Matson
Vista, Calif.

Let Brooklyn Be Loud

The sound of gentrification is silence, Xochitl Gonzalez wrote in the September issue.

Reading Xochitl Gonzalez's description of the "aesthetic" of silence, I realized that it was one I grew up with, was trained to revere and need. I consider noise—whether from a stereo, a car horn, an argument, a racing motorcycle, or a party—an intrusion, a violation of my space and contentment. Why the need for so much quiet? What joy and life does this need snuff out in others and in myself?

I'm not sure I'll succeed, but the next time I'm bothered by another's shouting, I'll try to remind myself that life is a loud affair. It was always meant to be, from a baby's first cry.

Jean Cheney
Salt Lake City, Utah

I love quiet. I'm currently in a protracted struggle with my local city council to have high-powered leaf blowers banned. They are an incredible nuisance, disrupting not only every sleeping child and working neighbor for a 10-block radius, but also every bird and bee.

Yet I fully agree with the author that we should let our neighbors speak, laugh, cry as loud as they wish—and, yes, even party. I do not want to live in a world subsumed by machine noise, but I most definitely want to hear the sound of people living their lives fully.

I believe that my local city council's exemption of leaf blowers from our local noise ordinance is racist, or at a minimum classist. Consider, for instance, a lively gathering of people of color being reported for a noise violation and the cops showing up. In contrast, my rich white neighbor can rest at ease knowing that their high-powered leaf blowers remain exempt. The implicit statement is that your party, your friends, your life are less important than your neighbor's manicured lawn.

Elliot Cohen
Boulder, Colo.

To respond to *Atlantic* articles or submit author questions to The Commons, please email letters@theatlantic.com. Include your full name, city, and state.

Behind the Cover

In this month's cover story ("Good Luck, Mr. Rice," p. 28), Jake Tapper writes about C. J. Rice, who was sentenced to decades in prison as a teenager and whose experiences reveal the empty promise of the constitutional right to counsel. For the cover, we commissioned the artist Fulton Leroy Washington, known as MR WASH, to paint a portrait of Rice. Washington recognized much of his own story in Rice's—he spent 21 years in prison for nonviolent drug convictions before having his sentence commuted in 2016 by President Barack Obama. "I realized that C.J. and I were similarly situated," Washington told me. "He's on a journey, on a path, that I have been blessed to make it all the way through."

As a child in the Watts neighborhood of Los Angeles, Washington cultivated an interest in art through jigsaw puzzles. "We'd sit at the dining-room table, the family looking through the box and trying to find the piece that fits," he recalled. "I would see the art coming together." But he truly started honing his craft during his trial, to pass the time. "In the courtroom, I would draw butterflies and characters, and even little people, in pencil."

After his conviction in 1997—a life sentence without parole—Washington began experimenting with oil paints in prison. He focused on the human form, developing his signature style—photorealistic subjects with large tears featuring smaller portraits within. "I did a thousand eyes on one canvas, a whole bunch of noses, ears from all angles, a whole bunch of smiles," he said. He continued to create over the course of his incarceration, eventually painting the scene that he believes freed him, a prophetic work titled *Emancipation Proclamation*. In the painting, which depicts then-President Obama signing Washington's clemency papers, the artist reimagines Francis Bicknell Carpenter's *First Reading of the Emancipation Proclamation by President Lincoln*. Two years later, life imitated art, and Washington was freed. He is working on several exhibitions and setting up his new studio in Compton, California.

— Oliver Munday, *Associate Creative Director*

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"How Can I Give My All to Both?"

For educators, achieving a healthy work-life balance can be challenging—especially now. But there are ways to limit stress, increase satisfaction, and find a sustainable middle ground.

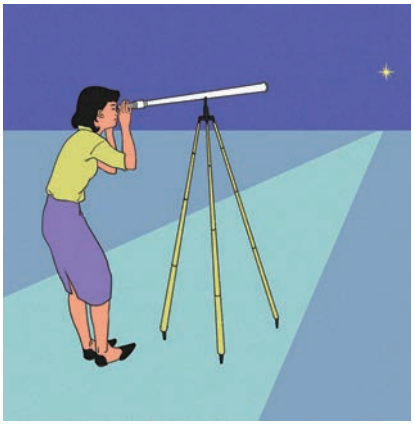
Illustrations by Manshen Lo

SEVEN YEARS INTO Keonaka Brown's dream job as an elementary-school teacher in Texas, she hit a wall. There were never enough hours to get everything done at work; at home, her first child also needed care and attention. So one day, Brown quit. "I was like, 'I am absolutely done with education,'" she says. "I'm not doing it anymore."

For educators like Brown, finding a healthy balance between work and life has long been difficult: There is always another assignment to grade, lesson plan to prepare, parent to speak with, or student to tutor. The pandemic exacerbated these challenges—contributing to high levels of stress, burnout, and, ultimately, job attrition.

"You want to be there 100 percent for your work, but then you also want to be there 100 percent for your family," says Miesha Medford, an elementary-school assistant principal in Texas. "It becomes like, 'How can I give my all to both?'"

Here are three ways educators can find better work-life balance:



Keep Your Purpose in Perspective

For many educators, work is a calling. But this mindset can work against healthy balance. "You take on your students' experiences—their happiness, their sadness, all those things," says Damon Pitt, a high school principal in Detroit. "It is extremely difficult to let go."

Leah Marone, a North Carolina–based psychotherapist, advises educators to cultivate habits and activities that take their hearts and minds away from work. "It could be going out for a run in the morning, or just having your coffee with no distractions," she says. "It's being present and mindful with what you're doing, avoiding multitasking, and setting boundaries so that you are not bombarded by your phone and emails. It is a time to rejuvenate and begin the day with a positive mindset, not urgency."

Learn How (And When) to Say "No"

Kurt Russell, a high-school history teacher in Ohio and the 2022 National Teacher of the Year, loves his students. But sometimes, he finds himself overcommitted—coaching basketball, serving on committees, being available outside of class. "As teachers, the one thing that is difficult for us to say is 'No'—especially with regards to helping children," he says. "But I have to make sure, in order for me not to burn out, to be able to say 'No.'"

Marone recommends that educators distinguish between supporting others in need and trying to solve their problems for them. "Educators want to help, to fix things," she says. "They need the ability to say, 'I am not able to commit to that right now. It's not because I don't care. It's that I have other roles or obligations that are really going to feel the impact if I pull myself too thin.'"

Manage Your Financial Stress

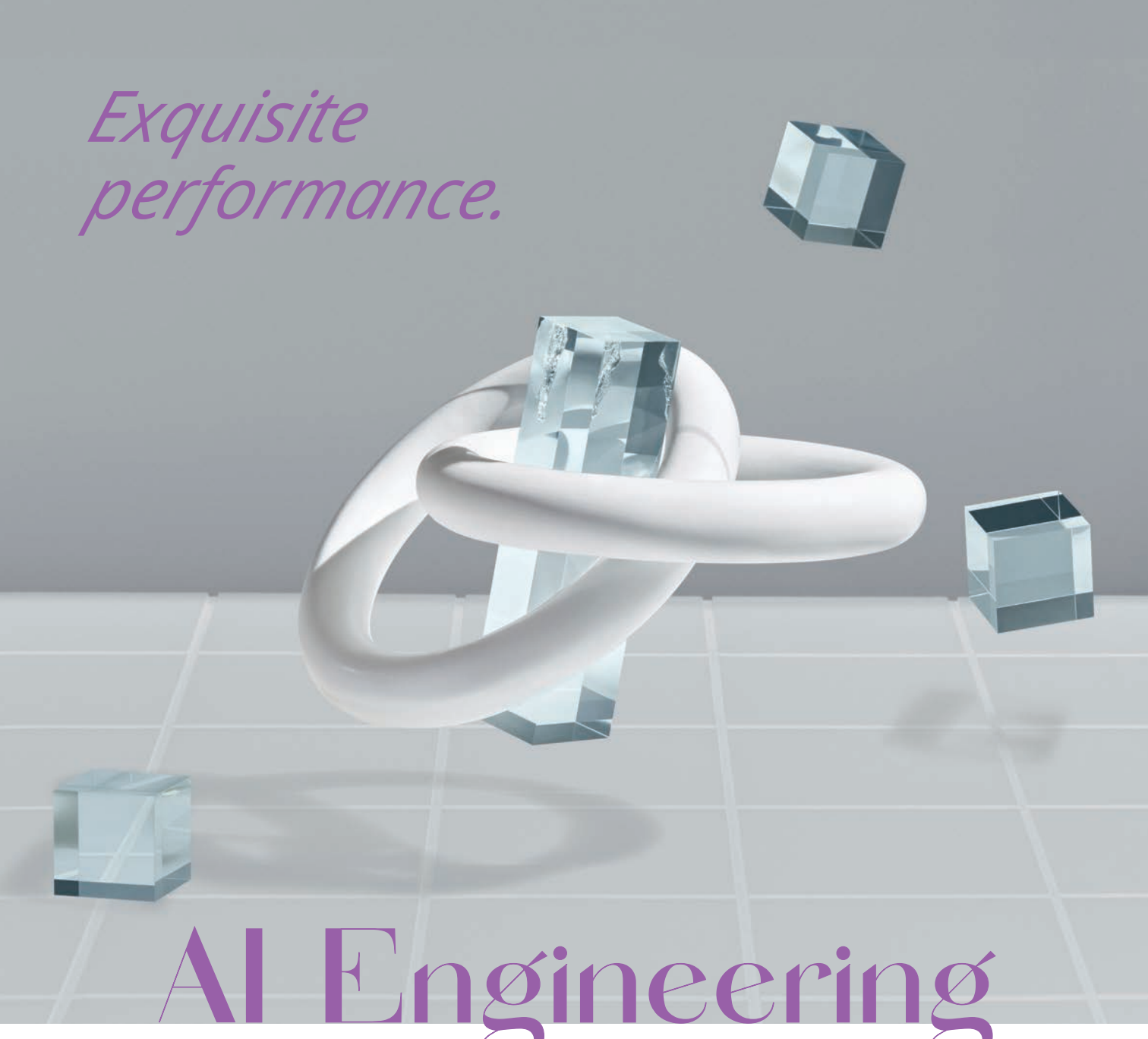
Squeezed by rising living costs, credit-card and student-loan debt, and salaries that are 20 percent lower than those of other professionals with similar years of experience, many educators feel financial stress. Some end up working second jobs. "A lot of the educators I know are waiting for their next checks," says Cherish Pipkins, an elementary-school principal in Texas. "There's a feeling of scarcity."

Creating a long-term financial plan can help by replacing the stress of uncertainty with a reassuring sense of control. "I think that we need to do something to help educators understand and prepare for their long-term future," says Tracy Ginsburg, executive director of the Texas Association of School Business Officials. "The question is how to simplify the process for educators to begin retirement planning."

TWO YEARS AFTER SHE LEFT TEACHING, Brown returned. "I was like, 'I'm supposed to be doing what I always wanted to do,'" she says. "I *need* to teach."

Today, Brown is as busy as ever, a mother of three and a master teacher who coaches others. But she has better ways to cope. She fastidiously follows a daily schedule that helps her balance work and home life, and makes sure to take days off to spend with her family and friends. She is happier in the classroom—and outside of it, too. "I have to be very intentional," Brown says. "But I can definitely say that my passion overrides any stress." ●

To read the full version of this story and learn more about how educators can find better work-life balance, scan the QR code or visit **TheAtlantic.com/Balance.**



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OPENING ARGUMENT

BAD LOSERS

Election deniers are a threat to democracy. The midterms could be the last chance to stop them.

BY TIM ALBERTA

Chris Thomas has made democracy his life's work. A 73-year-old attorney, Thomas spent nearly four decades leading the elections division in the office of Michigan's secretary of state. He served under Republicans and Democrats alike, and his mandate was always the same: protect the ballot box. He trained local election workers; sought out and fixed weaknesses in the voting system; investigated errors committed while ballots were collected and tabulated; and, ultimately, ensured the accuracy of the count. Thomas was one of 10

people named to the Presidential Commission on Election Administration in 2013. He earned a reputation as a nonpartisan authority on all things elections, and took pride in supervising a system that was stable and widely trusted.

Which is why 2020 shook him so badly. Thomas had retired from the secretary of state's office a few years earlier, confident that Michigan's elections were in good hands. Then the coronavirus pandemic arrived, prompting changes to election protocols nationwide, and President Donald Trump began warning of a Democratic plot to steal the election. As Michigan rolled out new voting rules—some that had been decided prior to 2020, others that were implemented on the fly during the pandemic—rumors and misinformation spread. Wanting to help, Thomas accepted a special assignment to supervise Election Day activities in Detroit, the state's largest voting jurisdiction.

What followed was surreal—a scene that Thomas could scarcely believe was playing out in the United States. Michigan had recently expanded absentee voting, allowing any resident to vote by mail for any reason. Because Democrats are likelier than Republicans to vote absentee—and because Detroit is predominantly Democratic—Thomas and his colleagues had to process an unprecedented number of absentee ballots. Complicating matters further, Republican lawmakers in Michigan refused to let election workers start counting absentee ballots until Election Day.

The effect was predictable. Because of the backlog of absentee ballots, Trump took a big lead on Election Night. As Thomas and his team worked into the early hours, Trump's lead shrank. By Wednesday afternoon, it was clear that Joe Biden would overtake him. "That's when things got out of hand," Thomas told me.

Incited by Trump's acolytes in the state party, hundreds of Republican voters swarmed the event center in Detroit where Thomas and his workers were tabulating votes. Republicans had their allotted number of poll watchers already inside the counting room, but party officials lied to the public, saying they had been locked out. So people busted into the event center, banging on the windows, filming the election workers, demanding to be let into the counting room. Fearing for their safety—and for the integrity of the ballots—the people inside covered the windows. Thomas says the decision was necessary. But within minutes, video was circulating on social media of the windows being covered, and before long, it was airing on Fox News with commentary about a cover-up.

SIXTY-NINE PERCENT OF BOTH REPUBLICANS AND DEMOCRATS BELIEVE AMERICAN DEMOCRACY "IS IN DANGER OF COLLAPSE."

Trump was alleging a national plot to steal the election, and now Detroit—and Chris Thomas—were right in the middle of it.

The GOP assault on the legitimacy of Biden's victory has led to death threats against election workers and a lethal siege of the United States Capitol. But perhaps the gravest consequence is the erosion of confidence in our system. Late this summer, a Quinnipiac poll found that 69 percent of both Republicans and Democrats believe that American democracy "is in danger of collapse." They hold this view for somewhat different reasons. Republicans believe that Democrats already rigged an election against them and will do so again if given the chance; Democrats believe that Republicans, convinced that 2020 was stolen despite all evidence to the contrary, are now readying to rig future elections. It's hard to see how this ends well. By the presidential election of 2024, a constitutional crisis might be unavoidable.

I've met men and women like Thomas in small towns and big counties, public servants who have devoted their career to safeguarding the infrastructure of our democracy. Over the past two years, they have been harassed, intimidated, and in many cases driven out of office, some replaced by right-wing activists who are more loyal to the Republican Party than to the rule of law. The old guard—the people who, like Thomas, committed their career to free and fair elections—are witnessing their life's work being undone. They are watching the rise of Trump-mimicking candidates in this year's midterm elections and wondering if anything can stop the collapse of our most essential institution. "This election," Thomas said, "feels like a last stand."

THE IRONY IS that America's voting system is far more advanced and secure than it was just two decades ago.

The 2000 election was a catalyst for reform. Mass confusion surrounding the showdown between Al Gore and George W. Bush in Florida—butterfly ballots, punch cards, hanging chads—demonstrated that murky processes and obsolete technology could undermine public confidence in the system. Recognizing the threat, Congress passed a law to help local administrators modernize their voting machines and better train their workers and volunteers. Elections officials from around the country began collaborating on best practices. Several states introduced wholesale changes to their systems that allowed ballots to be cast more easily, tracked more accurately, and counted more efficiently.

There were hiccups, but the results were overwhelmingly positive. One study conducted by MIT and Caltech showed that the number of "lost" votes—ballots that because of some combination of clerical rejection and human error went unrecorded—had been cut in half from 2000 to 2004. Florida, once synonymous with electoral dysfunction, now has arguably the most efficient vote-reporting program in the U.S.

At the same time, the machinations that Americans observed—poll workers studying ballots through a magnifying glass, teams of party lawyers and CNN camera crews looking on—bred a public skepticism that never quite

went away. In the years following *Bush v. Gore*, the number of cases of election litigation soared. The small chorus of congressional Democrats who objected to the certification of Bush's 2000 victory swelled to several dozen following the president's reelection in 2004, with 31 House Democrats (and one Democratic senator) voting to effectively disenfranchise the people of Ohio. Republicans could not return the favor in 2008—Obama's margin of victory was too wide—so they sought to delegitimize his presidency with talk of birth certificates and mass voter fraud, introducing measures to restrict voting access despite never producing evidence that cheating was taking place at any meaningful scale.

Much of this can be attributed to what Richard Hasen, a law professor and an elections expert, has called "the loser's effect": Studies have shown that voters report more confidence in our elections after their party or candidate has won. But partisan outcomes are no longer the decisive factor: In October 2020—weeks *before* Trump lost his bid for reelection—Gallup reported that just 44 percent of Republicans trusted that votes would be cast and counted accurately, "a record low for either party."

This isn't entirely surprising, given Trump's crusade to undermine our democratic institutions, which began well before he was ever elected. In 2012, he called Obama's victory over Mitt Romney "a total sham," adding: "We can't let this happen. We should march on Washington and stop this travesty." In early 2016, after losing the Iowa caucus to Ted Cruz, Trump called the chair of the Iowa GOP and pressured him to disavow the result; when that failed, he took to Twitter, denouncing the "fraud" in Iowa and calling for a new election to be held.

By the time November 3, 2020, arrived, Trump had already constructed his elaborate narrative of a rigged election. Republican leaders did little to keep their voters from falling for the president's deception. In fact, most of them enabled and even participated in it. What began as a fringe movement after *Bush v. Gore* has spread into the GOP mainstream: Polls continue to show that more than half of all Republican voters believe that the 2020 election was stolen.

They are acting on Trump's lies, flooding into local party offices, demanding to be stationed on the front lines of the next election so they can prevent it from being stolen. They have nominated scores of candidates who deny the legitimacy of Biden's victory; seven are running to become the chief elections official in their state. Several of these Republicans—Mark Finchem in Arizona, Kristina Karamo in Michigan—are hinting at administrative actions that would reverse decades of progress in making elections more transparent and accessible, in turn leaving our system more vulnerable.

ILLUSTRATION BY DANIELLE DEL PLATO

The great threat is no longer machines malfunctioning or ballots being spoiled. It is the actual theft of an election; it is the brazen abuse of power that requires not only bad actors in high places but the tacit consent of the voters who put them there.

This makes for a terrifying scenario in 2024—but first, a crucial test in 2022.

IN AUGUST, when Michigan held its primary elections, all eyes were on the Republican race for governor. It had been a volatile contest; two of the perceived front-runners had been disqualified for failing to reach signature thresholds. Most of the remaining candidates were champions of Trump's Big Lie, but none more so than Ryan Kelley, who participated in the January 6 insurrection at the Capitol and was arrested this past June by the FBI on misdemeanor charges. (Kelley pleaded not guilty in July.)

When the returns came in and Kelley lost, he refused to concede. Instead, he called for a "publicly supervised hand recount to uphold election integrity." But Kelley had a problem: He had finished in fourth place, capturing just 15 percent of the vote and losing to the Republican nominee by 25 points.

It was a similar story in another closely watched Michigan race. State Senator Lana Theis, a Republican who'd cowritten a committee report debunking Trump's voter-fraud allegations after the 2020 election, defeated a MAGA conspiracy theorist, Mike Detmer, by 15 points in their primary contest. Detmer's response? "When we have full, independent, unfettered forensic audits of 2020 and 2022 I'll consider the results," he wrote on his Facebook page. This pattern has played out in races all across the country, with sore Republican losers doing their best Trump impressions, alleging fraud to explain a drubbing at the ballot box.

"This gives me real hope," Thomas told me in early September. "Because people understand, when there's a margin like that, you lost. And if you're going to insist you didn't lose, well, now people are going to be skeptical of what you've been telling them all along. Is the sky really falling? You can only tell a lie so many times before people stop listening to you."

His optimism struck me as misplaced. For one thing, these were just primary elections. Tudor Dixon, the GOP's gubernatorial nominee in Michigan, is herself a 2020 conspiracy theorist. In fact, all three Republicans on top of the statewide ticket this fall—Dixon, as well as the nominees for attorney general and secretary of state—have claimed that Democrats stole the election. Michigan's GOP lawmakers have not allowed changes to vote-processing laws despite the chaos of 2020. In the event of close Democratic victories in November, we can expect another "red mirage," in which the Republican nominee jumps out to a big lead soon after the polls close, only to fall behind as the backlog of absentee ballots is counted. The conspiracy theories will practically spread themselves.

Sensing my skepticism, Thomas told me there was additional cause for hope. Two years ago, the Republican volunteers who monitored the vote-counting in Detroit on behalf of the party were completely out of their depth; most had never worked an election, and thus confused standard protocols for what they swore in affidavits were violations of the law. Following the grassroots outcry of November 2020, the Michigan GOP recruited hordes of new volunteers who have since received enhanced training. Thomas says his first encounter with this new class of Republican poll watchers came this summer, on primary day in Detroit, where he was once again tasked with overseeing the count. "It was night and day from 2020. They were respectful," he said. "There were no issues."

ALL ACROSS THE COUNTRY, SORE LOSERS ARE DOING THEIR BEST TRUMP IMPRESSIONS, ALLEGING FRAUD TO EXPLAIN A DRUBBING AT THE BALLOT BOX.

Hours after I finished speaking with Thomas, CNN published a report exposing a Zoom training seminar in which Republican leaders in Wayne County, Michigan—home to Detroit—instructed poll watchers to ignore election rules and smuggle in pens, paper, and cellphones to document Democratic cheating. That seminar was held on August 1—the day before Michigan's primary.

I want to believe our system of self-government is durable enough to withstand all of this; I want to believe Thomas, that everything will be all right. But as we spoke, it struck me that, despite his expertise, and despite his ringside seat to the unraveling of our democracy, Thomas is like millions of other Americans who can't quite bring themselves to face what's happening. Like so many of them, he clings to fleeting hints of a return to normalcy and ignores the flood of evidence suggesting it will not come. He still trusts a system that is actively being sabotaged.

Thomas has never belonged to a party. He remains proudly nonpartisan. But he acknowledges what must happen in 2022 for America to swerve off the road to national calamity. The Republicans who have made election denying the centerpiece of their campaign must lose, and lose badly. They will cry fraud and demand recounts and refuse to concede. They will throw tantrums sufficient to draw attention to their margins of defeat. At that point, Thomas says, maybe a critical mass of GOP voters—the very people who supported these candidates in the first place—will finally realize that they've been duped. Maybe they will abandon the lies and choose a different path before it is too late.

But based on the number of candidates who sold a lie to earn their spot on the November ballot, in Michigan and beyond, I fear it may already be. *A*

Tim Alberta is a staff writer at The Atlantic.

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A Bygone Boston

Photographs by Jack Lueders-Booth

Since leaving the insurance business for photography in 1970, Jack Lueders-Booth has used light, handheld cameras to capture spontaneous moments among his subjects, whether they are motorcycle racers or women in prison, Tijuana garbage pickers or the denizens of his local corner store. But when he recorded life along a dilapidated elevated-train line in Boston before its 1987 demise, he preferred a prewar Deardorff "view camera"—think rosewood body, accordion-style bellows, and tripod—so big and heavy, he needed shoulder pads while lugging it around.

The Washington Street Elevated began life in 1901 as a modern marvel, a neck-craning beauty with stations designed by the architect Alexander Wadsworth Longfellow Jr., a nephew of the poet. By the 1980s, the El—then the southern half of the MBTA's Orange Line—was a screeching symbol of urban neglect, looming over the neighborhoods in its serpentine path.

"I was a middle-aged white guy working in primarily communities of color, and so I did not want to be surreptitious," Lueders-Booth told me.

For 18 months along the El's corridor, he used the conversation-piece camera to compose hundreds of portraits, about 60 of which are featured in *The Orange Line*,

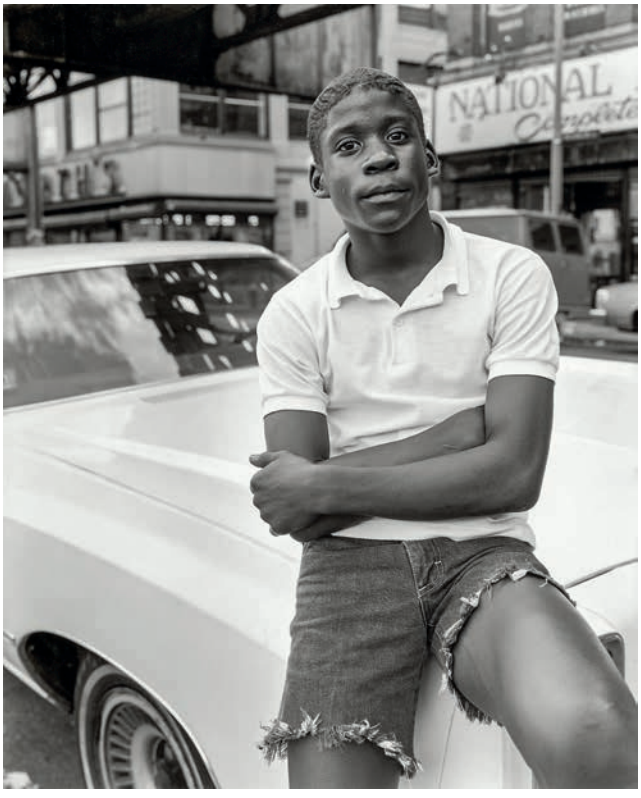
a new monograph, along with more than a dozen streetscapes and interiors. (The book arrives as the Orange Line has again become a symbol of decay: This summer, an aging car caught fire on a bridge, leading one passenger to seek safety by leaping into the Mystic River.)

Lueders-Booth considers these photographs "collaborative" pictures; the subjects held their poses while he studied the view—upside-down and reversed on a ground-glass pane—and fiddled with knobs before slotting in an 8-by-10 sheet of film and emerging from beneath a dark cloth to wield the shutter-release cable.

The result is a candor that can be elusive in candid snapshots. Intimate details are etched onto the 80-square-inch negatives: the striated ribs of a slender boy working on a car with his older brother; the cobbled parts of a bike shared by young siblings; the glance—skeptical and wary—of a woman in the background standing beneath Egleston Station.

Lueders-Booth, 87, still shoots regularly, sometimes using a digital SLR—and now with an arthritic knee. "I think that's going to help me," he said, brandishing a new cane that might do the disarming work the old Deardorff once did. "I'm making a card that introduces me as Jack Booth, Harmless Street Photographer."

— Eric Moskowitz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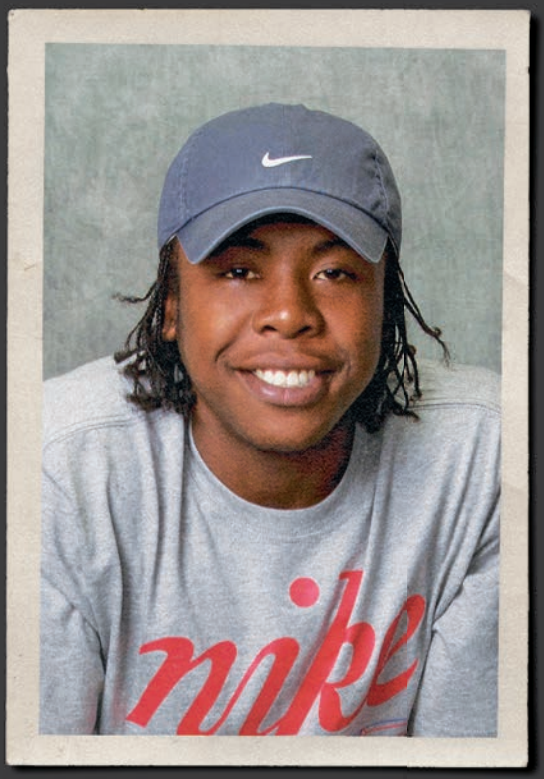
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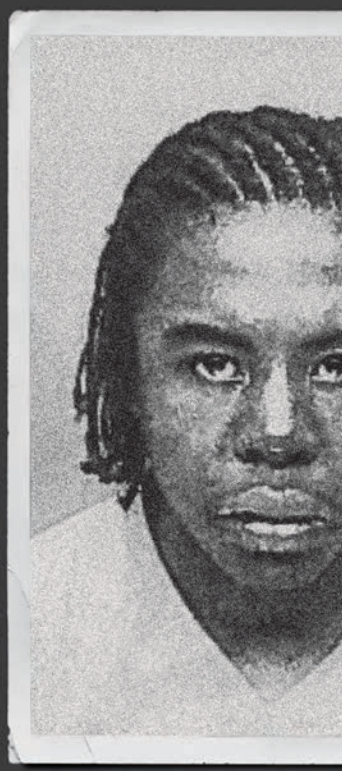
"GOOD LUCK, MR. RICE"

A Philadelphia teenager and the empty promise of the Sixth Amendment

BY JAKE TAPPER



ON TUESDAY, SEPTEMBER 20, 2011, A YOUNG PATIENT WALKED HALTINGLY INTO A MEDICAL OFFICE IN SOUTH PHILADELPHIA TO HAVE HIS BULLET WOUNDS EXAMINED.

The patient was a 17-year-old named C. J. Rice, who lived in the neighborhood. The doctor was a pediatrician named Theodore Tapper.

My father had been working as a physician in South Philadelphia for more than four decades and had known Rice since he was a child. Rice had been brought in for a checkup soon after he was born, and as a doctor my father had seen Rice several times a year, along with other members of the family. Two weeks and three days before his September appointment, Rice had been shot while riding his bike, in what he believed was a case of mistaken identity. To remove one of the bullets, a surgeon had made a long incision down the middle of Rice's torso. The wound was then closed with a ridge of staples—more than two dozen. After his discharge, Rice was in severe pain and could barely walk. He needed help to get dressed in the morning and help to go up and down stairs.

When Rice arrived at my father's office, the wound was still stapled together. Rice slowly lifted himself onto the examination table and winced as he laid himself down. When the exam was over, he slowly pushed himself back up. My father recalls Rice walking out of the office bent over and with short, choppy steps, like an old man.

The timing of that visit is significant because, six days later, the Philadelphia police announced that they were seeking Rice and a friend of his, Tyler Linder, in connection with a shooting that had occurred in South Philadelphia on the evening of September 25 and left four people wounded, including a 6-year-old girl. No guns were recovered and no physical evidence linked anyone to the crime. On the night of the shooting, the victims told the police they had no idea who was responsible. Then, the next day, one of the victims said she had seen Rice sprinting away.

Rice was still recuperating. Thinking the matter would be cleared up quickly, he turned himself in.

I FIRST MET C. J. RICE, by Zoom, in February 2022. But I felt I had gotten to know him over the preceding few years through his letters from prison to my father.

Whatever Rice's expectations, the matter had not been cleared up quickly. To represent him, the court had appointed a lawyer whose attention was elsewhere and whose performance would prove dangerously incompetent. Despite the weakness of the case, Rice was convicted of attempted murder and sentenced to 30 to 60 years in prison. Eventually, seeking evidence for an appeal, Rice wrote to my father and asked for help obtaining his hospital records—documents that Rice's original lawyer appears never to have sought, but which could have underscored his physical condition at the time. My father obtained the records, and the two men kept writing to each other. The correspondence has become important to both of them.

Writing helps Rice pass the time at the State Correctional Institution–Coal Township, the Pennsylvania prison where he is incarcerated. In an angular hand on notebook paper, he reflects on the gravitational pull of what he calls "19148": the zip code of his old neighborhood in South Philadelphia.

In one letter, he described his childhood:

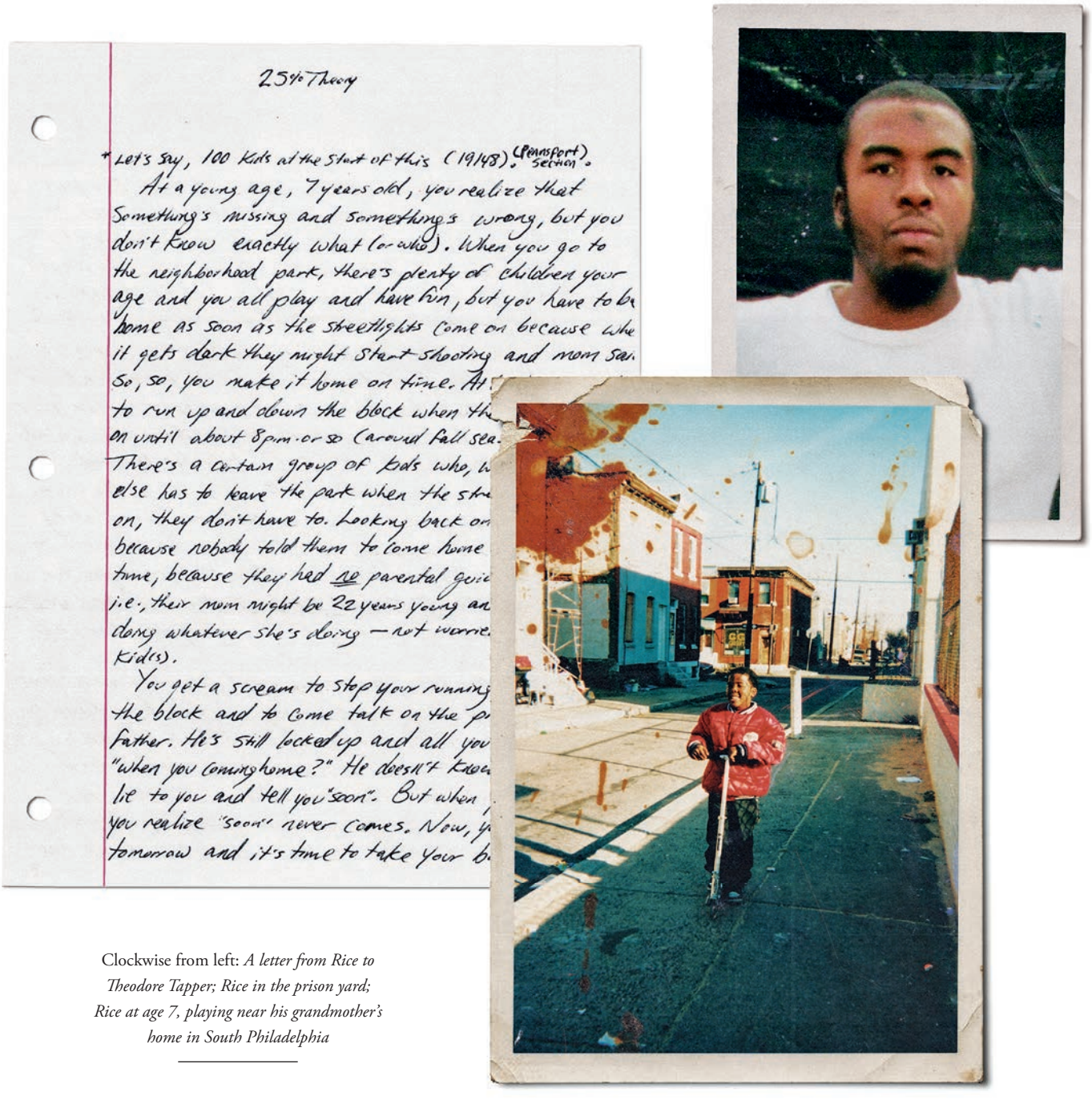
> At the age of 7 you make your first drug sale, oblivious to what you're actually doing, you're just following directions to count 13 bags and once you get the money, count out $110 (receiving $10 for yourself). So, imagine that this is all you see, and having it all around you endlessly, could you understand or begin to think that it's wrong? How can you, when it seems everyone's doing it in some form or fashion. It seems normal. It is normal. This is how life is lived. This is how money is made. That's what you think.

In another letter, he imagined a playground scene in which he and his contemporaries were all 7 years old, then went on to describe what happened to that cohort year by year. Violence and crime were rife in 19148, and few were untouched by it. Rice concluded with a summary:

> Mir, Sha, NaNa, DaDa, Quan, Keem, Trey, Bird, Heads, Wooka, Jamil, Weeb, Fee, Ovie, E-Man, Veronica, Ern, Mango, Johnny T, Ant, Jeff, Big J, Tez, A.J., Cheese, Zy, Quan (different Quan)—That's the names that I can think of now (they're all dead), out of the 27 of them, maybe only 4 of them were older than 25 years old. Maybe another 80 (including myself) who were all struck by gunfire but survived, (all before 21 years old) (some before 18 years old.)

Rice's father was addicted to heroin and was in and out of prison. By the time Rice was a teenager, he himself was selling heroin and smoking marijuana. Rice was arrested for marijuana possession in 2009, at age 15, and then again in 2010. After one of these encounters with the law, his mother sent Rice to live with his aunt in North Philadelphia for a period of time to get him out of the neighborhood. Despite the chaos around him, Rice did well in school. He had always been bright—in kindergarten, he was reading well above grade level—and by September 2011, at the start of his senior year, he needed only a handful of credits to graduate from high school. He had visited

OPENING PAGES: P. MICHAEL MOFFA; PHILADELPHIA POLICE DEPARTMENT



Clockwise from left: *A letter from Rice to Theodore Tapper; Rice in the prison yard; Rice at age 7, playing near his grandmother's home in South Philadelphia*

COURTESY OF THEODORE TAPPER; COURTESY OF CRYSTAL COOPER

Howard University and sat in on classes at Temple. He thought he might want to become an accountant.

My father, who is now 82, came of age during the 1960s and has always been something of an activist. A graduate of Harvard Medical School, he chose to do his pediatric residency at Children's Hospital of Philadelphia, and returned there after a period with the public-health service in New York City. He became involved with the Medical Committee for Human Rights—a group founded to provide medical care for people injured in civil-rights protests—and served as the head of its Philadelphia chapter. On the side, he treated sick children at a clinic sponsored by the Black Panthers. In time, he set up his own practice in South Philadelphia. This area is also where he and my mother bought a house, in 1969, when I was three months old. My brother and I grew up there through the 1970s, housing projects half a block away.

My father is an idealist. He is generous with his time. When he makes donations, he usually does so anonymously, on principle. But he is not naive. Having worked in South Philly for more than 40 years, until his retirement, he knows all too well that teenagers, even polite and intelligent ones, are capable of horrific acts. And he knows that Rice's record is far from spotless. But as a doctor, he believes that Rice's involvement in the crime for which he was convicted was physically impossible. Over the years, he has supported efforts through a variety of channels—state courts, the district attorney's office, the governor's office, federal court—to get Rice's case reconsidered. Some of these efforts have been exhausted. Some continue. In 2020, as I learned more about

the case, I related several of the facts as I knew them in a Twitter thread. Then I began to look deeply into the case myself.

In my first conversation with Rice, he appeared on the Zoom screen wearing a dark-red jumpsuit. He smiled often, and even with a beard his face looked young, though from the neck down, his body was a fortress of prison muscle. He was seated in a visitation booth. In his right hand, he held a phone on a cord, which in normal times connects to a phone for a visitor on the opposite side of a plexiglass window. Now, with an open laptop sitting in place of a visitor, the phone served as the audio conduit for the call.

Our conversation was easy, congenial. But when I began to ask Rice about his case, his speech became staccato and impassioned. He recited police-badge numbers from memory. He provided page numbers for specific passages of testimony in trial transcripts. He recalled each of the very few moments spent with his lawyer. Rice has had more than a decade to think about the steps that led to his imprisonment. He had a lot to say.

The story told here centers on *Commonwealth v. Charles J. Rice* and the events around that case. Readers will draw their own conclusions about what happened on the night of September 25, 2011. My father and I have drawn ours. There is certainly reasonable doubt—an excess of reasonable doubt—that Rice committed the crimes of which he was accused. But what happened after that night is not open to argument: Rice lacked legal representation worthy of the name. And as he has discovered, the law provides little recourse for those undermined by a lawyer. The constitutional "right to counsel" has become an empty guarantee.

THE NIGHT OF September 25 was unseasonably warm. When Latrice Johnson saw two figures walking up Fernon Street toward South 18th wearing hoodies and long pants, she should have known something was wrong—that's what she told herself later. The time was about 9:30 p.m. The two figures had their hoods up, the strings drawn tight. On the front stoop of her parents' house, Johnson was waiting for a food delivery. Her son Kalief Ladson, age 17, sat next to her, cradling her niece, 6-year-old Denean Thomas. Three of her other seven children were perched around them. Latoya Lane, her 23-year-old stepdaughter, was across the street with two more of Johnson's children and two of their cousins. Some of them were playing basketball. Down the street, on the opposite side, the two figures in hoodies drew handguns and opened fire.

Johnson dove on top of the children and shielded them with her body. Bullets ricocheted off the brick facade of the house. At least 12 shots were fired. Then, according to both Johnson and Lane, the shooters ran off. Looking down at Denean, Johnson saw that her niece was bleeding from one of her legs. Some of the children shouted, "Denean is gonna die!"

In a 911 call, placed at 9:36 p.m., Johnson's desperation is evident from the audio recording. "My niece just got shot!" Johnson yells. Screams are audible in the background. A dispatcher requests an address and then asks, "Ma'am, the person that shot her—what did he look like? Black male? White male?" Johnson replies, "They got on hoodies! They're Black!"

Police officers arrived within minutes. By then, Johnson knew that not only Denean but also Ladson and Lane had been shot. With no time to wait for an ambulance, Officer Charles Forrest loaded Denean and Johnson into his squad car and sped to Children's Hospital. As Forrest later testified, he asked Johnson if she knew who had shot Denean and the others. Johnson said only what she had told the dispatcher. She did not identify the shooters.

Arriving at the hospital, Johnson realized that she, too, had been injured; shrapnel had caused lacerations on the lower part of her body. Forrest took her to the adjacent Hospital of the University of Pennsylvania, where he again asked if she knew who the shooters were. Johnson's answers suggested, once more, that she had no idea who either shooter was: "One Black male wearing a gray hoodie and the other with a black hoodie, and they both had black sweatpants."

Kalief Ladson and Latoya Lane, meanwhile, had also been brought to a hospital. They were visited later that evening by a police officer, Lynne Zirilli. As Zirilli later testified, she asked them if they could describe the shooters. Ladson said only that he had seen "two to three Black males in dark hoodies." Lane said she had seen "two to three Black males." They made no identification.

Overnight, however, everything changed. According to the police, a confidential informant relayed a tip: A teenager named C. J. Rice may have been involved. By evening, Johnson and Lane would change their stories. One of them would say she had seen Rice at the scene, and the other would say she had seen his friend Tyler Linder.

FOR DIFFERENT REASONS, both the prosecution and C. J. Rice would contend that the September 25 shooting had

COURTESY OF CRYSTAL COOPER

to be seen in the context of the shooting three weeks earlier, on September 3, that had sent Rice to the operating room. That afternoon, Rice and Linder had been gambling with friends at an apartment in South Philly. Around 7 p.m., the two boys mounted their bikes and began pedaling toward Rice's home. Soon, a black Oldsmobile with tinted windows pulled up behind them. By their own accounts, neither Rice nor Linder recognized the car. From a window, shots were fired. Rice was hit three times, in his abdomen and in his left flank and buttock. He recalls feeling as if the left side of his body had been pinched, then bludgeoned by a crowbar. An ambulance rushed him to Thomas Jefferson University Hospital, where a surgeon named Murray Cohen cut into Rice's abdomen, from the sternum down to a few inches below the navel. Cohen eventually found and extracted a bullet. Fragments of the others remained inside. One bullet had struck Rice's pelvis, causing fractures. While still in the hospital, Rice contracted pneumonia. Because of other complications, his wound had to be reopened, drained, and closed again. When he was finally discharged, after eight days, he went to stay with his godmother, Deania Duncan, and her family in West Philadelphia, away from the scene of the shooting.

Who had been in the Oldsmobile? Rice's mother, Crystal Cooper, told police about a rumor that the perpetrator was someone named "Noodle." Investigators noted in a report that "the reliability of this information is questionable." On September 16, Duncan drove Rice—mainly housebound, barely able to walk—from her home to a police station in South Philadelphia. Cooper, who worked in the district attorney's office and knew many officers on the force, hoped that her son would give a statement. But the relationship between youths in the neighborhood and the Philadelphia police force has long been one of deep hostility. The kids Rice grew up with had an unwritten rule: When you saw the police, you ran. Rice declined to say anything, explaining that he didn't know who had shot him and wouldn't tell the police anyway; if he'd done so, he told me later, he "might as well just pack up and move to Texas." The police report notes that Rice had come downtown only "because his mother dragged him there." Rice remembers a detective named Robert Spadaccini—who had worked with his mother for years—telling him that the "word on the street" was that Kalief Ladson had been the shooter, and cautioning Rice, with a wave at the squad room, that "if anything happens to him or to his family or anyone close to him, they're going to come for you first." Rice recalls pulling up his shirt, showing Spadaccini his stapled wound, and saying, "I won't be doing anything." (Detective Spadaccini could not be reached for comment.)

Rice told me that, other than the trip to the police station, he rarely left Duncan's home. He remembers once visiting his girlfriend, whose mother had just died. And he made the trip to my father's office, to have his wound looked at.

Rice was in constant pain, but as my father recalls, he was adamant about not taking painkillers—he had an aversion to them. Both men recount their conversation in his office the same way:

"You're due for a refill," my father said, referring to the prescription for Percocet the hospital had provided.

"I'm not taking the pills," Rice replied. He hadn't taken any since the second day of the prescription; he didn't need a refill.

"Why not?" my father asked.

"I don't like the way they make me feel," Rice said—lazy and spaced-out.

"If you're feeling enough pain, I think you should take them," my father urged. But Rice said he was going to tough it out.

It wasn't just the evident pain that made my father believe that Rice couldn't have sprinted from the scene of the shooting. My father wasn't yet aware of the fractures in Rice's pelvis—that information was in hospital records, which he hadn't seen—but in his view as a doctor, the totality of Rice's condition argued against the capacity for strenuous exertion. Rice had just recovered from pneumonia. He had lost muscle strength because of prolonged immobility. And he still had staples in place on the long abdominal incision—they weren't due to be removed for another week. "I don't think it would have been physically possible," my father told me. "He could not have run away." In the hands of competent counsel, the issue of Rice's physical capability by itself would have raised serious questions about his involvement.

But the September 3 ambush would also become central to the police narrative, though no evidence to support that narrative was ever presented in court: In the eyes of the police, if the "word on the street" was credible—if Kalief Ladson had staged the ambush—then Rice and Linder had a possible motive to strike back.

Opposite page: *Rice, age 10, visits his father, Charles Rice, at a county jail in Philadelphia. The elder Rice was incarcerated throughout much of C.J.'s early life. He died in 2013.*

THE SEPTEMBER 25 SHOOTING received significant media attention, and not only because one of the wounded was young. Philadelphia was on track to finish 2011 with the highest per capita murder rate among large American cities. Although no one was killed in this shooting, people were concerned about guns, gangs, and drugs. The Philadelphia police were under intense pressure to clear cases and take shooters and their weapons off the streets.

Nothing is known about the confidential informant who conveyed the tip pointing to C. J. Rice, or about exactly when the tip was received or what the informant alleged. On September 26, after receiving the tip, the police ran Rice's name and the names of the victims through their "shooting database." The database noted that Rice, while on his bike with Tyler Linder, had been shot a few weeks earlier. According to the database, Rice was a purported member of the so-called 7th Street gang. Ladson was a purported associate of the rival 5th Street gang. He also was mentioned as a suspect in the earlier shooting. Had they all been involved in a gang feud? If so, maybe Ladson had been the target of a retaliatory hit; Johnson, Lane, and Denean just happened to get in the way. This idea is floated in the police investigation of the September 25 shooting. But the investigation documents contain no supporting evidence for any of this, and none would be presented at trial. Whatever the police may have said to Rice regarding the attack on him—and whatever the police may have

thought—no speculation appears in the official investigation of the events of September 3.

Nonetheless, they had a theory. Detectives John Craig and Neal Aitken printed photo arrays that included pictures of Rice and Linder. At the time, the Philadelphia Police Department was still three years from adopting what has become a widely accepted best practice for reducing bias in witness identifications—the "double blind" method. Made official policy under Police Commissioner Charles Ramsey in 2014, the double-blind method ensures that the officers showing witnesses possible perpetrators, either in photographs or in a traditional lineup, are unaware of which individual is the suspect. In this instance, Craig and Aitken knew exactly whom they were looking for—they were the officers on the case.

The day after the shooting, the detectives visited Latoya Lane and then Latrice Johnson. The interviews, conducted at the Hospital of the University of Pennsylvania, were crucial to the investigation. Because the guns used in the shooting were never found and no physical evidence tied the crime to any individual, an eyewitness identification of a potential suspect would carry immense weight in court. Indeed, it would be the only evidence. Although Lane and Johnson had said to police on multiple occasions that they did not recognize either shooter, they responded differently during the hospital interviews. Eyewitness accounts do change; fear or trauma may color initial statements. Judging from the interview record, explanations for the new accounts by Lane and Johnson went unexplored. The document invites questions.

There are no verbatim transcripts of the interviews because there were never any audio recordings. The conversations were only partially preserved, in handwritten notes. From passing references—an allusion to something that occurred in the interview but that is not actually recounted in the notes—it is clear that things were said that were never written down. Detective Craig, who took the notes, later acknowledged that they are imperfect and incomplete.

Craig and Aitken started with Latoya Lane, who was still receiving inpatient hospital care. Craig's notes contain no information about a preliminary exchange, though there must have been at least an introduction. The notes officially begin with a question from the detectives about what had happened the night before. Lane said that when she'd heard the shots, she'd turned to run toward the stoop. "That's when I saw Tyler," she said. "I seen the spark coming from his hand." Neither Lane nor the detectives ever use Tyler Linder's last name, and the detectives never ask for it—it's as if Linder had already been discussed in a missing earlier part of the interview. It is not known how his name was first brought up. As it happens, Lane knew Linder; he was a friend of a cousin. She said she had seen another person running across the street, also wearing a dark hoodie, but hadn't glimpsed his face. Later in the interview, the detectives handed Lane a photo array and asked, "Do you see Tyler here?" She replied, "Right here"—not surprising, because she knew him. With a pen, she circled a headshot of Linder in the top row of the grid, second from the left, and signed her name.

Next, about three hours later, the detectives interviewed Johnson. She had been released from the hospital but had returned to visit Lane, and the detectives met with her there. Before the detectives arrived, Lane and Johnson had talked about the case, and Johnson knew that her stepdaughter had given the detectives Linder's name.

In the interview with the detectives, Johnson, like Lane, changed her story. The police notes indicate that Johnson was shown a photo array before the interview began, but they contain no account of that process. She circled and signed the bottom-right headshot, a picture of C. J. Rice. As had been the case with Lane, Johnson knew the person whose picture she circled. Rice had gone to school with her son Kalief; she and Rice were friends on Facebook. It is not recorded what question from the detectives prompted her to circle his photo. The written account is at times both precise and slightly mysterious. It begins with "My name is Det. Craig & this [is] Det. Aitken," as if the detectives had not introduced themselves during the earlier, missing part of the interview, when they showed Johnson the photo array. In any case, Johnson thought back to the night before, placing herself on the stoop and describing how she'd watched two hooded figures approach. "Then I saw C.J. shooting in our direction," she said, according to the notes. "It was loud as shit."

Johnson insisted to Craig and Aitken no fewer than six times that Rice was the person who had shot her. She did not explain why, when asked on three previous occasions, she'd failed to identify someone she had known for years. Aitken, since retired and recalling the two interviews a decade later, had only a hazy memory of them. According to the notes, Aitken and Craig did not press Johnson or Lane about how their inability to identify the perpetrators had become a solid identification overnight. (A spokesperson for the Philadelphia Police Department suggested that it was not uncommon for eyewitnesses to hesitate before cooperating with police but declined to comment on other aspects of the interviews.) Aitken told me that Johnson's identification of Rice fit the narrative the detectives were already working with—that the more recent shooting was related to the earlier one and had been spurred by revenge.

The police had the eyewitnesses they needed and secured arrest warrants for Rice and Linder. The pair had acted together, as a team—that was the official theory.

CRYSTAL COOPER LEARNED that her son was wanted for attempted murder on the following day, September 27. Cooper called Deania Duncan, who drove Rice back to the police station in South Philadelphia; Cooper met them there. Rice walked into the building with what Cooper told me were "baby steps." Outside the station, she called a former colleague, Sandjai Weaver, then working as a defense attorney. As Cooper listened on speakerphone, Weaver cautioned that Rice should say nothing to the police without her present. She promised to hurry over.

As he was booked, Rice made a point of showing his wound to a detective, the staples still sealing the incision. He handed over his cellphone, believing its location data would prove that he hadn't left West Philadelphia on the day of the shooting. Duncan explained to the police that she had information about Rice's whereabouts at the time of the shooting and hoped to make a statement.

The intended statement was straightforward, and her family could vouch for it: Rice had spent all of September 25 with

Duncan's son Quadifi, then 14, watching the Jamaican gangster film *Shottas* over and over again; at the actual moment of the shooting, Rice had been at home with Quadifi, Duncan's father, and her 7-year-old son, Rickey. The arrest, she said, had been a mistake. "He had to keep a pillow on his abdomen," Duncan told me later. "His wounds had to be cleaned and changed daily. The way my house is, it was too many steps for him to be able to walk. It made his wound bleed out more, and he could barely stand up or even walk."

But no one took a statement from Duncan. She says an officer at the station told her she wasn't needed and sent her on her way. Waiting for Weaver, and following her instructions, Rice said nothing, not even explaining his alibi. And he never got the chance, because for whatever reason, Weaver failed to show up. In the middle of the night, Rice was transferred to the Philadelphia Industrial Correctional Center.

Like Rice, Tyler Linder had an alibi; unlike Rice, he had video to support it and people in his corner, including a lawyer, who made sure the alibi was formally recorded. On the night of the shooting, Linder and his brother had been helping their mother clean a facility in Northeast Philadelphia. He had swept and mopped until at least 10 o'clock, he said, and security video could probably prove it. Linder's mother had enough money to enlist the services of Raymond Driscoll, a defense attorney at Levant, Martin & Tauber, a small practice in the city. Eventually, Linder made bail. He and his mother and brother had sat for alibi interviews with the police soon after the arrest. A month later, Linder's mother and Driscoll pressed to arrange a second round of interviews with the D.A.'s office.

> No physical evidence tied the crime to any individual. An eyewitness identification would carry immense weight.

Cooper lacked the money to make bail for Rice, so he would remain confined while awaiting trial like any other criminal defendant without resources—one of hundreds of thousands in this situation at any moment. Rice would not go on trial for more than a year. For legal counsel, Cooper looked to Weaver. "Sandjai worked in the office next to my mom's since I was 5 or 6," Rice told me. "I knew Sandjai almost my whole life." In 2005, Weaver had mounted an unsuccessful bid for election as a Court of Common Pleas judge. A 12-year-old Rice had handed out campaign flyers. Cooper doubted she could afford Weaver's services for very long, but in December, Weaver was granted a formal court appointment to represent Rice, allowing her to be compensated with public funds.

She met with him for the first time that same month, in advance of his preliminary hearing. Determined to participate in his own defense, Rice asked Weaver to send him copies of the pretrial discovery documents—all of the evidence that the prosecution intended to present. Rice wasn't sure what to look for, but an older man detained with him had advised that the discovery was everything: If there was something that could clear his name, it was bound to be in those documents. Later, Rice also asked Weaver to subpoena his Cricket Wireless phone records. The location data, he said, would back up his alibi. Weaver promised that she would do both.

The formal appointment of Weaver as counsel may have seemed like a blessing. Rice and his mother did not know that Weaver was in deep financial distress and seemed to be taking all the freelance work from the courts that she could get.

Court-appointed private lawyers and public defenders are not the same thing. Public defenders are salaried professionals who make a career representing the indigent. In Philadelphia, public defenders handle one out of every five murder trials. Courts must appoint private attorneys to take on the remaining 80 percent. Philadelphia is by no means an outlier: The great majority of people in the U.S. live in jurisdictions that rely on both the public-defense bar and appointed private attorneys. In Philadelphia in 2011, court-appointed lawyers received flat fees: $2,000 for preparation if a case went to trial, and $1,333 if it didn't. For each day after the first day of trial, court-appointed lawyers received $400 a day if they spent more than three hours in the courtroom and $200 if they spent fewer.

These rates were extremely low, especially for cases involving murder or attempted murder, which are among the most challenging a lawyer can take on. Such meager compensation shrinks the pool of available attorneys and reduces its quality. Research suggests that, on everything from conviction rates to severity of sentences, appointed lawyers are far less successful than public defenders. The flat fees also create a perverse incentive. Whether attorneys spend 10 hours preparing for trial or 10,000 hours, they'll be paid the same small amount. It's in their interest to maximize their caseload and minimize their prep time.

Weaver was profoundly subject to these pressures. Nine months before her appointment as Rice's lawyer, she had filed for Chapter 13 bankruptcy. On March 16, 2011, Weaver declared that she had only $400 in her two bank accounts. She owed creditors nearly $130,000, not including her mortgage, which she was behind on. As a condition for debt relief, Weaver was required to submit a rigorous accounting of her anticipated income and expenses—her "Chapter 13 Plan"—which would determine how much she paid back to a bankruptcy trustee each month. In her first proposed plan, Weaver declared $4,000 in monthly income and $3,245 in expenses, and she proposed paying creditors $750 a month for 60 months. That wasn't good enough, so Weaver submitted a second plan, agreeing to pay $1,261 every month.

To make these payments, she would have to earn more money than she had initially thought possible.

A judge approved Weaver's Chapter 13 Plan on September 20—the same day Rice came into my father's office, and just a week before his arrest.

BETWEEN THE PRELIMINARY HEARING and the opening day of the trial—a period of 14 months—Weaver met with Rice only twice. Both meetings took place at the Philadelphia Industrial Correctional Center. Neither lasted longer than 15 minutes. Rice tried frequently to reach Weaver by phone, initiating all the calls himself; she had no answering service, and he succeeded in reaching her only three times, again speaking to her for no more than 15 minutes on each occasion.

Weaver did not bring Rice a copy of his discovery, but she did come to the meetings carrying what looked to be a large stack of other people's case files—Rice suspects she had arranged for a marathon series of client meetings at the prison. Rice's two meetings with Weaver were too brief for any meaningful discussion of trial strategy. Rice reminded her to send over his discovery and get his phone records, which she had not yet done. They were essential. She promised that she would.

Not until April 26, 2012—seven months after her client's arrest—did Weaver submit a notice of alibi for Rice to the district attorney's office. In it, she listed all the members of Deania Duncan's family who lived at her home in West Philadelphia. She stated that Rice had always been at home, with at least one of them, on the day of the shooting. She provided their phone numbers. But unlike Tyler Linder's attorney, Weaver didn't make arrangements for alibi witnesses to be interviewed. The burden thus fell on the D.A.'s office to find the alibi witnesses.

When I obtained a copy of Weaver's notice of alibi, it had been heavily annotated by someone at the D.A.'s office. In the margins, notes in looping cursive recorded a call to the Duncans' home phone on May 15; there was no answer and no answering machine. The office tried the next day and reached a man—in all likelihood, Duncan's father—who said he was going to a doctor's appointment and would call back. The office tried three more times, then seems to have given up. Duncan told me that Weaver made no effort of her own to contact her or other family members in order to take their testimony. As a result, the first time an alibi witness provided an official statement of any kind in support of Rice was in the courtroom, 16 months after the shooting. This negligence would be used by the prosecution to cast doubt on the alibi itself.

In the meantime, the official theory of the case hardened. The September 3 shooting that had sent Rice to the hospital remained unsolved, but the police embraced the assumption that Latrice Johnson's son Kalief Ladson was the shooter in the Oldsmobile. A further assumption was that Ladson had been retaliating for some previous event. As prosecutors saw it, the tit-for-tat scenario gave Rice and Linder a motive to come after Ladson. Both men dispute the idea that Ladson was the shooter. They were all friends from school, Rice told me. He thinks the shooting was a mistake—that he and Linder had ridden their bikes into the center of some unrelated beef. Medical notes from his hospitalization immediately after the September 3 shooting record that Rice told a nurse that he "does not think he was the intended target." Rice and Linder also deny that they were members of a gang. "The way they classified it," Rice told me, referring to the police, "a gang was everybody you went to school with or everybody that you might have played basketball with." But there were indeed gangs, and for youths in some neighborhoods they could be hard to avoid. What is certain is that official police files and backup documents furnished in discovery contain no supporting evidence for the gang-feud theory that drove the investigation, or for Ladson's involvement in the September 3 shooting. No evidence for any of this was ever presented in court.

As the trial date approached, Eric Stryd, the assistant district attorney assigned to the case, privately expressed doubts about the police theory that Rice and Linder had acted as a team. As explained in an internal memo I obtained, the case against Linder could prove hard to make.

Video footage largely backed up Linder's story. It had shown him cleaning a facility in Northeast Philly until at least 8:45 on the night of the shooting. He and his mother said they had then gone on to clean another building; it had no security camera. Additional video evidence showed an SUV matching the description of his mother's leaving the area at 9:53, though the video was inconclusive because a license plate was not visible. Linder might have skipped out at 8:45 and gotten a ride to the crime scene in South Philly, and his mother and brother could have been covering for him. But accepting the whole scenario could be a lot to ask of a jury. Rice's alibi, however, was still unverified, and likely to be less sturdy.

In a summary of the overall case, under the rubric "Additional Facts," the internal memo states, "Victims could not tell the police at the scene who did the shooting." Under the rubric "Problems," the memo states, "Victims both can ID only one of the two defendants and they do not tell police/nurses immediately who shot them."

Coming back, in a different document, to the potential difficulty of proving Linder's involvement, Stryd asked, "Is there strategic value to getting rid of the weaker case and just go forward on the stronger one?" Stryd said he was "torn about what the best way is to proceed."

In the D.A.'s office around that time, there was a phrase prosecutors sometimes used: "Just put it up." In other words, just prosecute and let the jury decide. Whatever the thinking, in the end, the D.A.'s office elected to put both Linder and Rice on trial.

Eric Stryd today works in the office of the state attorney general. In an emailed response to questions, he said he was unfamiliar with the phrase "Just put it up." He confirmed his uncertainty about the case against Linder.

Of course, giving credence to Linder's alibi would have called into question the police theory that Rice and Linder had been partners, acting out of revenge. If Rice was one of the shooters, then his partner must have been someone else.

In his emailed response, Stryd wrote, "I was instructed to proceed to trial." His supervisors, he noted, were "more senior and more experienced than I was."

Clockwise from left: *Fernon Street and South 18th Street, in South Philadelphia, the scene of the shooting on September 25, 2011; a portion of a page from Detective John Craig's notes of his interview with Latrice Johnson; a poster for one of the unsuccessful campaigns by Sandjai Weaver, Rice's lawyer, for a judgeship*

ANDREW AOYAMA; PHILADELPHIA POLICE DEPARTMENT; SANDJAI WEAVER'S FACEBOOK PAGE

C. J. RICE AND TYLER LINDER were tried together, but they were represented by different lawyers. The case against both was thin. As much as anything else, Rice was up against the performance of Sandjai Weaver.

Right off the bat, Weaver had failed to move to decertify the case to juvenile court, even though Rice was a minor who had no prior violent offenses. (Linder was 19, and did not have this option.) On the trial's first day, Weaver was admonished by Judge Denis Cohen for arriving in court with unlabeled exhibits and no copies for the bench.

Because there was no physical evidence, the prosecution's case against Rice rested entirely on the testimony of Latrice Johnson, the sole eyewitness to place him at the scene. That she had not identified him when initially asked, on three separate occasions, opened an array of avenues that Weaver could have exploited, but did not.

To begin with, Weaver could have challenged the way the photo arrays were presented during the hospital interview. More crucially, she could have raised significant doubts about Johnson's ability to see Rice from the stoop where she was sitting—if she'd been familiar with the crime scene. Johnson affirmed on the stand that the sidewalk where the shooters had stood was approximately 20 feet from the stoop, and that her view of the perpetrators in the darkness was aided by a streetlight. In fact, the distance was more than 60 feet. And there was no streetlight at the spot where the shooters were said by the witnesses to be standing; the closest one was across the street. There would have been ambient light from other sources, but the physical distance was a real problem: From the stoop, it's difficult to make out someone on the corner—a person looks very small—and it would have been harder at night with a hood drawn tight around the person's face. There were also two cars obstructing the view of the corner from the stoop. The crime-scene diagram created by the police, which was included in the first few pages of the discovery documents, made most of this clear. A few measurements would have filled in the gaps. But Weaver said nothing, so jurors never knew. Left uncorrected, Johnson's erroneous description of the crime scene *was* the crime scene.

By contrast, when Raymond Driscoll, Linder's attorney, cross-examined Latoya Lane—the only eyewitness placing Linder at the scene—he so vigorously challenged the inconsistencies in her testimony that she broke down, collapsing in tears after saying, "When I was in the hospital, when they came, I was on medication, so, like …" The judge had to call a recess, and ultimately stopped the trial for the day.

Although jurors give significant weight to eyewitness identification, experts agree that eyewitness testimony is highly unreliable. More than two-thirds of the Innocence Project's 375 DNA exonerations involve eyewitness testimony now proved to have been wrong.

At the time of Rice's trial, defense attorneys in Pennsylvania were legally prohibited from calling experts to testify about the unreliability of eyewitness testimony—a prohibition lifted by the state supreme court only in 2014. Still, a 1954 case in Pennsylvania, *Commonwealth v. Kloiber*, allowed attorneys to ask a judge to explain the limits of an eyewitness's identification in situations where a witness did not have an opportunity to clearly view a perpetrator, had struggled to identify him or her, or had a problem making an identification in the past. Given the circumstances—the hood, the darkness, the distance—and the fact that Johnson had failed to identify Rice the first three times she was asked, her testimony could have merited a "*Kloiber* instruction." Weaver never requested one.

Instead, she got into a long and meaningless exchange with Johnson, consuming pages of transcript, about where to locate a basketball hoop on a whiteboard diagram. At one point, confused and frustrated, Weaver seemed ready to throw in the towel: "Sorry, Ms. Johnson, I'm not familiar with your area," she said.

At the defense table, Rice remembers covering his face with one of his hands. Weaver, he now understood, had never visited the street where the shooting took place. And he himself lacked the knowledge to correct her—despite her promise on two occasions, Weaver still hadn't provided him with the discovery documents. He says he got them only after the trial, and only after Weaver had sent him another client's discovery by mistake.

Weaver's lack of knowledge and preparation made my father's testimony essentially a wash.

MY FATHER TESTIFIED on Rice's behalf on the penultimate day of the trial. He had testified in other cases, and those experiences had almost always entailed long preparatory conversations with an attorney. This time was different. He'd had a single, brief conversation with Weaver by phone—a call in which she did nothing more than ask him to testify and give him a date. My father met Weaver in person for the first time in the hallway outside the courtroom. He says she gave him no instructions.

On the stand, my father articulated what he would repeat to me a decade later. From the transcript: "The amount of pain that I saw him with and the inability to stand and get onto and off the table in my office on the 20th of September makes me very dubious as to whether he could walk standing up straight, let alone run with any degree of speed, five days after I saw him." But Weaver did not present Rice's condition in all its dimensions—his hospital illness, his weakened muscular state. She did not explore what the stress of exertion might have done to a stapled wound if Rice had in fact started running.

And she missed something else. My father was there to testify specifically about the doctor's-office encounter. But Weaver seems never to have obtained or reviewed Rice's full hospital records. She certainly never introduced any such records in court. And she never called any other medical expert to testify. Had an expert witness been able to review the relevant records from the hospital—all 300 pages—he or she would have learned that Rice was dealing not only with the incision in his abdomen but also with that fractured pelvis. My father discovered references to the fractures only later, when he obtained the records on Rice's behalf and read them for himself. The information was never introduced at the original trial, though it was certainly germane. It is impossible to say, at a remove of more than a decade, what effect these unhealed fractures would have had on the mobility of a specific individual, or how painful running might have been. Rice did tell me that, although he has learned to compensate, one of his legs is today shorter than the other.

Because Weaver had not made time to talk with my father before the trial, she was also unaware of information that might have been used to blunt a line of questioning by the prosecution. Weaver had no knowledge of my father's conversation with Rice about painkillers, and Rice's unwillingness to take them or to refill his prescription. So she was helpless when Eric Stryd began his cross-examination. "You find it extremely unlikely that he could actually run down the street?" the prosecutor asked. My father answered affirmatively. "Your conclusion is because of the amount of pain he would have been in?" the prosecutor went on. My father again answered affirmatively. "But you don't know how many Percocets he may have taken on the 24th, 25th, or 26th?" Stryd asked. My father could only state the truth: "I have no way of knowing." My father was certain that Rice had not been taking painkillers—hence the distress he saw in the examination room. But he could not say that something was completely impossible if it were not truly so. Reading the trial transcript, I realized that Weaver's lack of knowledge and preparation had made my father's testimony essentially a wash.

Weaver's next witness was Deania Duncan, whose testimony was intended to support Rice's alibi. Duncan's son Quadifi had testified earlier in the trial that he had been at home with Rice and his grandfather all day, but his testimony had been turned against Rice. Stryd asked Quadifi why he hadn't recorded a witness statement or said anything at all about an alibi until this very moment in court; he was able to present what should have been evidence of Weaver's negligence—she hadn't collected any alibi statements, despite having had almost a year and a half to do so—as evidence of Quadifi's deceit. "Today is the first day that you're telling anybody other than the lawyer about this?" the prosecutor asked. Quadifi assented. "He's like your brother; you don't want to see him get in trouble, do you?" the prosecutor continued. Quadifi assented again. "Judge, I have nothing further," the prosecutor said.

Calling Duncan to the stand undermined Rice's case further. In one of their two 15-minute meetings during the 14 months before his trial, Rice says he told Weaver that Duncan herself wasn't in the house at 9:30 p.m.—the time of the shooting. He gave Weaver her name because Duncan would know everyone who had been in the house throughout the day. Although not an alibi witness herself, she'd be able to connect Weaver with everyone who could be. This distinction seems to have been lost on Weaver. As a result, when Duncan admitted under cross-examination that she hadn't been in the house at the time of the shooting, she inadvertently left the strong impression that Rice had no alibi at all.

One piece of independently verifiable alibi evidence that could have made a difference was the location data from Rice's cellphone. Rice had asked Weaver to retrieve the phone data, and she had promised that she would. But Weaver never did seek the data. There is nothing to be done now: After Cricket Wireless was purchased by AT&T in March 2014, records containing Rice's data were deleted.

Speaking with me recently, Raymond Driscoll, Tyler Linder's lawyer, recalled watching Weaver make decisions with which he disagreed—not just in terms of how those decisions might affect his own client, but how they hurt hers. Rice, Driscoll said, had what should have been strong arguments in his defense—medical incapacity, a dubious identification, no physical evidence linking him to the crime.

The strong arguments proved unavailing. On February 8, 2013, after two days of deliberation, the jury returned a verdict. Tyler Linder, represented by Driscoll, was acquitted on all counts. C. J. Rice, represented by Weaver, was found guilty on four counts of attempted murder and other associated charges. The judge ultimately banged down the gavel on a sentence of 30 to 60 years and said, "Good luck, Mr. Rice."

In October 2016, as Rice pursued an appeal, a judge brought Weaver's bankruptcy case to a conclusion, relieving her of her remaining debts. By then, Rice had found a new lawyer, a Philadelphia attorney named Jason Kadish, who hoped to call Weaver as a witness. After Weaver did not respond to a subpoena to appear at the evidentiary hearing, Kadish sought more information and made contact with Weaver's daughter. He later explained to the court that Weaver was suffering a medical crisis that left her "both physically and cognitively unavailable for the purposes of today's hearing" as well as "unavailable to provide competent testimony." Kadish went on to note that "the prognosis is not good" and that "it does not look as if it will improve." Weaver died in 2019.

I CAN REMEMBER my father saying from the time I was young, "We have a legal system, Jacob. We don't have a justice system." In 1971, when I was 2 years old, *Philadelphia* magazine ran a story that profiled my father and a number of other physicians working in poor communities in the city. It described a house call my father made, the conditions in which he worked, and the feats of organization required to bring medical care to neighborhoods that otherwise would have had none. "I wanted to work with the people," the article quoted him as saying. "That's why I got involved in this whole thing."

To his patients, my father is a caring and respected physician. He is also complicated, and sometimes angry. His furrowed-brow fury has mostly been aimed from a distance—at politicians, and those who foment violence and racism, and those who display hypocrisy. My brother and I still talk about the way he yelled at the TV when a patronizing George H. W. Bush debated Geraldine Ferraro during the 1984 campaign. Under his tutelage, and at crayon-wielding age, I once drew a political cartoon of the racist Democratic mayor of Philadelphia, Frank Rizzo, consisting of his face and the words BAD RIZZO BAD RIZZO BAD RIZZO.

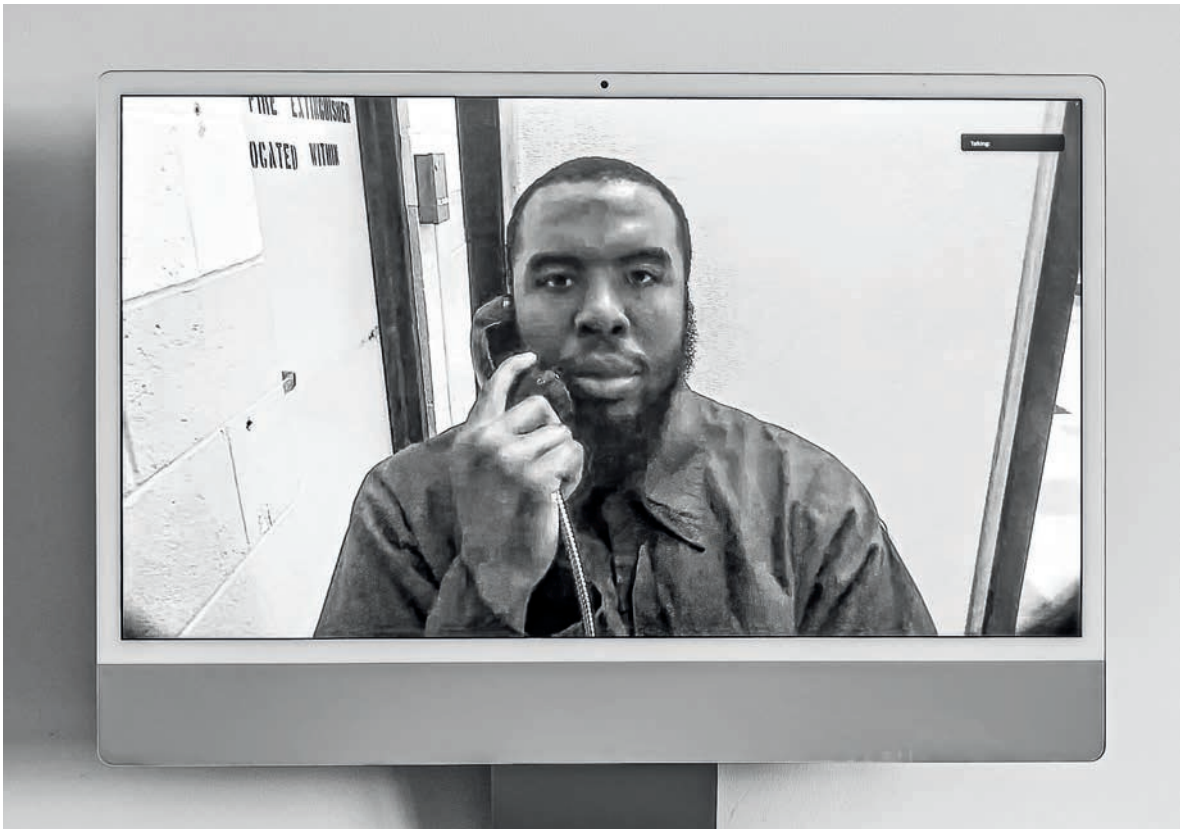
For my father, C. J. Rice is not a distant cause—it is close to home. My father consults frequently with Jason Kadish, the lawyer who now represents Rice in most matters, and whom Rice's family has found money to pay. He has marshaled medical evidence to bolster an ongoing commutation petition. He was instrumental in finding a specialist lawyer, Karl Schwartz, to handle Rice's habeas appeal in federal court and, I suspect, has paid Schwartz himself, though he won't say. Through my CNN colleague Van Jones, with whom I connected him, he has also helped to interest Erin Haney of the Reform Alliance in Rice's case. Reform is a group dedicated to changing probation and parole systems around the country.

And, of course, my father and Rice write to each other. My father's letters to Rice cover many topics. He recounts conversations he has had with Kadish. He discusses the appeals process and the efforts of Philadelphia's district attorney, Larry Krasner, elected in 2017, to seek relief for people in circumstances similar to Rice's. He recommends books, such as the lawyer and activist Bryan Stevenson's memoir, *Just Mercy*. He brings up the Philadelphia 76ers, a subject that arouses passionate hometown feelings.

Rice told me in a recent call that as a 17-year-old, he had long hair and couldn't grow a beard. "Now I'm going bald in the middle, and I've got all this facial hair." In 2011, he was not yet 6 feet tall and weighed 160 pounds. In prison, he says he has grown a few inches and gained 70 pounds of muscle from lifting weights. Deania Duncan's daughter Promise was a month old when Rice was arrested; he could hold her in the cup of his hands. These days, she merges phone lines for him when he calls on the weekend.

Rice earned his high-school degree while he was detained and awaiting trial; once he was sentenced, he was able to get a tutoring job, helping other inmates earn their GED. At Coal Township, he has become the experienced inmate, the jailhouse mentor who advises new detainees to get a copy of their discovery as soon as possible. He likes to read, usually nonfiction, often books about business or self-improvement. Sometimes he'll wash his clothes by hand in the sink, just to occupy himself for 45 minutes—anything to pass the time.

Rice says that he has written Latrice Johnson at least 70 letters. In them, he has explained that he doesn't hold her testimony against her, that he isn't bitter. He has urged her to contact his lawyer, in the hope that something might be done on his behalf. He has never received a reply, but the letters haven't been sent back with a RETURN TO SENDER label, so he believes she has been receiving them. My own luck with Johnson was no better than Rice's. "I don't want to relive it," she said when I called her. "I don't



C. J. Rice on a Zoom call from State Correctional Institution–Coal Township, April 2022

want to discuss it." She ended the conversation. One morning in August, I stopped by her parents' house on South 18th, looking for Johnson or anyone else who might remember the night of the shooting. The door was eventually opened by a woman who knew Johnson and may have been her mother, but who would not identify herself and whose response to every question was simply "Goodbye, sir." A message left at another house eventually produced a return call from Johnson. "I'm the person you're going to all of these houses looking for," she said. "I don't have any information for you." She asked not to be contacted again.

FIGHTING TO HAVE your case overturned from a prison cell is nearly impossible. The arguments in Rice's favor remain as strong as ever, but the nature of the case against him is an obstacle: It's hard to call evidence into question when there was virtually no evidence to begin with. DNA wasn't a factor. Impropriety by the police didn't play a role.

The passage of time can have a flattening effect—perspective can get lost and key facts forgotten. Murray Cohen, the surgeon who operated on Rice, never testified at the original trial. During Rice's appeal, in 2019, he was called to testify for the commonwealth, and against Rice. Cohen had not evaluated Rice's condition, weeks after the operation, as my father had; after the hospital stay, Cohen and Rice came face-to-face again only in court during that appeal, seven years later. Cohen did not believe that running would have made staples or sutures come loose—"not my staples and not my suture." He described the surgery and what he thought would be Rice's condition on the day of the shooting: "It was a laparotomy with no internal injury," Cohen stated, meaning that the bullet had not damaged the intestines. "He was 21, 22 days post-op. I didn't observe the patient that day, but a typical 17-year-old would be able to run." But Rice was not a typical 17-year-old; among other things, a bullet had fractured his pelvis. According to the Hospital for Special Surgery, patients with a fractured pelvis may require six to 12 weeks for full restoration of function. (Cohen could not be reached for comment.)

What of the argument that Rice was represented by ineffective counsel? It's a powerful one, at least in the eyes of an ordinary person looking at the facts. That doesn't mean it carries any weight in a legal system set up in so many ways to protect itself.

The Sixth Amendment guarantees defendants the right to counsel. In a 1984 case, *Strickland v. Washington*, the U.S. Supreme Court took up the question of just how bad lawyers need to be before their performance proves constitutionally defective. Writing for the majority, Justice Sandra Day O'Connor established a two-part test: A lawyer's performance falls short of the Sixth Amendment's right to counsel if (a) it is deficient and (b) that deficiency prejudices the defense, depriving the defendant of a fair trial. The opinion went on to define a deficient counsel as one who "made errors so serious

MALIKE SIDIBE FOR *THE ATLANTIC*

that counsel was not functioning as the 'counsel' guaranteed the defendant by the Sixth Amendment"—a definition that is not only vague but circular. The inadequacy of the standard has allowed a patchwork of different rules to proliferate across the country. A lawyer can sleep during part of a client's cross-examination, or be arrested for drunk driving on the way to court, or be mentally unstable, or have been disbarred midway through a trial without sinking to the level of constitutionally defective performance—all of these instances have been adjudicated in various jurisdictions. This spring, the Supreme Court further restricted the right to claim ineffective counsel as the basis for an appeal. Justice Sonia Sotomayor, writing in dissent, declared that the decision "reduces to rubble" a defendant's Sixth Amendment guarantee. Most of the largest counties across the country have a system like Philadelphia's, where court-appointed attorneys such as Sandjai Weaver are among the only options for defendants like C. J. Rice.

Justice Thurgood Marshall, the sole dissenter in the *Strickland* case, faulted the ruling for a "debilitating ambiguity" that compelled judges to rely on "intuitions" about what constitutes ineffective counsel. Under Pennsylvania's Post Conviction Relief Act, the person whose intuition matters is the original trial judge—this is the person who first considers an appeal. When the matter came before him, Denis Cohen, the judge who had wished Rice good luck, found that Weaver was not deficient counsel. (Through a spokesperson for the Philadelphia courts, Cohen declined to comment, referring to his opinions in Rice's case.) Rice appealed Cohen's judgment to the Pennsylvania Superior Court. He was again disappointed: The Superior Court affirmed Cohen's ruling. Pennsylvania's Supreme Court would not take up the case.

For a while, Rice and his allies had looked hopefully to the creation of a much-publicized Conviction Integrity Unit—one of Larry Krasner's first acts as D.A. The job of the CIU is to review past cases, looking for those in which convictions were unwarranted or sentences were too harsh. In 2021, the CIU issued a report that made reference to "a vicious system that lacked transparency and accountability" and highlighted the unit's successes. But success in this context has meant the exoneration of only 25 individuals out of more than 800 reviewed cases as of August 2022. As fears about crime heighten in cities across the country, efforts such as the CIU face ferocious opposition from police associations, and from some courts and politicians. D.A.s find themselves treading carefully, mindful of cautionary examples like that of Chesa Boudin, the San Francisco prosecutor who was turned out of office in June. Virtually all of the CIU's exonerations have involved open-and-shut cases of police or prosecutorial misconduct—that's the threshold that needs to be met. The greater damage done by the "vicious system" functioning as usual will apparently not get a second look.

When I began reporting this story, in 2020, the Conviction Integrity Unit had some 1,400 cases pending review. In April, the D.A.'s office told me that Rice's case was no longer being considered. In an emailed statement, a spokesperson said that the CIU had decided that there was an "insufficient legal and factual basis to warrant the Commonwealth intervening to vacate his conviction." The spokesperson emphasized that the decision was "not confirmation that his conviction was sound."

Rice's remaining options are few. Barring some new development, he will have to serve at least 20 and as many as 50 more years in prison. A federal habeas petition will soon be filed, but the record in cases like this one is not grounds for optimism. A petition to the state Board of Pardons is being prepared on Rice's behalf. A commutation or pardon is in the hands of the board's five members. They include the lieutenant governor, John Fetterman, a candidate for the Senate this year, and the attorney general, Josh Shapiro, a candidate for governor.

IN SEPTEMBER 2011, the month C. J. Rice was arrested, the state legislature of Pennsylvania released its "Report of the Advisory Committee on Wrongful Convictions." The 316-page document ticked off many failures, including lack of state funding for the defense of people without means—Pennsylvania provides none to public defenders at all—as well as the unreliability of eyewitness testimony and suspect lineups. It offered a long list of recommendations, almost none of which have been adopted.

The reality is that *Commonwealth v. Charles J. Rice* represents nothing out of the ordinary. The Conviction Integrity Unit's caseload captures the situation in a single city, but the same reality exists everywhere. Reforms, even if enacted, would scarcely touch the deeper dysfunction—not just of the criminal-justice system but of neighborhoods and schools. In too many cases, "reform" simply allows dysfunction to remain functional. Rice's story has produced no bumper stickers or T-shirts or movies. There is no corrupt cop or evil prosecutor. There is only doubtful evidence, deficient counsel, and the relentless grind of the criminal-justice system itself. Rice's story is meaningful precisely because it is not unusual. Change the details, and it is the story of tens of thousands of poor defendants and the accumulation of large and small injustices that define their lives.

The only unusual thing about Rice's story is the quirk of fate—his doctor is the father of a journalist—that has gained it any attention at all. To examine his case is to watch a conveyor belt leading in a single direction, with escape routes slamming shut the moment each is glimpsed: a public defender rather than a court-appointed attorney; a routine check of cellphone data; a timely notice of alibi; the right questions put to a dubious eyewitness; a *Kloiber* instruction by the judge; a request for hospital records; the testimony of an independent medical expert; a defense counsel familiar with the crime scene; a Sixth Amendment that is taken seriously.

Let me state the obvious, in personal terms: With evidence as meager as that against Rice, no prosecutor in the country would even have charged me, a white man with resources. If it had—and if I'd had legal representation worthy of the name—no jury would have brought a conviction. *A*

Jake Tapper is the lead Washington anchor for CNN. He hosts the weekday news show The Lead With Jake Tapper *and the Sunday public-affairs program* State of the Union. *Andrew Aoyama contributed reporting.*

IT'S TIME TO PUT ON YOUR SANTA HAT

Christmas is a time of magic, hope and belief. Around the world, children anxiously create their wish lists. While some wish for new doll houses and toy cars, others wish for necessities like food and water. This year, join an incredible team of everyday Santas and Heifer International to ensure these wishes come true.

Let's make some big wishes come true.

BE SOMEONE'S SANTA AT HEIFER.ORG/ATLANTIC.

HEIFER® INTERNATIONAL

Subekchay from Nepal wants her parents to not worry about money.

Misheck from Malawi wants breakfast every morning.

Samata from Honduras wants school supplies.

THE ORIGINAL TIGER KINGS

THE IMPROBABLE RISE AND SAVAGE FALL OF SIEGFRIED & ROY

By Chris Jones and Michael J. Mooney

PHOTOGRAPH BY MARK SELIGER

The last survivors of a lost empire live behind the Mirage, in Las Vegas, out back by the pool. On a good day, Siegfried & Roy's Secret Garden will draw more than 1,000 visitors, the $25 adult admission fee justified mostly by the palm shade and tranquility it offers relative to the mania outside its walls. There are also long summer stretches when it's 100 degrees and things get a little grim. During a recent visit, only a few families strolled through, surveying the five sleeping animals on display: three tigers, a lion, and a leopard. The Secret Garden ostensibly operates as an educational facility. "Look, a lion," one young father said to his son, while pointing at a tiger.

Yet residual magic remains. The best time to visit is late afternoon, just before closing, when the heat has started to subside and the sleeping cats stir. If you're lucky—in this city built on the premise that you, against all odds, will be lucky—a tiger will roar when you're standing nearby. A tiger's roar is more than audible. You feel it in your chest, in your teeth, in the prickles of your skin. And if you turn to look at its source, you might catch a tiger's gaze, its haunting eyes staring into yours, tracking your every move, knowing what you're about to do before you do it.

At the peak of their particular and possibly extinct brand of celebrity, Siegfried & Roy were arguably the most famous magicians since Houdini. They were without question the most famous German magicians performing with a large collection of apex predators. Depending on when you enter and exit their story, it's either triumphant or tragic, surprising or inevitable. It can serve as a testament to the power of lies, including the ones we tell ourselves, or a cautionary tale about fiction's limits, especially when fact takes the form of a fed-up tiger. Now it's about to reach its sad, instructive conclusion, the way so many modern fables end: with a corporate takeover.

In December 2021, Hard Rock International agreed to pay MGM a little over $1 billion for the right to operate the Mirage, including a three-year license to the name. For a little while longer, the hotel will continue to be marketed as a desert oasis, and its iconic volcano will still erupt. But Las Vegas is the least sentimental city on Earth, and Hard Rock has already announced plans to reimagine the property, including by building a guitar-shaped hotel like the one it opened in Hollywood, Florida, in 2019. The Mirage—the hotel that changed Las Vegas—will vanish from the Strip around the time it turns 35 years old.

It's less obvious what will happen to the Secret Garden or its inhabitants, which include a few dolphins as well as the cats. There were once more than 50. Today, 14 remain, including Leni, a leopard; Maharani and Star, striped white Bengal tigers; and Timba-Masai, the "White Lion of Timbavati." They're put on display in shifts, mornings and afternoons, shuttled between their exhibits and their kennels in a complex the size of a football field. The animals have never known another home, and some of their human caretakers have worked here for more than three decades. Employees greet one another with the same worried question: *Have you heard anything?* No one has heard anything. There is a singular certainty in the Secret Garden: Its breeding program ended years ago, and so, one by one, its population will continue to decline. The only question is when, exactly, it will reach zero.

The fate of the larger-than-life statue of Siegfried & Roy—enormous busts of their perfectly coiffed heads, framing one of their beloved tigers—is also unknown. The statue has a precarious-seeming place on the stretch of the Strip between the Mirage and Treasure Island. When Roy died in May 2020, mourners placed flowers, notes, and candles at its base. They did the same when Siegfried died seven months later. People still stop to take pictures, careful to crop out the homeless man who sometimes makes camp on the sidewalk nearby. The statue has been painted to look like it's made of bronze, but there are enough cracks in the paint, particularly on the tiger's sunbaked nose, to reveal that it's not. It's hollow, and wouldn't take many men to move.

THEIR STORY IS EITHER A TESTAMENT TO THE POWER OF LIES, OR A CAUTIONARY TALE ABOUT FICTION'S LIMITS, ESPECIALLY WHEN FACT TAKES THE FORM OF A FED-UP TIGER.

IT'S ALMOST HARD TO FATHOM, these less credulous days, but there was a time when two sons of damaged German soldiers could put on gemstone-laden capes and codpieces and do corny tricks in the company of some magnificent animals and rank among the best-known and wealthiest entertainers in the world. In June, before an auction of some of Siegfried & Roy's belongings—including jewelry, tiger-themed artwork, and their matching kimonos—the *Los Angeles Times* decreed: "It's not possible anymore to be famous and moneyed the way Siegfried & Roy

Siegfried & Roy levitate the French singer Mireille Mathieu on the Las Vegas Strip in 1977.

JEAN-CLAUDE DEUTSCH / *PARIS MATCH* / GETTY

were famous and moneyed." Their magic word was *SARMOTI*, which stood for "Siegfried and Roy, Masters of the Impossible." They must have sometimes looked around and believed it.

Siegfried Fischbacher met Uwe Ludwig Horn, later known as Roy, on a German cruise ship named the TS Bremen in 1959. Siegfried was 20 years old, strong-jawed, and working as a first-class steward. On certain evenings, he assumed a different name, "Delmare the Magician," and performed for passengers. He had been practicing since he was a child, and claimed that the first time his shattered, alcoholic father acknowledged him was after he made a coin disappear: "How did you do that?" his father said. Siegfried spent the rest of his life chasing that feeling.

Roy was five years younger and hungry for adventure, having abandoned school and an equally unhappy childhood to work as a bellboy at sea. He had filled his own absence of paternal affection with animals and fantasy. Roy claimed that his boyhood dog was half wolf, and that it had once rescued him from quicksand.

One night on the ship, Roy watched Siegfried perform his magic and didn't seem impressed. However technically gifted Siegfried appeared, however handsome he was, his tricks were tired and ordinary, devoid of surprise or flair. His show included a hat, and the hat included a rabbit.

"If you can make a rabbit disappear," Roy asked, "could you do the same thing with a cheetah?" Siegfried said yes.

Not long after, Roy beckoned Siegfried to his cabin across the corridor. Roy opened his door. Inside, a huge cat was waiting for them. The cat was named Chico, and he was, undeniably, a cheetah.

Roy looked at Siegfried, who was appropriately stunned. "Where there is trust, there is love," Roy said, and Siegfried chose to believe him, as if to prove the point.

Over Siegfried & Roy's next six decades together, the nature of their relationship was always purposefully opaque. Sometimes they appeared to be friends, sometimes lovers, sometimes rivals. With each other, they had no secrets. "They literally communicate onstage with a glance," their manager Bernie Yuman has said. They knew each other better than many of us know ourselves. Siegfried, the blond one, was the magician, the engineer, the perfectionist, the restraint. Roy, with his jet-black hair and occasional mustache, was the animal whisperer, the dreamer, the fabulist, the spark.

They did their first show together, along with Chico, on board the Bremen. Siegfried performed the magic, Roy was his unorthodox assistant, and the cat acted very much like a regular cat, only significantly larger and more dangerous. The captain was not pleased that a teenage bellboy had smuggled a cheetah onto his ship, but the audience loved it. Siegfried, Roy, and Chico became a shipboard staple.

The trio later bounced around Europe, building a following in adult playgrounds like Monte Carlo. Their act consisted of simple, classic tricks, like someone getting into a box, then disappearing, then reappearing a few moments later. But the young Germans performed each illusion with a signature precision—and a 100-pound cat. Crowds especially adored Chico, who sometimes won top billing on flyers.

In 1967, a talent scout asked them to come to Las Vegas, where a slightly more downmarket version of the Folies Bergère—the Parisian revue where Josephine Baker became famous—was establishing itself at the Tropicana. The idea of a hot ticket in Mob-run Las Vegas was Frank Sinatra belting out tunes next to a coked-up Sammy Davis Jr. and a line of topless showgirls with feather headdresses. It wasn't clear how well a pair of swashbuckling German magicians with a cheetah, none of whom spoke English, might appeal to the cigar-chomping set. Siegfried & Roy were placed 14th on a long bill, between some strongmen and a comic xylophonist.

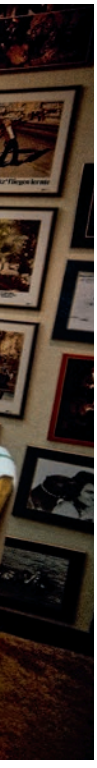
Left: *Siegfried & Roy, and a leopard, in their dressing room at the Stardust Resort and Casino in 1978.* Right: *Arnold Schwarzenegger visits after a show at the Frontier.*

SIEGFRIED DIDN'T MUCH CARE for Las Vegas at first, and he began campaigning for a return to Europe. Roy spent the rest of his life trying to make Siegfried feel more at home, as though nervous that his partner might one day decide to leave. They moved into a mansion they called the Jungle Palace, just north of town. It was Moroccan-themed and stuffed with curios from around the world. (Siegfried & Roy were never "out" in the modern sense, but they lived together in some capacity their entire adult lives.) The library has a button that opens a secret door as a hidden speaker announces "SARMOTI!" A massive mural over Siegfried's bed features a young, nude version of him holding two cheetahs on chains, staring down an evil sorcerer. Later, Roy turned 80 acres of desert into a sprawling compound called Little Bavaria, so artificially lush that Siegfried could close his eyes and imagine he was back in Germany, listening to birdsong.

Before they could afford to build their own sanctuaries, they took frequent drives to California to perform along Venice Beach. There, they met a young bodybuilder who also dreamed in German.

Like Siegfried & Roy, Arnold Schwarzenegger had a father who'd been left in ruins by the war. Like Siegfried & Roy, Schwarzenegger had found solace in an unlikely obsession. Schwarzenegger's chosen distraction was his own body, and he sculpted it at Muscle Beach. In the early '70s, Venice was a kind of way station for people who wanted to be amazing at some small, strange, pretty thing. Schwarzenegger remembers meeting brilliant chess players—Bobby Fischer played with his feet in the sand—and wandering mystics and Cheech and Chong, another future-famous duo, who were "running around on the beach, getting stoned out of their fucking minds." Every one of them had grandiose, impossible aspirations. Siegfried & Roy still managed to stand out.

"They were always unbelievable," Schwarzenegger says. "It was a straight 10, everything from beginning to end, always, with



DIETER KLAR / DPA PICTURE ALLIANCE / AP; COURTESY OF S&R PRODUCTION

them." Schwarzenegger says people back home laughed at him for his ambitions; he can only imagine how people must have responded to Siegfried & Roy when they dared confess their own secret plans. "And then they come over here and make their dream a reality," Schwarzenegger says. "Only in America."

The three transplants stayed close, Schwarzenegger often driving his mother to Las Vegas to see them when she came to the U.S. "They were experts with mothers," Schwarzenegger says. Each visit, his old beach buddies would dote on Schwarzenegger's mother a little more grandly, putting their latest tiger cub into her hands, hiring professional photographers to take portraits of her and her son and a cat, their inherent generosity now gilded by the spoils of some newly conquered territory. First they ascended at the Tropicana, until they became the grand finale. Then Frank "Lefty" Rosenthal—the inspiration for Robert De Niro's character in *Casino*—brought the entire show over to the Stardust in 1978, where they used their newfound leverage to see their names on a Las Vegas marquee for the first time. (Rosenthal also threw in a silver Rolls-Royce that, according to Siegfried, he'd originally bought as a gift for his wife.)

In 1981, Siegfried & Roy moved again, this time to the Frontier, where they headlined a variety show called "Beyond Belief." They rode out their extremely '80s version of the '80s there. Barbra Streisand, Elizabeth Taylor, Sylvester Stallone, Dolly Parton, and Robin Williams came to see them perform. Michael Jackson wrote and recorded "Mind Is the Magic," which would become their theme song, as a personal favor. They were granted audiences with no fewer than three presidents—Carter, Reagan, and the first Bush—and, for good measure, Pope John Paul II.

For most people, that might have been enough. For Siegfried & Roy, there was no enough. One day in 1986, a developer named Steve Wynn announced that he was going to build the first new hotel casino in Las Vegas in 15 years. Wynn had been quietly assembling an enormous property on the Strip: 110 prime acres just north of Caesars Palace. He didn't have a name for it yet, but he already knew that it would have 3,000 rooms, making it one of the largest hotels in the world. Siegfried & Roy liked the sound of that. A meeting was arranged. The three men sat down and hatched a plan.

Siegfried & Roy had always felt constrained by the venues in which they performed. Their professional homes were prebuilt, designed to accommodate someone else's lesser ideas. At the Stardust, they'd had to persuade Rosenthal to cut a massive hole in the theater ceiling to make way for a new illusion. Now Wynn was going to build a monument from scratch. If he also built Siegfried & Roy a theater—a $30 million theater with 1,500 seats, custom-made to their ridiculous specifications, with a two-bedroom apartment upstairs and a stage big enough for a giant mechanical dragon—together they could put on a new kind of Las Vegas show, a spectacle, dramatic and gorgeous, one that families could attend, without crudeness or nudity or sin, just magic, great big beautiful magic. Siegfried & Roy would perform there and only there for the rest of their careers, becoming more than entertainers in the process. They would become a vision, an idea, a thumbtack in the mental maps of people all over the world. And they would make Las Vegas into something grander than a row of glorified gambling halls. They would turn it into the place where dreams really did come true: the Mirage.

Wynn's grand design, and Siegfried & Roy's forever home, would open in 1989. Wynn's new partners had three years to get ready. For the last of those *before* years, Siegfried & Roy hit the road, playing Japan, playing New York City, cementing their global reputation while stoking a kind of anticipatory fire in Las Vegas, so that when they returned it might feel less like a move across town and more like an arrival.

Left: *The magicians with Mantra, one of their many cats, in the library of the Jungle Palace.* Middle: *A streak of white tigers in the garden of the Jungle Palace.* Right: *Roy snuggles with a cheetah in 1986.*

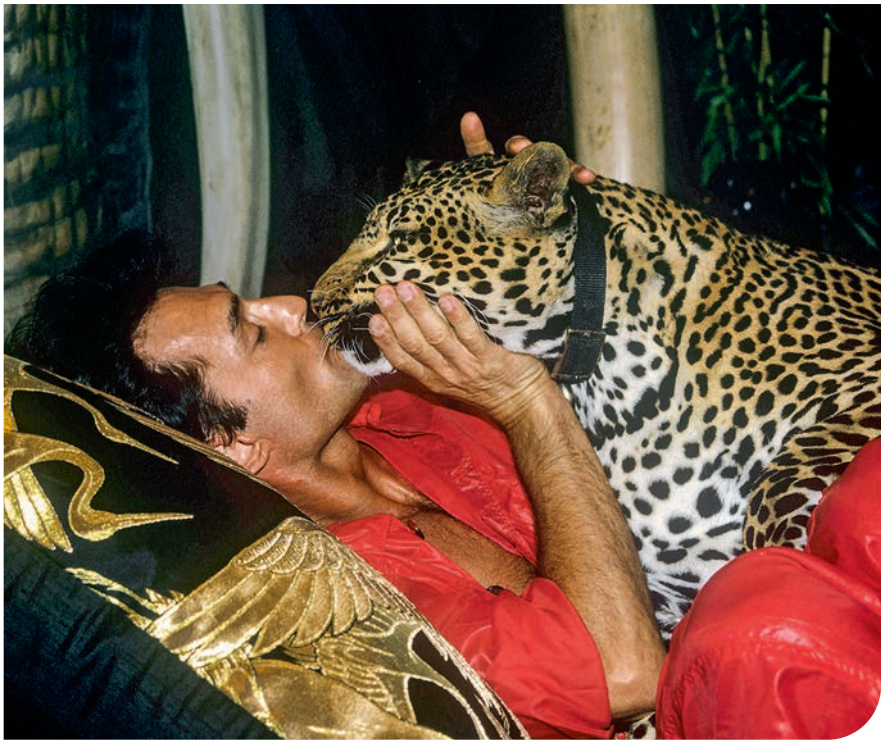
"WITHOUT ROY, SIEGFRIED wouldn't be enough," a woman named Lynette Chappell says. "And without Siegfried, Roy would be too much."

Nobody knew the two men the way Chappell did. She grew up in Kenya and what was then Rhodesia, now Zimbabwe, moving to Las Vegas as a dancer when she was only a teenager. Some fateful evening, she idled in the seats during rehearsals for a new variety show at the Stardust. Siegfried & Roy, still in the opening stages of their fame and English proficiency—according to Roy they eventually learned the language in part by watching *The Flintstones*—did a little silent magic, accompanied by their faithful cheetah and now also a leopard. The animals reminded Chappell of home, and she was nearly as struck by the two intense Germans trying to make names for themselves in the desert. She bonded especially with Roy over their love of big cats, and volunteered to look after the animals whenever assistance was required.

Chappell's offer was the start of a permanent collaboration. For years, Siegfried had made Roy disappear, which meant that Siegfried alone remained onstage to receive the standing ovations. Roy didn't like that very much. The two men needed a foil, so that they could both share in their audience's admiration. "They decided they needed a victim" is how Chappell puts it. She became the "evil queen" who got levitated and sawn in half. Later, she followed them to the Frontier, and finally to the Mirage, watching their universe expand from her place very near the center of it.

The show at the Mirage was an immediate, unrelenting success. Wynn erected a massive billboard out front: MAGICIANS OF THE CENTURY. Siegfried & Roy played two shows a night, six nights a week. They were good for nearly 800,000 butts in seats a year, each audience member having paid as much as $100 for the privilege. For Wynn and the Mirage, that added up to more than $40 million annually. For Las Vegas, it meant many millions more in hotel rooms, meals, taxi rides, and gaming. Most of the old casinos, the places where Siegfried & Roy had become famous, fell to wrecking balls, clearing the way for dressed-up mimics of the Mirage: Excalibur, Luxor, New York–New York, Paris, the Venetian. Each had anchor entertainment tenants. Many of them were magicians.

Siegfried & Roy and their 250 human employees performed under an almost obscene amount of pressure. Unsurprisingly, perhaps, there was often tension at home and backstage. Asked if she ever felt fear around the cats, Chappell laughs. "No, no," she says. "It was a lot safer for me to be in a small space with a cheetah or a tiger than with Siegfried or Roy." Roy's principal method of communication was shouting, regardless of his mood. But when someone screwed up around one of his animals, his voice would get lower. *I wish to bring to your attention that you're upsetting a goddamn tiger.*



COURTESY OF S&R PRODUCTION; PETER BISCHOFF / GETTY; DPA PICTURE ALLIANCE / ALAMY

Siegfried's sometimes-ferocious moods were usually triggered by Roy, who was both an inescapable presence and impossible to tame. Siegfried so craved the adulation of his audience that some nights he'd wander into the crowd before the show, hiding behind a mask, stealing energy from his buzzing fans. His pathological need for praise, and his constant fear that it might be withheld from him, meant that he could be set off by tiny errors of timing or effect that only he saw or perceived. Even in the chaos of a packed house, he noticed if a single light bulb was out, his eye wandering to the missing light for the rest of the night. A postshow summons to Siegfried's chambers was the worst possible way for an employee to end the evening. He would sit in his chair, dripping with sweat, pulling on a cigarette. "Tell me why this happened," he would say. "And then tell me why it will never happen again."

THERE ARE NO BAD ELEPHANTS, but some elephants are easier to handle than others. When Siegfried & Roy moved to the Frontier, they acquired Gildah, an excellent elephant. She was the heart of what was then a new old trick: making an elephant disappear. Houdini did that in 1918. No magician had attempted it since, mostly because no magician happened to have an elephant handy, or a performance space big enough to vanish one. Teller, of Penn & Teller—two more magicians who call Las Vegas home—is the Siegfried of his particular duo: the logician, the focus, the sober second thought. Making an elephant disappear, Teller says, "is the kind of thing that you read in a magic book and you say, 'Well, that's a clever idea, but no one could actually do that.' And they did, which is perfectly consistent with everything about their thinking: Take whatever it is, and do it over the top." Siegfried was a devoted student of magic, but he was never much of an inventor. Siegfried & Roy knew that they would be forgiven for their unoriginal illusions so long as they elevated them, and giant animals have a way of elevating everything. The devil's half of the bargain was that Siegfried & Roy could become the grandest version of themselves only by surrounding themselves with the instruments of their potential destruction.

By the mid-'90s, they had an incredible menagerie of big cats as well as countless other exotic pets: pythons, alpacas, swans, horses, goats, and a turkey named Merlin. Some lived at the Jungle Palace or Little Bavaria, but after the Secret Garden was built, in 1996, the cats were usually kept there.

The compound also became home to a fiercely loyal woman named Melody Hitzhusen. She spent her youth with the elephants and other animals at Ringling Bros. before Siegfried & Roy lured her away from one circus to another with the promise of magic, cats, and a little bungalow-style apartment among the animal enclosures. Today, a black leopard prowls outside her kitchen. A lion sleeps on the other side of her bedroom wall. When it roars, her windows shake.

By the time Hitzhusen arrived, Roy—she called him Mr. Roy—was almost always in the company of tigers. Siegfried was never much for the animals, seeing them as a means to an end: "They were props," Hitzhusen says. (The dolphins were Wynn's contribution and never part of the act. Legally blind, he often took his lunch next to the Secret Garden's dolphin pool, luxuriating in the good dolphin vibes.) After the cheetah and the leopard, Roy's next cat had been a lion he'd somehow obtained from Puerto Rico, where he and Siegfried would vacation for several weeks a year. Lions,

he found, never really lose their predatory instinct. Lions want to hunt, and that makes them nervy pets. "We're setting up ourselves not to succeed if we try to move a lion around multiple times a day" is Hitzhusen's way of putting it. Tigers are far more eager to please.

Siegfried & Roy's streak—one collective noun for a group of tigers; another is *ambush*—began in 1983 with the acquisition of three white cubs, imported from India via the Cincinnati Zoo. What Roy called his "family" grew from there. There were soon dozens of tigers at the Secret Garden, many of them white.

Roy often claimed that white tigers were a distinct subspecies of tiger. That was a lie, covering up an unpleasant truth. Every white tiger in the United States is believed to be the descendant of one white male Bengal tiger captured in the wild in India as a cub, a genetic anomaly named Mohan. He was bred with his daughter to produce more white tigers, and his deviant blood still courses through the veins of many of the cats today. Most white tigers look regal (there are incestuous exceptions), and they seem like they could possess divine powers, the way white moose are regarded by some First Nations people in Canada as sacred, as spirits watching over them. But white tigers are not, in fact, mystical. They're mutants. They're beautiful freaks.

They are also tigers, and so they possess the attributes universal to all tigers. They can cover more than 20 feet in a single leap. In captivity, they consume seven to 12 pounds of raw flesh each day, and they can weigh as much as 660 pounds. They smell of urine and pheromones. They signal displeasure or impending malice with raised ears, stretched-out whiskers, and dilated pupils. Tigers are capable of exerting a bite force of more than 1,000 pounds per square inch, and their four canine teeth can be up to three inches long, the largest of any predator. All tigers eat nothing but meat.

THE MAULING HAPPENED DURING A PART OF THE SHOW CALLED "THE RAPPORT," A QUIET INTERLUDE DESIGNED TO ALLOW EVERYONE INVOLVED TO CATCH THEIR BREATH.

BY FAR SIEGFRIED & ROY'S most amazing trick was making everyone forget that they and their audiences of A-list celebrities, former presidents, and ordinary tourists were in proximity to unchained animals that are widely feared for their capacity to kill. Steve Wynn was a notable exception. "I was afraid," he says. Before the show opened, he did a photo shoot with Siegfried & Roy and a tiger. Siegfried didn't know that Wynn spoke some German, and so also didn't know that Wynn understood when he told Roy to keep his hand between the tiger and their patron, "just in case." That memory stuck. Night after night, year after year, 1,500 people at a time sat next to a parade of inveterate carnivores with claws and sharp teeth. Wynn's theater was a small-scale version of Jurassic Park.

There was almost always a moment during the show when Roy entered a cage and, with the aid of a purple curtain and some hidden doors, was "turned into" a lion, and that lion almost always took a swipe at Siegfried, who theatrically evaded its claws. Once, Siegfried failed to escape the clutches of a lion that went off-script and bit his arm. He needed several dozen stitches to close the wound. To the paying customers, the lion's reach seemed like a moment of genuine risk, and Siegfried's scar proved that in some ways it was. "As an audience member, you're drawn into this," Lance Burton, a former Las Vegas magician, says. "Because you don't know if this is part of the act or if this is the night the lion's going to get him." That moment of manufactured risk also somehow magically obscured the actual risk to everyone involved, the way we get a thrill out of riding a roller coaster when the drive to the amusement park is far more likely to kill us.

Even Teller, normally a truth-seer, fell for Siegfried & Roy's illusion of audience safety, at least in the moment. "I just remember Siegfried calmly turning to a tiger and pointing to us and saying 'Eat them,'" Teller says. The joke was a customary one—a carefully planned moment designed to seem spontaneous and special—and everyone dutifully laughed, including Teller. "I was actually brought into the make-believe, that somehow these animals were magically humanized," he says. "In retrospect, that might not have been such a smart thing to do."

TO THIS DAY, nearly everyone in Siegfried & Roy's former orbit uses the same ambiguous noun when discussing Roy's fateful encounter with one of his animals: They call it "the accident." On the evening of October 3, 2003, Roy was bitten in the neck by a white tiger named Mantecore. He never fully recovered from his wounds or the related stroke and subsequent cardiac arrests. Those facts are a matter of universal agreement. From there, the truth is the subject of considerable dispute.

Most nights, Siegfried & Roy each covered five miles during the course of a single show, because sometimes what looks like teleportation is just someone running really fast through a tunnel. The rest of the evening was spent hurtling through a series of weird, unrelated vignettes. At one point during the performance,

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Siegfried & Roy's colossal mechanical dragon seemed to crush their heads in its talons, only for our heroes to come back to life and conquer it, fighting fire with fire so hot, audience members could feel it on their cheeks.

The mauling happened during a part of the show called "The Rapport," a quiet interlude designed to allow everyone involved a chance to catch their breath. Roy would walk a white tiger into a spotlight on the stage and introduce the cat to the audience. That night, Roy told the crowd that it was Mantecore's first time onstage. "Siegfried & Roy always wanted anyone in the audience to feel like they'd come on this very special night," Chappell says. Mantecore was seven years old and had performed "The Rapport" more than 2,000 times.

During those previous 2,000-plus encounters, Roy walked Mantecore in a circle, stopped, got down on the floor, put a microphone to the cat's mouth, and asked him to talk. The tiger let out a low growl. Then Roy returned to his feet, and the tiger rose to rest his front paws on Roy's shoulders. Mantecore was about seven feet tall and 400 pounds, dwarfing the diminutive Roy, despite his wearing boot heels and lifts designed to make him look inches taller than he was. The man and the tiger danced across the stage, always receiving a wave of applause before exiting to the left. It looked as though Roy and Mantecore shared something like love, and on certain nights, the effect could move members of the audience to tears.

It's not unusual for people with an extreme devotion to animals to believe that the objects of their affection are equally devoted to them. Animal obsessives routinely portray themselves as martyrs, holy warriors who fight the good and solitary fight on behalf of animals, their shared enemies the billions of stupid, thoughtless humans who can't know what they know. These same people often claim special powers: that they can commune with animals, talk to them in their own private language. Roy had speakers installed in the kennels so that when he went on vacation, he could call and talk to his cats. He claimed that he spoke to them in huffs and purrs.

"When you see a 600-pound tiger, and you call his name from across the way and he comes up to you, that's magic," Chappell says.

Roy no doubt was more at ease with large cats than just about any other human being in history. He had spent so much time with them. Roy was present for every birth—his face was the first thing they saw, his voice the first sound they heard—and each animal was conditioned to live a hugely unnatural life from that moment forward. When cubs were three weeks old, Roy introduced them to the lights and noise of the theater, picking them up out of a basket and cradling them in his arms, allowing members of the audience to pet their soft fur. Those same cubs grew up to lounge around like gigantic house cats, roaming the properties freely, sleeping in beds, swimming in the pool, performing tricks for audiences, and receiving treats for obedience.

Roy even rode them like horses. It was as though they'd been bred twice: once to be white, and again to become something other than what they were meant to be.

ROY, SEVERAL OF HIS EMPLOYEES, and even some members of the audience knew something was amiss from the start of "The Rapport." Mantecore seemed confused and out of sorts, missing a mark just seconds into the act. Some witnesses thought Roy was also a little off, perhaps tired from the previous night's celebration of his 59th birthday, perhaps ill. ("He was not right," Hitzhusen says.) Siegfried & Roy routinely showed signs of fatigue—for a time, Siegfried handled the stress of the show with too much Valium—and both had started murmuring about winding things down. But it's almost impossible to write the ending to a fairy tale you're living, especially when it employs 250 of your most devoted friends. Siegfried in particular wasn't sure what he'd do with himself after. He hadn't thought of living any other kind of life.

"What is wrong?" Roy asked Mantecore out loud. He tried to correct the tiger's position on the stage. In 2019, Chris Lawrence, one of the animal handlers standing in the wings that night, told *The Hollywood Reporter* that Roy had made a handling error. Rather than walking Mantecore in a circle to coax the tiger into position, Roy tried to steer him with his arm, essentially shoving him. The tiger's ears perked up, and his whiskers grew longer. Lawrence said Mantecore's eyes turned a warning shade of green. Roy sensed the danger too, but before he could act, Mantecore nipped at his hand.

"No," Roy scolded, and he bopped the tiger with his microphone. Because the microphone was on, the sound echoed around the theater, which had gone pin-drop silent. Lawrence, who had been reluctant to go onstage—spoiling the illusion that Roy alone controlled the animals with his special powers—now felt compelled to intervene, trying to distract the tiger with soothing pats and cubes of steak. But Mantecore remained fixated on Roy. The huge cat swiped at the tiny man, knocking him off his high-heeled feet, and sinking his teeth into Roy's neck. Blood spurted from the puncture wounds, but Roy could still push out enough air to scream, witnesses said, when he was dragged by the tiger to their usual exit, stage left. Someone sprayed Mantecore with a fire extinguisher, and the animal finally released Roy's limp body before handlers corralled the tiger into a cage, where he began looking for the dinner he normally received after a performance.

Chappell and Hitzhusen each took one of Roy's hands as he was loaded into an ambulance. Beyond noting that, Chappell won't talk about the incident in any detail. "I'm not going there," she says. After the curtains came down, some members of the audience prayed. Some thought the episode was part of the act and waited for the reveal. Some wandered out of the theater to the casino floor and cried among the slot machines.

Surgeons saved Roy's life, stopping the bleeding and opening his airway, but he flatlined three times and suffered brain damage. He spent the next few months in the hospital, and the next few years relearning how to walk, talk, and swallow. After the incident, Lawrence was beset by terrifying nightmares in which his throat would get ripped out, and most of the employees were told that they needed to find other work. Siegfried & Roy rarely appeared in public together again, and performed onstage only once, briefly, in a charity show at the Bellagio in 2009.

Because of belated public-safety concerns and persistent rumors of sabotage or foul play, the U.S. Department of Agriculture embarked on an exhaustive exploration of the

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incident, eventually releasing a 233-page report. The chief investigator nosed through some vaguely conspiratorial-seeming explanations—that someone "had intentionally and maliciously distracted Mantecore"; that he had been put off by the "beehive hairdo" of one patron; that someone had released a scent that caused the tiger to sneeze and become ruffled—before ultimately finding only that the tiger had not been under "direct control" and that in the future, it would be a good idea to keep barricades between large cats and humans.

Upon reflection, it's an incredible testament to Siegfried & Roy's capacity for illusion that there was so much debate about what happened that the USDA felt the need to write a 233-page report. In 2014, Siegfried & Roy appeared on *Entertainment Tonight*, ready to announce the "real" explanation. The clip is on YouTube with the title "Roy Horn Reveals Shocking Info on Tiger Attack From 11 Years Ago." Roy, the same man who'd once claimed that his pet wolf-dog had rescued him from quicksand, told his gullible-seeming interviewer that he'd passed out onstage following a naturally occurring stroke, and the worried tiger, sensing the problem, gently took hold of his neck and, like a mother ferrying a cub, delivered Roy offstage to help. The accidental bite and loss of blood, Roy said, relieved the pressure building in his brain, saving his life. "It was an absolute blessing," he said. Adding to the beauty of it all, Roy wrote on Facebook, Mantecore had nearly died soon after his birth and Roy had revived the cub by breathing air into his lungs. The tiger was only returning the favor. "I saved his life and then he saved mine," Roy wrote.

Siegfried & Roy greet the audience during the opening of their show at the Mirage, circa 1990.

COURTESY OF S&R PRODUCTION

Hitzhusen believes that the stroke did in fact happen before the attack, which would explain why Roy "wasn't right." Asked whether she believes that Mantecore became the first tiger in history to save a human life, she shrugs. Most of the commenters on the *Entertainment Tonight* video saw Roy's tale for what it was—the most transparent illusion of his career—but not all. "What a sweet baby," one comment reads, referring to the tiger. "He tried to help him."

MAGIC AND GRIEF both have the capacity to expand our imagination. Both send us searching for explanations. Early in 2020, Roy caught a terrifying new virus. He was 75 years old when he was diagnosed with COVID-19. Siegfried went to the hospital and watched through glass as his partner's chest rose and fell to the rhythm dictated by machines. He swore that Roy knew he was there and that Roy moved his hand, as though to wave, and a tear ran down his cheek. Because of the way the two men had always communicated with only a look, Siegfried believed that he and Roy said goodbye in that moment, finally and properly. Who knows? Only they could say, and now neither of them is here. Siegfried's pancreas was already filling with cancer. He died in January 2021, at 81.

The fact that their lives were so saturated with secrets, that the two men were so intentionally unknowable, added a mystique to Siegfried & Roy. But it never felt that way to Sharon Heptner, who was Siegfried & Roy's personal assistant for decades, even before they arrived at the Mirage. "I love them both very much," she says, unable to speak of them in anything but the present tense.

On a tour of the Jungle Palace, she walks past the empty glass enclosures that used to hold lions and tigers. She also points to where Siegfried sometimes asked her to lie for long stretches, directing her to move a hand here or a leg there while he stared

at her and rubbed his chin. "You knew he was coming up with how he could put a body into something," she says, without elaborating. She's naturally cautious, reserved, and discreet, but like nearly all of Siegfried & Roy's employees, she also signed an NDA that she still abides by: Most of her secrets, and so Siegfried & Roy's secrets, will stay secrets. "This is Roy's room," she says, standing in front of a closed door on the second floor. "You can't go in there."

Their wills requested that their assets help fund their SARMOTI Foundation, dedicated to endangered-animal protection and conservation. Before an estate sale was held, certain employees had first choice of inheritances; Hitzhusen now sleeps in Siegfried's wooden bed. The trustees selected Bonhams, the venerable auction house, to dispose of the rest, and an elegant Englishwoman named Helen Hall arrived to take stock. Any piece of magic that betrayed a trade secret was off-limits. Nearly everything else was fair game. Hall chose 482 items and had them boxed up and shipped to Los Angeles. Hitzhusen hasn't had the heart to go into either of Siegfried & Roy's former houses since. Like Siegfried and his eye for absent lights, she's worried she'll see only what's missing.

In the sprawling collection of art, costumes, and jewelry, it wasn't difficult to divine which of the pieces Roy had bought for Siegfried and which he had bought for himself. (Roy was the shopper.) Anything of Asian or Middle Eastern origin—such as the "carved amethyst figure of a seated Buddha" that sold for $637.50 and the "Indo-Tabriz style rug" that went for $1,211.25—was Roy's. Siegfried's spirit could be better found in the massive "European Gothic style carved wood pulpit" that brought $1,657.50. (He remained devoutly Catholic his entire life; his younger sister is a nun.) The "Versace three-piece porcelain smoking set" ($1,530) was also Siegfried's, in which he extinguished his postshow cigarettes and however many clumsy careers.

Through it all, the room behind the locked door, the one that Heptner won't open for guests, remained sacred and untouched. Inside, there are shelves of urns, each one containing the ashes of a departed animal. Only Gildah, the excellent elephant, was buried in the yard at Little Bavaria, because no crematorium could contain her. (A thousand years from now, someone might dig up her enormous bones and have to reconcile some things.) To this day, the ashes of every lion, every leopard, every tiger that dies in the Secret Garden are brought back to the Jungle Palace and placed next to Roy's vacant bedside. Hitzhusen vowed to Roy that she would stay until there were no animals left, and she is the sort of person who keeps a promise. She has 14 urns left to fill, and then she's going to move to an island in the Pacific Northwest and listen to the rain.

INSIDE ROY'S OLD BEDROOM ARE SHELVES OF URNS, EACH ONE CONTAINING THE ASHES OF A DEPARTED ANIMAL.

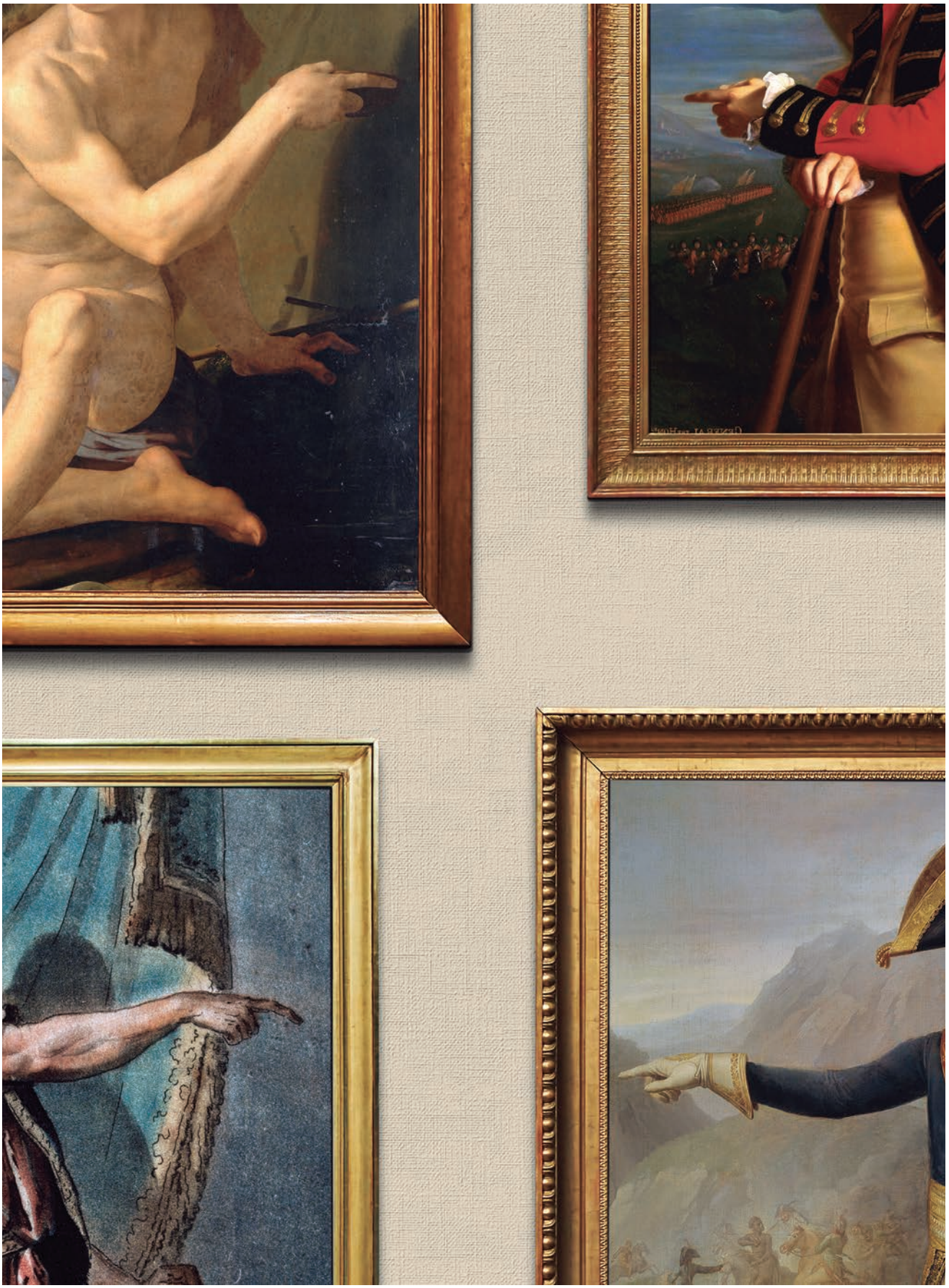
Like their animals, Siegfried & Roy were cremated, but the location of their ashes is one last secret. Hitzhusen will say only that their final resting place is in Nevada, and they are together again.

In their waning years, Roy had stayed mostly out of sight. Siegfried missed having an audience. He tried to occupy himself by learning to do the things that "normal" people do but he never had, like pumping gas and grocery shopping. He was mesmerized by the magic of ordinary life. But nothing really did the trick until Siegfried began returning to the Secret Garden virtually every day.

There, under the shade of the palm trees, he drifted through the ebbing crowds, waiting for someone to recognize him. He always feigned surprise when they did, careful to make even his smallest audiences feel special. He told them that he was rarely there anymore, that their meeting must have been fate. Siegfried then took out one of the gold coins that waited in his pocket. He had thousands of them made: LOOK FOR THE MAGIC THAT IS ALL AROUND YOU, they read on one side. Then he performed a little magic—close-up magic, quiet and simple, the way he once did, before everything else.

Surrounded by the cats who reminded him so much of his lost partner—the same animals whose hulking presence had helped turn their first day together and every day after into the most extraordinary existence for everyone in their sprawling, magical family—Siegfried heard time and again the same five words his father once said to him: "How did you do that?" He never answered. Instead, Siegfried would smile, press the coin into the hands of one of his guests, and float away, leaving his visitors to stare at one another in silence, and the last of Roy's tigers to exalt in their wonder. *A*

Chris Jones and Michael J. Mooney are longtime magazine writers. Jones lives in Port Hope, Ontario; Mooney lives in Dallas.



THE SCAPEGOAT

BY HELEN LEWIS

A MUSEUM CURATOR WAS FORCED OUT *of* HER JOB OVER ALLEGATIONS *of* RACISM THAT AN INVESTIGATION DEEMED UNFOUNDED. WHAT DID HER DEFENESTRATION ACCOMPLISH?

DEFACEMENT IS A BEAUTIFUL PAINTING—AND AN UGLY ONE.

Its alternative name, *The Death of Michael Stewart*, reveals its subject: a young Black man who died in police custody in 1983, after his arrest for allegedly writing graffiti on the wall of a subway station in New York City.

Stewart's death shocked the city's artists, many of whom had known him personally. It resonated in particular with young Black men such as Jean-Michel Basquiat and Fred Brathwaite, known as Fab 5 Freddy, who had also been labeled as graffiti artists—undisciplined, dangerous outlaws—even though they were now working on canvas and selling in galleries. "I remember being with Jean-Michel," Fab told me. "We would look at each other, without having to say it: We know that could be us." The six officers tried in relation to Stewart's death were cleared two years later by an all-white jury.

Basquiat took his fear and his anger and responded in the way he knew best. In the days after Stewart's death, he painted *Defacement* onto the studio wall of another artist, Keith Haring, in precise, furious strokes: two piglike figures in uniform, raising their batons at a black silhouette. The word ¿DEFACEMENT©? looms above them, posing a question. Which is the greater defacement: writing on a subway wall, or the police brutality that wipes out young Black men's lives?

Haring later cut *Defacement* out of his wall, then mounted it in a gold frame and hung it over his bed. He died in 1990, of complications from AIDS, only two years after Basquiat's own death from a heroin overdose. The painting went to Haring's goddaughter, Nina Clemente, and at some point an independent Basquiat scholar named Chaédria LaBouvier heard about it. She had been captivated by Basquiat since childhood; her parents had owned three of his drawings.

In 2016, LaBouvier, then in her early 30s, arranged for the Williams College Museum of Art, in Massachusetts, to display *Defacement* as a powerful statement about police brutality by an artist whose commercial and critical reputation has continued to rise since his death. Nancy Spector, who would soon become artistic director and chief curator at the Solomon R. Guggenheim Museum, in New York, learned about LaBouvier's work on the painting. She asked LaBouvier if she would like to collaborate on an exhibition where *Defacement* could be shown alongside other art responding to the death of Michael Stewart. The exhibition would speak to the political moment: In the years since 17-year-old Trayvon Martin had been shot dead, the Black Lives Matter movement had been steadily gaining strength.

Spector's offer led to a high-profile exhibition at one of New York's most prominent art institutions, making LaBouvier a trailblazing Black curator in a white-dominated world. It also began a chain of events that, in the summer after George Floyd's murder, saw Spector cast out of the Guggenheim, branded a racist and a bully, and left unemployed—a phenomenon the Colombian artist Doris Salcedo described to me as a "social death." All of this happened even though an independent investigation found "no evidence" that Spector had racially discriminated against LaBouvier.

How did a simple offer, over a single painting, lead to such a spectacular destruction of someone's life and career? The answer involves the shifting sands of American corporate life, as newly activist staff demand that institutions take political positions. But there is also a much older ritual at work: the tendency of the powerful, when faced with rebellion and called to account for their own behavior, to dump all their errors on a single individual, whose removal then wipes the record clean.

Nancy Spector, in other words, was a scapegoat.

MANY OF AMERICA'S great museums are beset by the same sins. Their low-paid staff struggle to make rent in expensive cities. Curators must answer to boards speckled with old-money elites and the socialite spouses of banking titans. In some museums, almost every gallery bears the name of a different donor. (The Guggenheim, like many others, has airbrushed out the Sackler name to avoid association with the opioid magnates.) Admission prices for students and senior citizens are subsidized by black-tie galas. Exhibitions that comment on poverty are supported by the country's most successful capitalists. Most major art museums are very white; in 2018, only 4 percent of American curators were Black, according to a survey by the Andrew W. Mellon Foundation. The collections are slowly diversifying, but only 1.2 percent of artworks across 18 major American museums are by Black artists, and the big crowds still flock to the Great White Males: Picasso, Monet, van Gogh, Pollock, Warhol. All of these realities have left museums struggling to speak with authority on the legacy of slavery and segregation, the toll of police violence, and racial injustice.

The sector is also overwhelmingly left-wing—though not in the sense of burning down the New York Stock Exchange and sowing the ground with salt. But liberal values pervade these institutions, with two obvious effects. The first is that charges of racism, sexism, transphobia, and other types of discrimination are taken very seriously. And second, when Donald Trump was elected president in November 2016, the art world *freaked out*. Many prominent artists immediately voiced their horror.

The arrival of Trump in the White House gave a new urgency to the idea that museums needed to "decolonize" their collections, atone for their past elitism, and become overtly political institutions rather than mere warehouses of valuable objects. Gary Garrels, then the senior curator at the San Francisco Museum of

OPENING PAGE: ARTE & IMMAGINI SRL / CORBIS / GETTY; PIERCE ARCHIVE / BUYENLARGE / GETTY; LEEMAGE / CORBIS / GETTY; DEAGOSTINI / GETTY

Defacement (The Death of Michael Stewart), 1983

Modern Art, told *The New York Times* that the furor over *Open Casket*, a work by the white artist Dana Schutz, was a "wake-up call." In March 2017, this painting of the broken face of Emmett Till was displayed at the Whitney Biennial, a regular showcase of new American art. In an earlier time, it might have been received as being part of a tradition of bearing witness to the effects of racism: When 14-year-old Till was lynched by white men in 1955, his mother, Mamie, had his body displayed in an open casket. "Let the world see what I've seen," she told the funeral director. Tens of thousands lined up to do just that: pay tribute to another young Black life ended too soon, another defacement.

More than half a century later, however, many Black commentators now express deep ambivalence about displaying images and artifacts from America's racist past. Some worry that sensationalism has replaced genuine reflection. So when Schutz's painting went on display in New York City, it caused an immediate backlash. The artist Parker Bright stood in front of it wearing a T-shirt that read BLACK DEATH SPECTACLE. In a letter to the show's curators, the artist and writer Hannah Black demanded that *Open Casket* be not only removed from display but destroyed. It was "not acceptable for a white person to transmute Black suffering into profit and fun, though the practice has been normalized for a long time," she argued. (Schutz had never put the painting up for sale and has since withdrawn it from circulation.)

That same year, another controversy erupted at the Walker Art Center, in Minneapolis, when Native American leaders protested the installation of a work called *Scaffold*. The huge wood-and-metal platform included a representation of the gallows used to put 38 Dakota men to death at the hands of the state in 1862. It was supposed to draw attention to capital punishment, but activists felt it was insensitive. They also noted that *Scaffold*, situated in the Minneapolis Sculpture Garden, stood on former Dakota land. The artwork was dismantled, and the museum's executive director, Olga Viso, stepped down shortly afterward. (Viso declined to discuss the specifics of her departure.) The artist behind *Scaffold*, Sam Durant, initially apologized for his "thoughtlessness," but three years later,

on his website, he expressed his dissatisfaction with the museum's approach to the controversy: "I have been accused of being racist because my work makes visible existing and historical systems of racial domination, blaming the messenger as it were." In Durant's view, he had been singled out to pay for the Walker's founding sin—America's founding sin—of colonialism and expropriation.

Around the same time, political concerns were getting louder at the Guggenheim. According to several sources, in late 2016, some staff members expressed frustration that the museum was not doing more to signal its opposition to Trump. Then Nancy Spector, as the chief curator, had a chance to join the #resistance. In 2017, the White House got in touch to request the loan of a van Gogh. Spector instead offered an artwork by Maurizio Cattelan called *America*—a solid-gold toilet. Liberals on Twitter loved the insult. "You spend your life hoping one day you'll get the chance to respond to an unreasonable request in a manner worthy of Oscar Wilde," tweeted a Georgetown Law professor named Aderson B. Francois. "For this one Guggenheim curator, that moment came last September and, as the kids say, she didn't throw away her shot."

The Guggenheim, and Spector, were successfully navigating the new mood. A few months later, Chaédria LaBouvier arrived at the museum, ready to work on the Basquiat exhibition.

LABOUVIER AND SPECTOR had very different backgrounds and personalities, that much was obvious from the start. (Both declined requests to be interviewed for this story.) Spector, now 63, grew up in a middle-class Jewish family in Albany and graduated from the liberal-arts college Sarah Lawrence. By the time she met LaBouvier, Spector had spent almost her entire career at the Guggenheim. She once described herself to *New York* magazine as "a product of the '70s" who'd nursed her two children in Guggenheim meetings. Her position as artistic director and chief curator eventually paid $299,560 a year, according to the institution's tax filings. Friends note her jitteriness and her tiny stature—only 4 foot 11—portraying her as a black-clad hummingbird who never puts her phone on silent.

Even one of Spector's admirers described her as shy in a way that strangers sometimes mistake for coldness. "At first, I found her to be rather serious," the Chinese artist Cai Guo-Qiang told me. They first met in 1996, and he praised Spector as "one of the first Western curators to show an active interest in my art," particularly its culturally specific elements, such as the use of gunpowder and traditional Chinese medicine.

By contrast, LaBouvier comes across as fierce and direct. On Twitter, her display name is "No Quarter Will Be Given." Born in Texas, she graduated with a degree in history from Williams College. She was an outsider to the self-important art world. LaBouvier knew what it was like to lose a loved one at the hands of the police, so perhaps *Defacement* had extra resonance for her: In 2013, her 25-year-old brother, Clinton Allen, was killed by a police officer. No criminal charges were ever brought against the officer who shot Allen, who was unarmed. LaBouvier was 27 at the time and training to be a screenwriter, but, she has written, she took a career break to care for her brother's twin boys.

After arriving at the Guggenheim, LaBouvier began work on a catalog for the exhibition. She interviewed Basquiat's friends and fellow artists, including Fab 5 Freddy. He was delighted by the show, he told me, and by Spector's choice of LaBouvier to curate it. He had met LaBouvier years before, at a gallery opening, and seen firsthand her love of Basquiat's work. "I was amazed and impressed that a person that's not from the art world, or a curatorial background, was given a chance to curate a major exhibit," he told me. "I thought it was incredible."

But things soon began to go wrong. LaBouvier felt disrespected by the Guggenheim's desire to edit sections of the essay she had prepared for the exhibition catalog. Months later, in a curatorial meeting, Spector told her staff, "Where it really went downhill is when she turned in her essay." According to a leaked transcript of the meeting, another curator seconded Spector's account, describing the work as "poorly written" and lax in its scholarship. They told LaBouvier it would need to be reworked extensively, and suggested she could be credited as a co-author, alongside Spector and another curator. LaBouvier was insulted—"I said fuck no & fought back," she later tweeted. She met with Fab 5 Freddy, trying to persuade him to withdraw his interview from the catalog. He tried to talk her down, he told me. He didn't think the issues she raised were "as serious or as big or as problematic as she made [them] out to be." He urged LaBouvier to focus on the importance of the exhibition to Basquiat's and Michael Stewart's legacies, and what it would mean to have a museum as powerful as the Guggenheim address the subject of police racism. Fab 5 Freddy believes in the transformative power of museums: He and Basquiat would walk through the Metropolitan Museum of Art as young men, looking at the Caravaggios and the Pollocks, imagining their own work gaining admittance to the high cathedrals of American culture someday.

LaBouvier continued working on the show, but her concerns remained. According to multiple sources, she tried to persuade other interviewees to withdraw from the project, and to mollify her, the museum renegotiated her fee and gave her sole credit for the catalog. LaBouvier later said on Twitter she was unhappy that the Guggenheim described her only as the "first Black solo curator," on the technical grounds that the Nigerian curator Okwui Enwezor had been involved in organizing a show in 1996. (The Guggenheim said that LaBouvier was never described this way in publicity materials; instead, she was called a "guest curator.") LaBouvier also argued that she was not properly credited in the letters requesting loans of artworks, and that the museum was sabotaging her by refusing to pass on journalists' requests for interviews.

In the spring of 2019, as the opening of "Basquiat's 'Defacement': The Untold Story" approached, LaBouvier spoke at a private event for donors at the Brant Foundation, and the museum flew her to Abu Dhabi, where it was building a new outpost, to participate in a panel on Basquiat and graffiti art. In June, she spoke at the exhibition's press launch. But the friction between LaBouvier and the museum kept getting worse. After the opening, she brought guests for a private after-hours tour. In the leaked meeting transcript, Spector claims that LaBouvier had not alerted security beforehand—a major breach for a museum

employee that shocked other members of the curatorial department.

Soon, these tensions spilled into the press coverage. LaBouvier noted, accurately, that she was working in an institution where senior staff were used to being treated with deference by junior staff. "I think it will be better for the black curators coming after me," she told *The New York Times*. "For instance, if I didn't review something, that meant that no person of color looked at that document or process. And certainly it felt at times that there was an expectation that I would just be grateful to be in the room." In the same interview, she criticized the museum for not providing extended captions for the artworks, and said that it was inept at dealing with the nuances of Black identity.

FAB 5 FREDDY AND BASQUIAT WOULD WALK THROUGH THE METROPOLITAN MUSEUM OF ART AS YOUNG MEN, IMAGINING THEIR OWN WORK GAINING ADMITTANCE TO THE HIGH CATHEDRALS OF AMERICAN CULTURE SOMEDAY.

On the penultimate day of the exhibition, in November 2019, a panel was held at the Guggenheim to discuss the three overlapping exhibitions there, all of which included work by artists of color. The speakers included Ashley James, who had recently been hired as the museum's first full-time Black curator—but, conspicuously, not LaBouvier. She went to the panel anyway, and stood up during the Q&A to say that "as someone that truly lives the politics of human dignity," her omission was "so violent." The panel's multiracial makeup was itself a provocation to her: "To weaponize a panel of Black bodies of color to do your filth is insane. This is insane. And this is how institutional white supremacy works." Elizabeth Duggal, then the chief operating officer of the Guggenheim, was also in the audience, sitting next to Spector. She stood up after LaBouvier, and said that the museum "does truly respect and appreciate your work" and that LaBouvier's research had been acknowledged by the panel.

Up to this point, the alienation of LaBouvier from the Guggenheim seemed like an everyday story of mismatched expectations—a stiff institutional culture confronted by an outsider unwilling to bend to its shibboleths. LaBouvier tweeted, and received modest engagement; the Guggenheim largely stayed quiet, refusing to take part in a public quarrel that put its name in the same sentence as *racism*. As 2020 dawned, it looked as though the storm had blown over.

But then another Black man had a fatal encounter with the police.

ON MAY 25, 2020, George Floyd was choked to death by a police officer in Minneapolis. His slow, casually sadistic murder, captured on a smartphone and posted online, came in the fourth year of Trump's presidency, two months after the Guggenheim and other museums had closed their doors because of the coronavirus pandemic. Many Americans were trapped at home, frightened for their lives, apart from their friends and family. Meetings had turned into Zooms. Managers could no longer speak to their employees face-to-face. Slack channels and social-media feeds buzzed with fear, outrage, and hurt. At the Guggenheim, which ultimately stayed closed for six months, 92 of the museum's nearly 300 staff were furloughed.

In this frightened, anxious time, the Black Lives Matter movement gathered force, prompting peaceful demonstrations, scattered riots, and an outpouring of solidarity across the country. In the art world—dominated by rich white donors and white senior staff—these events also led to something like panic. Could a cultural world that prided itself on progressive values really claim it had done everything possible to pursue racial justice? Surely not. While the white leaders of institutions were examining their own conscience, their young staff were in no mood to be fobbed off with platitudes. They wanted change, fast.

A week and a day after Floyd's death, the Guggenheim, along with many other businesses and individuals, posted a simple black square to its social feeds. The initiative was called #BlackoutTuesday, and it was used to signal that Floyd's death would not be ignored or minimized. But some Black artists and activists found Blackout Tuesday performative and empty.

Chaédria LaBouvier was one of those dissenters. She quote-tweeted the Guggenheim's post, adding: "Get the entire fuck out of here. I am Chaédria LaBouvier, the first Black curator in your 80 year history & you refused to acknowledge that while also allowing Nancy Spector to host a panel about my work w/o inviting me. Erase this shit." She followed this up with a long viral thread the next day, claiming that working at the Guggenheim "was the most racist professional experience of my life." She zeroed in on Spector, the woman who had brought her into the museum's orbit but who, according to LaBouvier, was "trying to co-opt my work," and likened her to Amy Cooper, the "Central Park Karen," a white woman who had recently been in the news after she called the police on a Black bird-watcher.

In this new climate, the Guggenheim could not just ignore the story and hope it would go away. In a statement to *Essence* magazine, the museum recognized the "missteps made in our 80-year history" and said it was committed to "doing the work."

Had the museum looked more closely at LaBouvier's feed, its board might have seen her complaints as part of a long-standing pattern of excoriating others who were interested in *Defacement* or Basquiat, even when they sought out her opinion. Back in June 2017, LaBouvier had complained about a "lightweight" Basquiat exhibition in London, which did not feature *Defacement*, by tweeting that a curator involved was a "mediocre bitch … trying to erase me from my own Defacement conversation" and that she belonged to a "special ring of yoga-feminist hell." When the woman emailed offering to thank LaBouvier in the exhibition's acknowledgments, she tweeted: "Lol, #bitchplease." The same year, LaBouvier claimed on Twitter that David Shulman, the producer of a BBC Basquiat documentary, "stole my research." (In a statement, a BBC Studios spokesperson said: "We are proud of this award-winning documentary and stand by our work on it. All the information on Basquiat's painting 'Defacement' came from primary sources and is presented solely in first person accounts.")

Chaédria LaBouvier (left) *and Nancy Spector*

Two years later, LaBouvier tweeted a complaint that a writer for British *GQ* found new interviewees to discuss points that she had made previously, rather than citing an article she had written for *Dazed* magazine. "I am SO tired of these unoriginal ass White people writing about Basquiat, curating Basquiat and they are stealing the entire goddamn time," she wrote. (The current editor of *Dazed* reviewed correspondence from the incident and said that, at the time, the magazine "did not find plagiarism to have taken place.")

In 2019, LaBouvier's criticisms had gained some attention, but prompted no action. The summer of 2020 gave such disputes new meaning. Nancy Spector had the misfortune to be the focus of LaBouvier's latest tweets at a time of heightened racial sensitivity—and also a time when the Guggenheim's leadership could not gather its staff together in person to dampen the smoldering discontent.

On June 8, diversity consultants hired by the museum convened a Zoom meeting to discuss the situation. Staff members were asked to sort themselves into "gravel," "paved," "boulevard," and "highway" rooms, depending on how smoothly they felt able to navigate racial issues in the workplace. By the end, some were in tears. Over the next two weeks, the curatorial team agreed to meet on Zoom without Spector, so they could speak freely. One of these meetings was five hours long. Anonymous feedback was solicited through a Google form, which was then collected in a 10-page document, complete with a cover letter addressed to Richard Armstrong, the director of the museum; Sarah Austrian, the deputy director and general counsel; Elizabeth Duggal, the COO; and Spector herself. In 58 bullet points, soon leaked to the press, it laid out a roster of complaints and demands, including "Can we please all self-reflect our privilege?" and "Some [staff] expressed feeling obligated to do work on behalf of the museum that they don't personally agree with (and sometimes are morally opposed to)." The staff also shared concerns about a gender pay gap, racial disparities among those furloughed, a lack of performance reviews, and a "culture of retribution" against anyone who complained.

Nine of the 58 bullet points related to LaBouvier and the Basquiat exhibition, although the only direct accusation of racism by Spector was that she had, in an unrelated incident, confused two East Asian staff members with each other. Both Armstrong's handling of the *Defacement* crisis and Duggal's decision to respond to LaBouvier at the panel were heavily criticized. "We cannot move forward with any credibility until we offer [LaBouvier] a sincere, unqualified, public apology," one of the bullet points concluded. The letter was signed by "the curatorial department." Spector had lost the confidence of her team. (In subsequent days, it emerged that, on the 23-person curatorial staff, one holdout had refused to join the protest. He soon resigned from the museum and wrote his own letter, which condemned the attempt to find "a single scapegoat.")

The curatorial letter was followed by another from a new pressure group calling itself A Better Guggenheim, composed of current and former employees. On June 29, the group published an open letter to the board, alleging that "the most visible egregious act of anti-Black violence in the museum's recent history was the disrespectful and publicly hostile treatment of Chaédria LaBouvier."

In the aftermath of the curatorial department's meetings, by some alchemical process, the general swirl of blame had settled on Nancy Spector. She was now the public face of the art world's PR

MARY INHEA KANG / *THE NEW YORK TIMES* / REDUX; MICHAEL LOCCISANO / GETTY

crisis. Her position at the Guggenheim was untenable. The museum commissioned an independent investigation into LaBouvier's allegations, and on July 1, Spector went on a three-month "sabbatical."

The campaign to oust her kept gathering momentum. A Better Guggenheim soon had its own professional-looking website. It also launched an Instagram page, which carried anonymous stories, including the allegation that Spector had once praised a security guard's "wonderful Caribbean lilt." (She had been describing a guard who liked to sing as he made his rounds in the museum's rotunda. In October 2019, the museum had considered this observation worth amplifying, and tweeted it out from its institutional account.)

The members of A Better Guggenheim have mostly remained anonymous, citing fears of retribution. (The *New York Post* has alleged that it is entirely led by white women; when I asked for comment on that claim, the group—which insisted on replying collectively and anonymously to my email messages—told me that this was false.) Over the summer of 2020, their demands expanded to calling for the resignation of Nancy Spector, Elizabeth Duggal, and Richard Armstrong—Nancy Spector's immediate boss—who was accused of having "sullied his twelve-year tenure as director by nurturing a culture of unchecked racism, sexism, and classism," and having prioritized putting up shelving in his office over creating workspaces for employees. He was further accused of initially failing to meet with LaBouvier, before acting in a "combative" and "dismissive" manner when he did. The statement linked to a viral 2019 tweet by LaBouvier suggesting that Armstrong "literally rolled his eyes when I told him how he enabled violence." (A spokesperson for the Guggenheim told me that it "rejects this characterization of our culture and of Richard Armstrong's actions regarding Ms. LaBouvier.") In all, 22 accusations were made against Armstrong, and 11 against Spector.

Thanks to this public pressure, the whole leadership of the museum was in the frame. And if this truly was a revolutionary moment, the 25 members of the Guggenheim's board of trustees—23 of whom were white—had good reason to be worried. The board's membership reflects a world of inherited wealth and status, of heirs and wives, of high-altitude people whose undoubted commitment to the arts is nonetheless enabled by their personal fortunes and connections. How safe were the board seats of Peter Lawson-Johnston—a grandson of the museum's founder, Solomon R. Guggenheim—and his son, Peter Lawson-Johnston II, if radical change was in the air? What about the investment banker Paul Cronson, whose appointment coincided with one Mary Sharp Cronson becoming a trustee emeritus? (She is his mother.) The museum needed to show it was taking action.

THE FEROCITY—and, if you were a supporter, the courage—of LaBouvier's denunciation simply made the Guggenheim the most high-profile art-world target during a summer of discontent. But there were others, too. Take the events in Cleveland. On June 6, the Afro-Latino artist Shaun Leonardo went public with his disappointment over the cancellation of his show *The Breath of Empty Space* by the city's Museum of Contemporary Art. In an email to his supporters, Leonardo called the cancellation an "act of censorship" caused by "institutional white fragility."

The real story was knottier. Leonardo's work featured drawings based on photographs and video footage of police brutality. Among the scenes depicted was the setting of the death of 12-year-old Tamir Rice, who was killed in Cleveland in 2014 by a police officer. This local connection made the exhibition politically sensitive, and Leonardo had written to Rice's mother, Samaria, to alert her in advance. She opposed the exhibition, saying Leonardo should not "benefit off my son's death," and sent him a cease-and-desist letter. The situation was further complicated by a staff revolt against showing the works, led by a curatorial fellow who warned that "it could become for white people a type of pornographic viewing."

And so, just before the pandemic closed moCa Cleveland for four months, the museum's director of 23 years, Jill Snyder, canceled Leonardo's show, later saying it "stirs the trauma back up for the very community that it is intending to reach."

However, in trying to avoid upsetting a grieving Black family—and her own employees—Snyder upset a Black artist. In March, when the exhibition was canceled, this was a regrettable situation that generated no headlines. By June, though, in the aftermath of George Floyd's death, it had become poison. The story looked simple: A white-led museum was censoring a Black artist making work about racism. The day after Leonardo complained, Snyder publicly apologized, admitting "our failure in working through the challenges this exhibition presented together with Mr. Leonardo." Two weeks later, she resigned.

The rules were unclear, and in flux. Dana Schutz and the Whitney had been castigated for showing Black pain, in the form of *Open Casket*. Jill Snyder left moCa Cleveland after refusing to show Black pain, in the form of drawings of Tamir Rice's place of death.

Display or don't. Cancel or don't. There was no right answer, except perhaps to go back in time and erase the sins of America's past. The racial reckoning of 2020 was righteous, and overdue, but its targets were haphazard. Activists wanted sweeping changes; instead they got individual firings and forced resignations. "If directors or curators face controversy, boards often find it easier to start over with new leadership," Olga Viso, formerly of the Walker Art Center, told me. "While transitions can often accelerate the pace of change, they can also defer the potential for systemic restructure."

In San Francisco, the senior curator of SFMOMA, Gary Garrels, was also forced to step down. Garrels—a gay man who had overseen the sale of one of the museum's Rothkos for $50 million to fund the purchase of more art by women and people of color—might have believed that his progressive credentials were impeccable. But in a Zoom meeting in early July, he was asked about the museum's collection policy. He wanted to collect a more diverse range of artists, he said, but it would be impossible to stop purchasing the art of white men altogether—that would be "reverse discrimination." Those two words ended his career.

At the Zoom meeting, the chat box immediately exploded in condemnation. On July 11, 2020, Garrels sent a resignation letter to all staff. "I realized almost as soon as I used the term 'reverse discrimination' that this is an offensive term and was an extremely poor choice of words on my part," he wrote. One person with knowledge of the situation told me that activist staffers at SFMOMA

wanted "the industrial death penalty" for Garrels, and the museum "threw Gary to the wolves … The whole idea is: I'm going to give you what you want, but you won't eat me." (Garrels is believed to have received a payout in return for a nondisparagement and nondisclosure agreement. He declined to talk with me for this story. A spokesperson for SFMOMA disputed that Garrels was forced out, and said that the museum would not otherwise comment on personnel matters.)

Doris Salcedo, who worked with Garrels on an early exhibition of her work, described him to me as a "brilliant, progressive, intelligent man." Citing the philosopher Emmanuel Levinas, she said, "When a person is not allowed an apology, his death, either his physical or social death, has already been determined … This mob destruction of a progressive thinker like Gary must be a joke for the very rich."

IN OCTOBER 2020, after a summer of relentless pressure by campaign groups, the investigation into Spector, by the law firm Kramer Levin, reported its conclusions. The firm had reviewed 15,000 documents and messages, and interviewed current and former staff members—although Chaédria LaBouvier had declined to be interviewed, saying it was "not safe to do so." A Better Guggenheim supported her decision, later saying, "We think it makes perfect sense that she would not feel safe participating in an investigation of questionable independence."

According to a statement from the Guggenheim's board of trustees published on October 8, investigators found "no evidence that Ms. LaBouvier was subject to adverse treatment on the basis of her race." (The Guggenheim declined to provide the full text of the investigators' report.) It didn't matter. A separate statement from the board, issued the same day, revealed that Spector was leaving the Guggenheim, ending an association dating back 34 years. A line had been drawn. In the media, the words *Guggenheim* and *racism* would no longer be placed in the same sentence.

WHEN NANCY SPECTOR left the Guggenheim, she lost more than her job. She lost her professional reputation. She lost friends. And she lost the rest of her career. She had taught intermittently at Yale's school of art since 1994, but has not been invited back since leaving the Guggenheim. Now in her 60s, Spector cannot easily rebuild the life she once had.

Enough time has passed for many of those who were uneasy about what happened that summer to reflect on those events, and their role in them. One former Guggenheim colleague told me that she thought about what happened to Spector every day—but that she was too afraid for her future career to speak on the record. Another source told me he was taking the risk of speaking with me because a friend had been forced out of a job, in another industry, and had later killed himself. Many of my interview requests for this story went unacknowledged. Nondisclosure agreements are common in the art world, and even in their absence, the pool of desirable jobs is small enough to make any potential whistleblower cautious of being informally blacklisted.

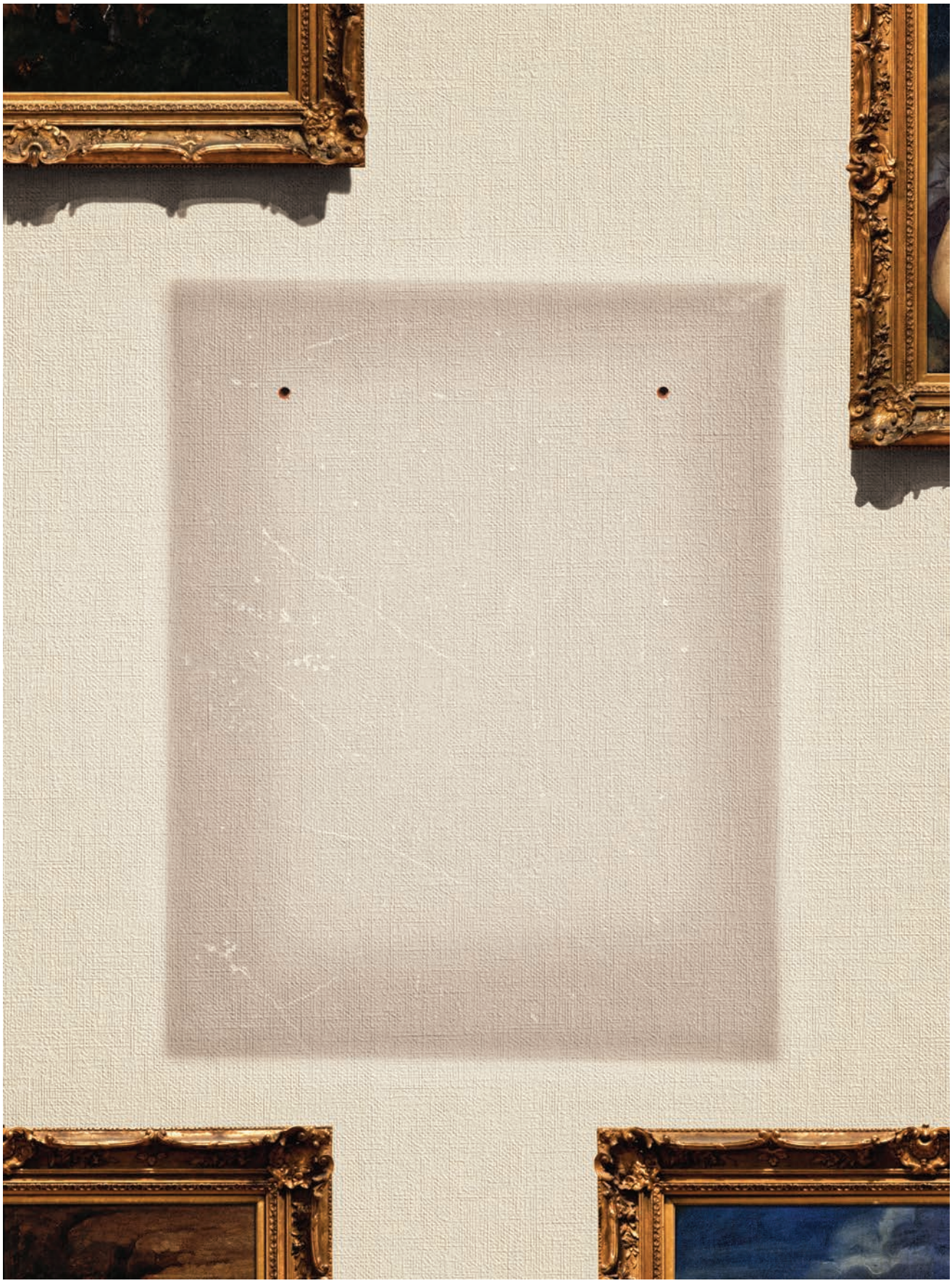
Established artists, who have more financial and personal independence, were the group most willing to talk with me. Cai Guo-Qiang told me that he was one of many artists who had been championed by Spector. "Because her focus is on the exploratory spirit and creativity of artists, her curatorial practice naturally reflected cultural and ethnic diversity, as well as an open and inclusive attitude towards different cultures," he said.

"I don't want to be positioned as a validator," the artist Hank Willis Thomas, who has worked with Spector, told me. "Like, 'Oh, this Black guy said they were nice.'" But he agreed that there had been scapegoating, and added, "The feeling that one person has to be banished in order for another person to get an opportunity is really antiquated." He worried that the manner of Spector's departure had cast a shadow over the appointment of Naomi Beckwith as her replacement—that Beckwith, a Black woman with a brilliant career, would be seen as "a fix to an institutional problem … as if she didn't deserve the opportunity independently."

In hindsight, the summer of 2020 was revolutionary, in both good and bad ways; noble goals were being pursued, but the ground was constantly shifting, and it was unwise to end up on the wrong side of the revolutionaries. People are complicated, and not every workplace dispute between individuals can bear the entire weight of America's racial history.

The philosopher Oliver Traldi has described the phenomenon often known as "cancel culture" as a combination of "widespread precarity, unclear social norms, distributed surveillance, and the presence of lots of small and fervent groups which can organize to exert a great deal of pressure on people through social media." While LaBouvier was tweeting her complaints about the Basquiat show, the senior staff had been focused on the next exhibition at the museum, which showcased the work of the architect Rem Koolhaas. According to the leaked meeting transcript, the younger staff saw Koolhaas as, in Spector's paraphrase, "the 70-year-old white man from Holland who's getting everything he wants." They felt the museum was playing by the old rules, whereby the most dangerous person to offend was the celebrity with his name on the posters. In the new world, the power had shifted to those who could attract the most attention on Twitter. This realignment caused a shiver to run through the art world. "This social-media censorship, it's far more effective than the censorship a person like me in Colombia, a third-world violent country, can experience from its government, because it destroys your moral integrity," Salcedo told me.

As in any revolution, who survived and who fell foul of the crowd was often arbitrary. Keith Christiansen, a Met curator since 1977, made an Instagram post on June 19, 2020, that asked: "How many great works of art have been lost to the desire to rid ourselves of a past of which we don't approve?" It read as a criticism of the Black Lives Matter movement, and prompted a condemnatory letter by 15 staff members. Christiansen deleted the post and apologized, but was allowed to quietly retire and is still listed by the Met as a "curator emeritus." One of my interviewees noted that a disproportionate number of the senior curators who have departed in difficult circumstances were white women or gay people—groups who rose into leadership positions when those were considered marginalized identities, before their whiteness became more politically salient than their gender or sexuality.



"PEOPLE HAVE TO BE ABLE TO REDEEM THEMSELVES; THEY HAVE TO BE ABLE TO MAKE MISTAKES," THE ARTIST MARILYN MINTER SAID. "OTHERWISE, CREATIVITY IS GOING TO BE KILLED."

Luke Nikas, a lawyer who represented Olga Viso in her settlement with the Walker Art Center, told me that she was one of half a dozen clients with similar stories. Women in top museum jobs, he said, face a harsher reaction than men when they have to make tough personnel or curatorial decisions. He has agreed to represent several female curators, pro bono, because he believes that museums should not be run like risk-averse corporations: If a bank or an ice-cream company bows to social-media pressure, that's a matter for them, but art is supposed to be where provocative questions are asked and taboos are challenged.

Marilyn Minter, an educator and artist, sees a generational change behind the spate of firings and forced resignations. In the 1980s, when her work drawing on pornographic images was attacked by the Christian right and by radical feminists, her fellow artists stood with her. But Nancy Spector did not receive the support of her peers, Minter suggested, because the social-media world "is trying to erase imperfection—and imperfection is who we are. To see this tidied-up world, it's going to make everybody feel like a failure, constantly."

IN AUGUST, I sent an Instagram message to LaBouvier asking if we might speak for this article. In her reply, LaBouvier castigated *The Atlantic* for not having covered her Guggenheim exhibition or its fallout. "Where were you in 2019 or 2020?" she asked. "Fuck you and your arrogance."

LaBouvier followed up by email, copying the executive editor at the magazine. "I am not interested in participating in a piece that through lack of expertise, thoroughness, research or fortitude will resign me as a footnote and amplify a glorified publicity stunt," she wrote, calling me "another example of a clueless, rapacious White woman."

"I am so tired of scavenging journalists attempting to speak for me, or depict me. I am nothing if not direct, and I have always said it from my chest, and with my name on it." She closed with a warning: "Should you fuck this up—which you will—I will be on your ass like white on rice on a paper plate in a snowstorm at a KKK rally."

TWO YEARS ON from the events of that long, feverish summer at the Guggenheim, what did all its protests and panic accomplish?

More than a tenth of the museum's staff was laid off because of the pandemic. In 2020, Richard Armstrong—the director, who was described as "nurturing a culture of unchecked racism, sexism, and classism" by A Better Guggenheim—earned $1.1 million, plus $400,000 in deferred compensation from previous years. This past July, the 73-year-old announced his retirement. When asked for comment, the Guggenheim noted its wider diversity efforts, including the appointment of six board members of color. "The Guggenheim has worked hard to change itself," Ben Rawlingson Plant, the museum's deputy director for global public affairs and communications, told me. "The vast majority of our Executive Team have joined the museum in the last three years, myself included."

For the moment, A Better Guggenheim is withholding judgment. While the group welcomed Spector's ousting, as well as recent unionization efforts at the museum, it also told me that "until the Guggenheim fully addresses its deep-rooted institutional racism with a focus on how its most vulnerable staff are treated, we will continue to call for change."

The Guggenheim Foundation still has enormous wealth—its latest tax filing shows $236,296,508 in assets—and is close to opening its offshoot in Abu Dhabi, a Gulf emirate where arbitrary detention is common, freedom of the press is severely restricted, and homosexuality is illegal. About 90 percent of the population are migrant workers, many of whom face exploitation and low wages, according to Human Rights Watch.

LaBouvier has not announced another job since calling out the Guggenheim, and Spector has not found another full-time position. Neither has Gary Garrels of SFMOMA. "What's so painful is that Nancy is such a great curator, Gary was a great curator, and they have no jobs," Minter told me. She predicted a backlash against the current atmosphere in the art world. "People have to be able to redeem themselves; they have to be able to make mistakes," she said. "Otherwise, creativity is going to be killed."

In 2019, Jenny Holzer was one of six artists whom Nancy Spector asked to curate their own selections from the Guggenheim's archives. Holzer chose only pieces by women, implicitly criticizing the museum for collecting so few female artists throughout the 20th century. Asked for comment on Spector's fate, she made an even starker criticism, replying in her signature block capitals: "RACISM IS CRIMINAL. SCAPEGOATING IS A CRUEL DODGE." *A*

Helen Lewis is a staff writer at The Atlantic.

GIFT FINDER

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Are they....

NOT SOLD ON NONFICTION

Do they...

- Love a period piece
- Focus on the future

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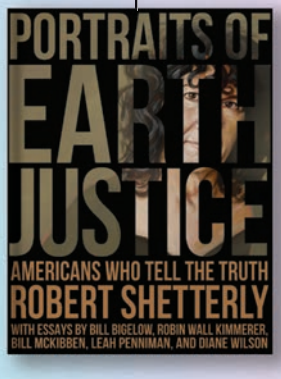

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They prefer...

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They'll get lost in this lyrical portrait of an immigrant in nineteenth century New York.

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A LIFELONG LEARNER

Do they...

- Identify as a social butterfly
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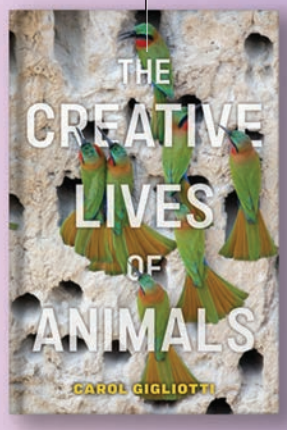

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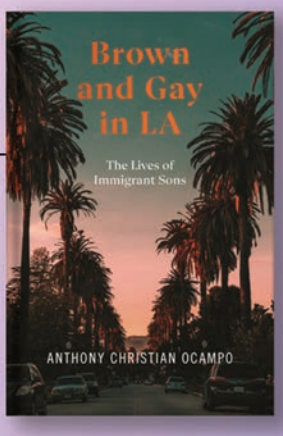


They'll meet fascinating people in this homage to immigrant sons.

LET PUERTO RICO BE FREE

The only just future for my home is not statehood, but full independence from the United States.

By Jaquira Díaz

Photographs by Christopher Gregory-Rivera

In 2017, as summer ends, when news anchors first mention the oncoming Hurricane Irma, the people go to the big-box store or the Econo supermarket just a few minutes from home. They try to stock up, but by the time they arrive, the lines are long and most of the shops are running low. They get what they can: some food, a few gallons of water, a portable gas-powered hot plate in case they lose power. They refill their prescriptions and then fill the gas tank after waiting in an hours-long line at the Puma station.

When Irma moves north of Puerto Rico and across the Caribbean, it brings heavy rains, flooding, power outages. And then, two weeks later, Hurricane María approaches the archipelago. On September 20, the storm makes landfall, knocking out the electrical grid and leaving the entire population in the dark. It passes through Yabucoa and Humacao and Comerío, and the water levels in Río de la Plata begin to rise. Flash floods destroy many of the houses. Roads and bridges collapse.

The days following María bring only more misery, and there is a general understanding that everyone is up against something bigger than a storm. People lose family members. They desperately hunt for drinking water, collecting it from wells and natural springs and any other source they can find. They endure President Donald Trump, who spends the weekend after the storm at a golf tournament, tweeting that his critics in Puerto Rico are "politically motivated ingrates." They watch him toss paper towels at hurricane survivors when he finally does visit, in early October—a performance before the world, meant as a humiliation. Eventually he will propose trading Puerto Rico for Greenland.

As the days become weeks, there is more rain; there are more floods. People live without power for months. They watch that same president deny that many people have died, even as thousands never come home. The people work with their neighbors to secure blue tarps onto roofs. Every day, more tarps go up, house after house. When people stand on a terrace watching the town below, they see an ocean of blue-covered houses. They clear debris from the road. They shovel mud out of their living rooms, their kitchens, their bedrooms, their bathrooms. They try to salvage family pictures, wedding albums, birth certificates. The storm carried so much away, dropped other people's things inside their homes. In a bedroom is someone else's desk lamp, a neighbor's charcoal grill. All over the sloped back garden: children's clothing, toys, shingles from a nearby roof. People clear fallen trees, bamboo, garbage. They clean and clean, but the job never stops. They wait for FEMA. They wait for FEMA.

For months, they live in survival mode, dealing with an archipelago-wide mental-health crisis, a shortage of drinking water, delayed or unavailable medical services. They endure obstacles created by the U.S. government. The military arrives, the National Guard mobilizes, but the Trump administration blocks access to more than $20 billion in hurricane-relief aid and recovery funding. María, the people learn, is the deadliest hurricane to hit Puerto Rico since 1899, but nobody can agree on the true death toll. The official count, announced in December, is 64, but a study the following year by *The New England Journal of Medicine* finds a fair estimate to be more than 5,000.

Nine months after María, people still have no electricity. They stop waiting for FEMA. Instead, they look to their neighbors. They take care of one another. This is how it has always been. Every day, it becomes more and more obvious that the current government structure—Puerto Rico as a de facto colony of the United States, despite the official language referring to it as a "commonwealth"—is a failure. There is no benevolent American savior coming to help Puerto Rico. Every day, people see that there is only *them*, doing everything for themselves. Every day, more of them come to understand that Puerto Rico has always stood on its own. This is why I believe that independence, not statehood, is the path we must pursue.

Oscar

Every year, no matter where I'm living, I visit family in Puerto Rico. Sometimes I spend whole summers there, sweating my ass off, driving up and down narrow mountain roads, splitting my time among San Lorenzo and San Juan and Humacao and Comerío. After a couple of weeks in the mountains, of days walking the cobblestone streets, feeding flea-bitten satos with wagging tails, mosquitoes leaving galaxies of red down my arms and legs, the coquis singing me to sleep at night, I start to feel more like myself, like the woman I'm supposed to be. Soon, I can't remember what life is like without roosters screaming in the early morning, the neighbor's donkey braying, wild parrots flying overhead, the peacocks train-rattling down the hill.

Last year, on my first trip back since the coronavirus pandemic began, I visited my Tío David, a Catholic priest. When Hurricane María hit, my uncle lived in Comerío, a mountain town about an hour south of San Juan, near the center of the main island. He was based in the church there. Our family lost contact with him when the power and cellphone service went down. I spent six weeks listening for his name on walkie-talkie apps, reading lists of survivors, texting and emailing and calling, until finally one day I found him and heard his voice again. He didn't leave Comerío, even as I sent supplies and begged him to fly to Ohio, where I lived at the time. "There's too much work to do here," he told me. "People need help."

In time, he transferred to a Catholic church in Yabucoa, on the southeastern coast, one of the towns hardest hit by the storm. When Hurricane María made landfall in Puerto Rico, it entered through Yabucoa, with winds of up to 155 miles an hour. Tornadoes tore through as well, and the rains led to landslides. More than 1,500 houses were damaged. So were most of the local businesses in el pueblo, as well as major structures like Yabucoa's baseball stadium and city hall. The recovery has been slow.

It was late morning when I pulled up to the church. The sun was shining, the city center bustling with pedestrian traffic, the

CHRISTOPHER GREGORY-RIVERA FOR *THE ATLANTIC*

narrow streets busy with cars and bikes and scooters. Tío David and I drove around, taking it easy on the hills and turns, keeping an eye out for pedestrians. A pack of satos walked right in front of my Kia, bolting when I slammed on the brakes.

The city center is small, but Yabucoa is spread out over 10 barrios. Hills, then the valley, then cliffs overlooking the ocean. This is where he plans to retire, Tío David told me: close to the sea, close to family and friends and his church. The people take care of one another in Yabucoa, he said, as they did in Comerío; the people, not the government, will ensure Puerto Rico's recovery.

I told him that I would soon be meeting with Oscar López Rivera to talk about the prospect of Puerto Rico's independence. He knew Oscar, he said. Everybody knew Oscar. In May 2017, a few months before the hurricanes, López Rivera had been released from prison in the U.S., where he had been confined since 1981 after his conviction on charges of seditious conspiracy. The sentence was commuted by President Barack Obama in one of his last acts before leaving office. For decades, particularly in the United States, López Rivera was seen as a terrorist because of his involvement with the Fuerzas Armadas de Liberación Nacional (Armed Forces of National Liberation), or FALN, a militant organization whose campaign for Puerto Rican independence in the 1970s killed five Americans and wounded dozens of others. But to many people in Puerto Rico and among the diaspora, he was regarded as a political prisoner, the embodiment of resistance. After his release, he was greeted by crowds from all over Puerto Rico—cheering, singing, carrying flowers and Puerto Rican flags. The University of Puerto Rico's student choir serenaded him outside his daughter's apartment building. Tío David was among those who celebrated his return, in part because he believed it was a sign that change was coming.

The United States seized Puerto Rico from Spain in 1898, during the Spanish-American War. Today, although Puerto Rico has its own national identity, its official political status is neither as a U.S. state nor as a sovereign nation but rather as, technically, an "unincorporated territory." That status was supposedly determined with the input of Puerto Ricans. But the deck has always been stacked. In 1952, two years after Puerto Rican nationalists attempted to assassinate Harry Truman, the U.S. endorsed a plebiscite to settle the question of the archipelago's status. However, only two options were available to voters: the establishment of limited self-governance under American colonial authority—the "commonwealth" option—or continued direct administration as an actual colony. Back then, Puerto Ricans chose the commonwealth option. Most politicians in Puerto Rico—and those people wired into the American social and economic system—now

Top: *Oscar López Rivera at his office in Río Piedras.* Bottom: *His painting of the independence activists Filiberto Ojeda Ríos, Pedro Albizu Campos, and Juan Antonio Corretjer.*

The author's uncle, Padre David Díaz Matos, says Mass at Capilla Nuestra Señora del Carmen, a church in Yabucoa, Puerto Rico.

favor statehood. The political consensus in Washington is that, as a practical matter, the most likely future for Puerto Rico is an indefinite continuation of the status quo. Independence is not an official choice.

A few days after my visit with Tío David, I met López Rivera in the city of Río Piedras. Around the corner from López Rivera's office, I walked past a mural depicting the 19th-century Flag of Lares—created to be the flag of a free Puerto Rico once it gained independence from Spain—along with López Rivera's face and the words ¡LIBERACIÓN YA! The same flag hangs inside López Rivera's small office, surrounded by portraits of the Afro Puerto Rican independence activist Pedro Albizu Campos; the Cuban revolutionary Che Guevara (the FALN was supported by Cuba's Communist government); and the Puerto Rican writer and activist Consuelo Lee Tapia, together with her husband, Puerto Rico's national poet, Juan Antonio Corretjer—all painted by López Rivera himself. In a studio behind the office, López Rivera showed me more of his work: Frida Kahlo in tones of black and muted red. Another portrait of Corretjer. Back in the office, he offered me a seat and made coffee.

Since his return to Puerto Rico, López Rivera has again assumed the role of activist, protesting the private takeover of the publicly owned Puerto Rico Electric Power Authority by a new Canadian American company, Luma, known for its unreliable service and repeated rate hikes. The takeover has brought Puerto Ricans into the streets. López Rivera has also spoken out against PROMESA, the Puerto Rico Oversight, Management, and Economic Stability Act, signed by Obama in 2016. Puerto Rico had been plagued by a debt crisis that would soon be worsened by ballooning pension-fund liabilities, losses from the state-owned power company, and a mass migration of taxpayers and workers to the United States after Hurricane María. Because of its political status, Puerto Rico is denied many of the legal and fiscal tools granted to states and other sovereign entities to restructure debts or seek relief. PROMESA created a financial-oversight board made up of unelected officials who have the authority to overrule Puerto Rican lawmakers—which they did when they forced Puerto Rico to accept the new power company. The oversight board is known by everyone simply as "la junta." It has slashed pension funds, closed hundreds of

CHRISTOPHER GREGORY-RIVERA FOR *THE ATLANTIC*

María was not just a natural disaster; it was a political event that, I believe, is provoking a historic shift.

schools, cut funding to the University of Puerto Rico, and created a work requirement that people have to satisfy before they can qualify for food assistance.

We spoke about the protests during the past few years, when Puerto Ricans came out against la junta's austerity measures and then forced Governor Ricardo Rosselló to resign after hundreds of leaked messages on the Telegram app showed him and his associates engaging in sexism and homophobia—and perhaps political graft and corruption. Many of the protesters on these occasions have loudly and publicly demanded independence.

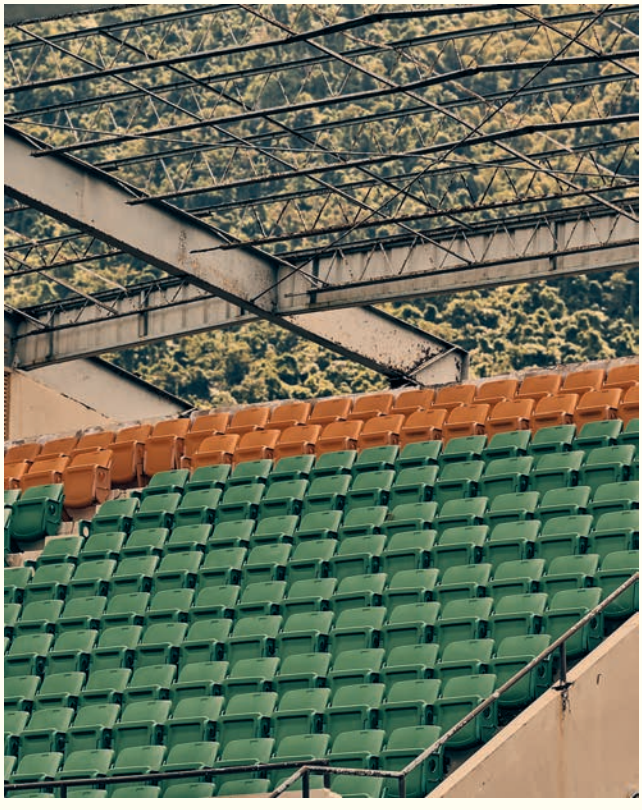
The quest for independence has a long history in Puerto Rico, going back to Spanish colonial times. The U.S. has spent more than a century discrediting independence movements on the archipelago and at times criminalizing them. Pro-independence sentiment has not always been openly expressed. In a *Washington Post*/Kaiser Family Foundation survey conducted in Puerto Rico in 2018, only about 10 percent of respondents said they favored independence. But I am not alone in believing that support for independence is growing. In the 2020 gubernatorial election, two parties advocating for self-determination and decolonization—one of them calling for full independence—collectively garnered more than a quarter of the vote. Hurricane María was not just a natural disaster; it was a political event that, I believe, is provoking a historic shift. Americans do not appreciate the sheer scale of the trauma. To give one example: In the three months after María, a Puerto Rico Department of Health hotline received approximately 10,000 calls from people considering suicide—a huge increase over the previous year. Of those, almost a third said they had already tried—an even greater increase. María also made it clear to ordinary people, during the worst disaster in the archipelago's modern history, that self-sufficiency and, essentially, self-governance were the only things Puerto Ricans could truly rely on.

In search of jobs, many were forced by María to leave. Puerto Rico lost 135,000 people in the six months after the hurricane—this out of a population of a little more than 3 million. For those still living on the archipelago, the challenges continue to mount. Changes to Puerto Rico's tax code since 2012 have reduced corporate tax rates to just 4 percent, and have exempted all interest and dividend income, encouraging rich non–Puerto Ricans to take up residence. In recent years, Puerto Rico has become a destination for disaster capitalists—real-estate developers and cryptocurrency investors looking for a tax haven. "There are foreigners buying up all the property," López Rivera told me. "Puerto Ricans are being pushed out, displaced." Approximately 43 percent of all Puerto Ricans live below the poverty line and struggle to find work. The median household income is $21,058, less than half the median income in Mississippi, the poorest American state.

"La Operación"

There are constant reminders in Puerto Rico of its powerlessness. On April 21, the U.S. Supreme Court upheld a law that denies Supplemental Security Income benefits to Puerto Ricans who are blind or disabled, even though Puerto Ricans are ostensibly U.S. citizens. Vieques and Culebra—two small islands that are part of the archipelago—were long used by the U.S. Navy for bombing practice and munitions dumping, and the Navy left behind

The baseball stadium in Yabucoa was severely damaged in 2017 by Hurricane María, and ultimately had to be razed.



CHRISTOPHER GREGORY-RIVERA

thousands of bombs, grenades, and other live ordnance. The devastation on Vieques and Culebra—including contamination of the groundwater by hazardous substances, such as perchlorate—is so significant that the U.S. Government Accountability Office estimates the cleanup will continue through 2032.

Even Americans familiar with some of Puerto Rico's history may be unaware of major episodes—for instance, the U.S.-imposed population-control policies, starting in the 1930s, that promoted the mass sterilization of Puerto Rican women and used Puerto Ricans for medical experiments.

In 1937, under Blanton Winship, the U.S.-appointed governor, Law 116 came into force, creating the Puerto Rican Eugenics Board and subsidizing the sterilization of Puerto Ricans. Sterilization, particularly of poor women, had been proposed by the U.S. government as a solution for the archipelago's rising unemployment rate, which, according to the colonial government, was caused by overpopulation. In the 1920s and '30s, according to the historian Laura Briggs, "the term *overpopulation* had acquired another meaning, one that blamed excessive sexuality and fertility for the poverty of [Puerto Rico] as a whole."

El Hombre Redimido *("Man Redeemed"), a monument in the city of Ponce commemorating the abolition of slavery in Puerto Rico in 1873*

In truth, blame for the archipelago's unemployment and poverty lies with the United States. After taking control of Puerto Rico, the U.S. disrupted the coffee industry, which employed much of the working class, devaluing the currency and inflating the cost of coffee production. American sugar companies supplanted Puerto Rican coffee growers, converting about half of all arable land into sugar plantations and displacing small landholders. In a variety of ways, the economy was upended. By the 1930s, more than a third of Puerto Ricans found themselves out of a job and without an income. Panic about "overpopulation" was used to indict Puerto Ricans for their own dispossession.

The idea of overpopulation drove the eugenics regime. From 1937 to 1960, when Law 116 was repealed, the Puerto Rican Eugenics Board directly forced 97 sterilizations by means of tubal ligation or hysterectomy, but many thousands of other women were effectively coerced into the same procedures—led to believe that sterilization was reversible, or told that they would not be employed unless they had been sterilized. When healthy pregnant women arrived at hospitals ready to deliver their babies, many were turned away unless they agreed to be sterilized after giving birth. It became common practice for women to have "la operación" following delivery, even after the repeal of Law 116. The 1982 Fertility and Family Planning Assessment, published in the journal *Population Today*, found that 41 percent of married women in Puerto Rico had been sterilized. Puerto Rican women of childbearing age had the world's highest sterilization rate. Decades later, the sterilization rate in Puerto Rico is still among the highest. "They wanted to exterminate us," López Rivera maintained.

I was born in one of Puerto Rico's government housing projects, El Caserío Padre Rivera, in Humacao. El Caserío was a small community, most of us Black and brown, all of us born into poverty. Police raids were frequent, harassment routine. Most of the women were sterilized. My mother held a job at a factory in Las Piedras, working long shifts making electronic parts. She'd had three children by the time she was 22. I recall a conversation we had a few months into the pandemic, about her life as a young mother—and how she, like so many other women in Puerto Rico's public-housing projects, had been sterilized.

"I loved being a mother," she told me. "I would've filled the house with babies."

"Then why did you get la operación?"

She didn't hesitate. "Everybody told me to get it. All the women were getting it. Your father said I should. The nurses." She paused, took a deep breath. "And I wanted to go back to work." Her

CHRISTOPHER GREGORY-RIVERA FOR *THE ATLANTIC*

Recovery from Hurricane María continues, slowly. Two years after the storm, in San Isidro, a homeowner began the task of rebuilding.

CHRISTOPHER GREGORY-RIVERA

supervisors had never explicitly said she needed to get la operación, she told me, but she remembered that it was just understood.

My mother was sterilized after giving birth to her third child. Back then, la operación was a part of life. You went into the hospital to give birth, and you came home with your baby and with your tubes tied. There were never any conversations about informed consent or about potential risks. Sterilization was just what you did.

Puerto Rico became a proving ground for medical experiments. In the early 1950s, as the infamous Tuskegee syphilis study was being conducted on Black men in Alabama, experimental pharmaceutical contraceptives were tested on unknowing Puerto Rican women. The project was funded and guided by Clarence Gamble, the heir to Procter & Gamble and a prominent eugenicist. Gamble established birth-control clinics across Puerto Rico and sent nurses and social workers to recruit women from the predominantly Black and brown housing projects for "perhaps one of the most notorious abuses of medical power in birth control technology's history," as the scholar Nancy Ordover writes in her book, *American Eugenics*. Without informed consent, doctors gave progesterone injections and dispensed the world's first birth-control pills to poor women from rural and poverty-stricken communities. What would become known as "the pill" was, at the time, "a highly experimental drug administered without controlled dosage," Ordover writes. The women suffered serious side effects, such as nausea, headaches, and bleeding, but were disregarded when they reported feeling ill. During the clinical trials, three women died.

The Gag Law

From the start, the fight for Puerto Rican independence was inextricable from the movements in the archipelago to abolish slavery and demand racial equality. In 1856, the Afro Puerto Rican diplomat and doctor Ramón Emeterio Betances helped found a secret abolitionist society to liberate enslaved people by securing their passage to other countries or paying for their freedom. At the same time, the society promised freedom to enslaved people who joined the independence movement, and the struggle against Spanish colonial rule was embraced early by many Black Puerto Ricans. For their efforts, Betances and others were exiled to the Dominican Republic by the Spanish crown. Working abroad, Betances and his partner, Segundo Ruiz Belvís, founded the Revolutionary Committee of Puerto Rico, which demanded both abolition and independence—together. From the Dominican Republic, the group plotted an uprising. In September 1868, pro-independence rebels carried out their plans, but the revolt was quickly quelled by the Spanish. Betances fled to New York. The uprising, still

When the U.S. seized Puerto Rico, its people saw their land taken, their industries destroyed, their currency devalued.

commemorated, is known as El Grito de Lares. Slavery was abolished in Puerto Rico in 1873.

In 1897, Spain granted Puerto Rico a form of sovereignty under a statute called the Carta Autonómica, but when the United States seized the archipelago the following year, it dissolved the new Parliament and brushed aside the new charter, establishing its own colonial government. Under military occupation, Puerto Ricans saw their land taken, their industries destroyed, their currency devalued. They were forced to live as subjects of a nation whose Supreme Court had just promulgated the racist doctrine of "separate but equal." Six months into the occupation, the same troops that had been called to fight in Puerto Rico were mobilized in Wilmington, North Carolina, where they helped massacre Black citizens and elected officials amid the violent overthrow of the city's multiracial government by white supremacists.

In 1917, the U.S. Congress passed the Jones Act, which granted a form of second-class citizenship to most people born in Puerto Rico. Within weeks, it passed a second law making Puerto Ricans eligible for the military draft. In the months that followed, some 20,000 Puerto Rican men were conscripted for service during World War I. The Jones Act did not grant Puerto Ricans the same rights as most other U.S. citizens. Then as now, they did not have any voting representatives in Congress, and could not vote in presidential elections.

This injustice—as well as his own experience in the U.S. military—inspired the work of Pedro Albizu Campos. After serving as an officer in the Army during the war, he graduated from Harvard Law School and returned to Puerto Rico to practice law. He took up activism against the U.S.-owned sugar industry, leading union strikes on plantations and representing workers in lawsuits. He joined the new, pro-independence Nationalist Party and was elected its vice president in 1924 and its president in 1930.

The United States saw the independence movement as a threat and used a range of suppressive tactics against it, including FBI surveillance, long-term imprisonment, and the torture of pro-independence political leaders. In 1935, on the campus of the University of Puerto Rico in Río Piedras, the police shot and killed four members of the Nationalist Party and a young bystander in

ARCHIVE PL / ALAMY; BETTMANN / GETTY

Left: *One of 19 Puerto Ricans killed in the 1937 Ponce Massacre; the facts were initially covered up by U.S. authorities.* Middle: *Suspected nationalists and sympathizers are rounded up after an uprising in 1950.*

what is now known as the Río Piedras Massacre. A year later, two Puerto Ricans were accused of murdering the American chief of police in Puerto Rico as retaliation. The suspects were arrested and executed without trial at the police headquarters in San Juan. Shortly afterward, Albizu Campos and several other Nationalist leaders were convicted of conspiring to overthrow the United States government and sent to federal prison, where Albizu Campos would remain for a decade.

In March 1937, the same year Governor Winship introduced the sterilization law, hundreds of Puerto Ricans in the city of Ponce gathered for a march organized by the Nationalist Party to commemorate emancipation in Puerto Rico and to protest the incarceration of Albizu Campos. Under Winship's orders, police opened fire on the peaceful protesters: families with children; students; parishioners who had been celebrating Palm Sunday, marching with music and palm fronds. The police shot into the crowd and kept shooting for almost 15 minutes. As they walked by the dead or dying, they beat them with clubs. The police killed 19 people and wounded more than 200. Most of those who died were shot in the back while running away. An extensive cover-up followed, with Winship claiming that the protesters had shot first and the police had only returned fire. An investigation by the U.S. Commission on Civil Rights determined that the governor was lying and that evidence had been fabricated. Winship was removed from office but never prosecuted.

Albizu Campos returned to Puerto Rico in 1947. A year later, the U.S.-appointed governor signed Law 53, La Ley de la Mordaza. It is widely referred to as the Gag Law, and it made flying Puerto Rican flags, even privately, illegal. The Gag Law also made it a crime to sing the Puerto Rican national anthem; to speak out against the United States; and to speak, organize, or assemble in favor of independence. Law 53, which violated the First Amendment, was in effect for nearly a decade, until it was repealed in 1957. It essentially empowered authorities to penalize Puerto Ricans just for being Puerto Rican.

In response to the Gag Law and the attempted suppression of pro-independence sentiment, the Nationalists planned a series of revolts. In October 1950, after a firefight that killed three Nationalists in the town of Peñuelas, Albizu Campos called for an insurrection. Nationalists rose up in several towns over the following days. On November 1, after particularly serious revolts in Jayuya and Utuado, the governor called in the Puerto Rican National Guard and the U.S. Air Force. American military aircraft flew over the two municipalities, dropping bombs over the pueblos, flattening homes. According to police estimates, 28 people were killed and 50 were wounded.

After Jayuya and Utuado had been retaken by the government, National Guardsmen patrolled the streets with pistols, rifles, and bayonets. In Utuado, after a group of Nationalists surrendered, the prisoners were walked to the local police station and ordered to remove their shoes and belts. Behind the station, the police lined them up, their backs to the wall—the youngest only 17, pleading for water—and shot them, killing five.

That same day, Oscar Collazo and Griselio Torresola boarded a train from New York to Washington, D.C. Torresola's family lived in Jayuya; his sister had been wounded in the uprising and his brother had been arrested. Twenty-four hours later, in an effort to gain international attention for the cause of Puerto Rican independence, Collazo and Torresola attempted to assassinate President Truman inside Blair House, across from the White

NEW YORK DAILY NEWS / GETTY

Right: *In 1975, the Puerto Rican nationalist group known as the FALN carried out a lethal bombing at a New York restaurant, Fraunces Tavern—one of many attacks.*

House, where he was living at the time. Following the Nationalist uprisings, thousands of people supporting independence were jailed. Albizu Campos was arrested again, and this time sentenced to 80 years in federal prison.

Underground

This is the world that Oscar López Rivera grew up in. Born in San Sebastián, in 1943, just a few years after Albizu Campos's first arrest, López Rivera moved to Chicago with his sister at the age of 14. His father followed with the rest of the family a few years later. López Rivera was drafted into the Army and in 1965 was sent to Vietnam. He earned a Bronze Star, but came to see the war as an extension of the same colonial logic that had governed life in Puerto Rico—the powerful doing whatever they wanted, because they thought they could. "I kept on making myself promises about coming home and doing everything that I could do to transform Puerto Rico into an independent nation," he told me. Back in Chicago, he began a career as an activist for tenants' and workers' rights and as an advocate for Puerto Rican communities. He co-founded a high school and a cultural center. In 1972, the United Nations' Special Committee on Decolonization urged the U.S. to recognize the "inalienable right of the people of Puerto Rico to self-determination and independence." Around this time, López Rivera first met the activists who would become members of the militant and clandestine pro-independence organization known as the FALN.

The FALN first emerged publicly in October 1974, when it set off bombs in New York City: two in Rockefeller Center and two on Park Avenue, as well as a car bomb in the Financial District that covered nearly two blocks in debris. No one was hurt—the bombings took place around 3 a.m., when the streets were empty. But then, later in the year, a bomb left in an abandoned building injured a New York City police officer. A month later, in January 1975, the FALN claimed responsibility for a lunchtime explosion at Fraunces Tavern, a restaurant and historic landmark in the Financial District. Four men were killed and at least 44 people were injured. One of the dead was the father of young children; the wife of another victim was pregnant. The attack, according to the FALN's written statement, was in retaliation for a bombing in Puerto Rico in which two independence activists had been killed and 11 people injured. Over the next decade, the FALN orchestrated more than 100 bombings or incendiary attacks in New York; Washington; Newark, New Jersey; San Juan; and Chicago.

Children at play in the western municipality of Maricao, which has the highest child-poverty rate in Puerto Rico

In 1980, the FBI identified and arrested 11 members of the group. They were charged with seditious conspiracy to overthrow the U.S. government as well as with a number of related crimes, including weapons possession. All of the men and women were convicted. They were sentenced to prison terms ranging from 55 to 99 years. López Rivera was not arrested with the original group, and no evidence was found directly tying him to any of the bombings—to this day, he denies involvement in actions that killed or injured anyone. But the FBI said that, a few years earlier, it had found bomb-making equipment in an apartment López Rivera frequented, and he was named a co-defendant with the 11 others. López Rivera was already on the run, hiding in safe houses in Chicago. He was finally arrested during a traffic stop in May 1981. At his trial, Alfredo Méndez, a member of the FALN who had become an FBI informant, testified that López Rivera had been his trainer, teaching him how to make gun silencers and bomb-detonation devices. López Rivera was convicted and sentenced to 55 years in prison. After he served six years, an additional 15 years were added to his sentence for his alleged role in planning an escape. He spent 12 years in solitary confinement.

In time, supporters around the world began campaigning for his release. In 1999, President Bill Clinton extended an offer of clemency and conditional

Earthquake survivors in Guánica in 2019. The earthquakes struck a still-devastated Puerto Rico two years after Hurricane María.

CHRISTOPHER GREGORY-RIVERA

release to 16 FALN members, including López Rivera. The offer required that López Rivera "refrain from the use or advocacy" of violence, which he was prepared to do, but also that he leave behind his co-defendant Carlos Alberto Torres. Torres, a FALN leader, had been unapologetic about pursuing revolution by any means, and had not been included in Clinton's offer. López Rivera refused the deal. "I was well aware that I could end my life in prison," he explained. "But I was not prepared to leave anyone behind."

Clinton's offer stirred controversy; the son of one of the men killed in the Fraunces Tavern bombing called it "an affront" that "endangered America." But efforts on López Rivera's behalf continued. In 2016, the playwright and actor Lin-Manuel Miranda, a Puerto Rican American, reportedly raised the matter with President Obama.

I spoke with López Rivera at length about his past. He defended attacks against property back then as a last resort, "but not with the goal of killing people. Not with the goal of taking human life." He denied once again that he had played a role in acts that had hurt people. Of course, this sits uneasily alongside the fact that he remained a member of a group that did hurt innocent people, and killed five of them. During our conversations, López Rivera spoke about some of the events of those years—"What happens at times is that we're thinking of doing something, and then it turns into something else"—with vagueness and remoteness rather than moral clarity.

But as we talked, it became apparent to me that López Rivera thinks differently now. There is no role for violence in the independence movement, he said. He believes, as I do, that the only path to independence is one that draws people into peaceful action. Is he a pacifist? I don't know. What I do know is that, at almost 80, he appears to be a man trying to reckon with the past.

The Dream

Since 1952, Puerto Rico has had six nonbinding referendums on its political status. In the most recent referendum, held during the 2020 general election, only a little more than half of registered voters turned out; of those, some 52 percent voted for statehood, while 47 percent voted against it. Independence was not listed as a choice.

Despite all of the ways that America has failed Puerto Rico, joining the union more formally as a state is seen by some as the best way forward. Proponents of statehood argue that making Puerto Rico the 51st state would give it the tools and authority to sort out its own financial issues, and bring an increase in disability benefits, Social Security benefits, and Medicaid funding. As a state, Puerto Rico would finally have voting representation in Congress, and its citizens would gain the right to vote in presidential elections.

But if the case of Hawaii is at all predictive, statehood would also ensure that even more Americans would move to Puerto Rico,

The future of a free Puerto Rico doesn't need to be utopian, or easy, to be just.

displacing even more Puerto Ricans and putting even more non–Puerto Ricans into positions of power. Writing about citizenship, the Afro Caribbean geographer Ileana I. Diaz has argued that "the extension of American citizenship to Puerto Ricans works not so much to include Puerto Ricans into the nation, but rather to extend the borders of the United States." The extension of statehood would have the same effect.

Is an independent Puerto Rico possible—and would it be viable? A bill for independence has little chance of moving through Congress. Of course, Washington is not eagerly opening the door to statehood, either. Puerto Rico's present and future are also complicated by climate change: As a small archipelago in the Caribbean, it is facing rising sea levels and ever more violent storms. It is heavily dependent on imported oil. In mid-September, almost five years to the day after Hurricane María made landfall, Puerto Rico once again lost power and endured catastrophic flooding, this time because of Hurricane Fiona. Puerto Rico continues to experience grave financial difficulties, many of them with roots in its colonial history. Its path forward will be challenging, no matter what its political status.

But the future of a free Puerto Rico doesn't need to be utopian, or easy, to be just. With independence, the citizens of Puerto Rico would have a government created by and for the benefit of the Puerto Rican people rather than for the benefit of outside interests. The newly recognized nation would be able to align itself and its political and diplomatic systems as it wishes—perhaps joining the growing number of Caribbean nations (most notably Barbados) that have fully rejected their colonial ties. Although the United States still exerts enormous influence even on Caribbean countries it does not occupy, independence might allow Puerto Rico to reassess and adjust economic agreements to better suit its people—rejecting the dominance of corporations and crypto bros in favor of co-ops and green reforms.

Those, like me, who argue for sovereignty are not simply asking the United States to "free Puerto Rico"—freedom is not Washington's to give. A return of sovereignty to the Puerto Rican people would require a U.S. commitment to a policy of reparations designed to provide independence and security—a policy that acknowledges and begins to address generations of environmental destruction, economic dislocation, and human-rights violations. Reparations would have to cover many areas, large and small: paying for the repair of the power grid; liquidating $70 billion in debt; undergirding Puerto Rico's pension funds; and expanding the health-care system. It wouldn't end there, and many arrangements would have to be worked out, encompassing knotty issues involving citizenship and trade relations. The process would be complex, imperfect, messy. The point is that self-determination for Puerto Ricans necessitates not just cutting them loose, but also restoring what has been taken and otherwise making amends.

This is the future I dream about: Puerto Rico libre, all of us coming home. We arrive at night, carrying duffel bags filled with our clothing, our children's clothing. We come with our families, hauling suitcases through the airport, boxes sealed with packing tape, whatever we can carry from Orlando, from Philadelphia, from Hartford. At the airport in San Juan, a crowd is waiting outside baggage claim, hands raised over heads, makeshift signs reading WELCOME HOME and VIVA PUERTO RICO LIBRE. We wrap our arms around family, friends, and strangers. Somebody's grandfather plays a guiro. Women dance. Children sing. The people return to Lares, Ponce, Culebra, Isabela. We are here again after 10 years, after 20 years. We are here for the very first time.

The journey home is different from what we imagined—the road into el pueblo is narrow and potholed, and everything seems smaller than we remember. But people are out walking, riding bikes, gathering at the plaza. The schools, the airport, the power grid, the parks, the beaches—all of this, all of the land and natural resources, belongs to the people. The rebuilding is under way.

These are the days of reckoning, when the reparations paid to the people help fund hospitals in Vieques and Culebra, help establish universal medical care, help create a reproductive-and-maternal-health program. These are the days of land being returned, of the coffee industry thriving. The days of renewable energy, of solar and wind and hydroelectric power; the days of coastline protection, of El Yunque rain forest and coral reefs and wetlands and bioluminescent bays preserved. The days of hope, as people cry in the streets after our first free elections, the first time we've ever chosen a president.

I like to imagine myself there, among that crowd of family and friends and strangers. Returning. When I arrive, I carry one suitcase full of clothes and books, my laptop in my backpack. I carry my family's working-class Puerto Rican Spanish, the way we drag our *R*'s, the way Tío's voice is like a song, the way my father tells a story, our language and its music and its Black history, our people taken from Africa to Haiti to Puerto Rico. I carry the decades I spent living in a country that never felt like home. I like to imagine an independent Puerto Rico, where more and more babies are born each year, where all the schools remain open, where winding mountain roads take us home. Where we are all a little closer to freedom. *A*

Jaquira Díaz is the author of Ordinary Girls, *which won a Whiting Award and a Florida Book Awards Gold Medal. It was also a Lambda Literary Awards finalist. Díaz was born in Humacao, Puerto Rico.*

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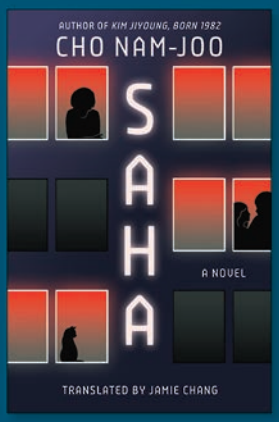

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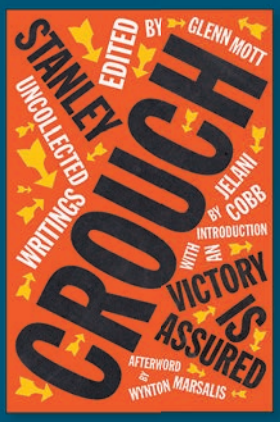

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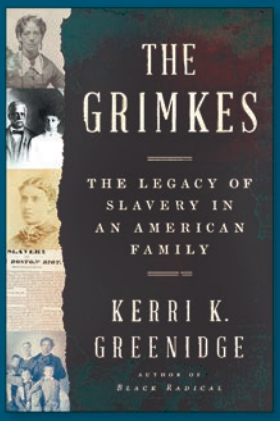

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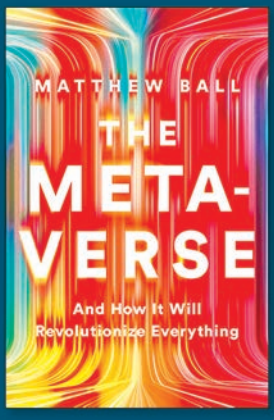

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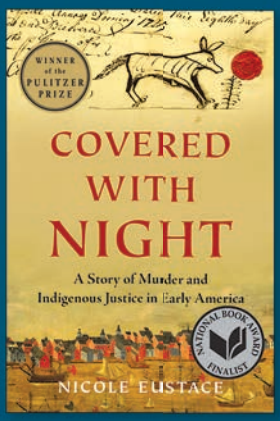

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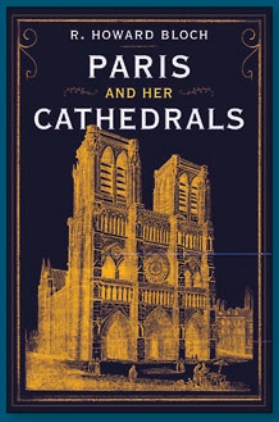

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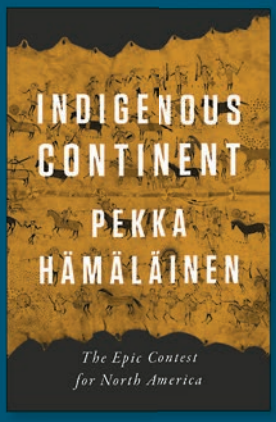

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Culture & Critics

PHOTO-ILLUSTRATION BY GABRIELA PESQUEIRA

Take a Chance on Them

ABBA makes a triumphant return.

By James Parker

I've seen the best. The maddest and the fieriest and the deepest and the heaviest. I've watched them, open-mouthed: HR, from Bad Brains, executing a perfect backflip to land crisply on the band's last syllable of chord-crash; Patti Smith singing "Beneath the Southern Cross," heaving open the doors to the underworld with the pressure of her own breath; Iggy Pop, berserk, doing "I Wanna Be Your Dog" with Sonic Youth as his backing band. And none of these, none of these, transported me in quite the manner in which I was transported a few weeks ago by a vision of ABBA.

And it was a vision. At a purpose-built arena in East London, ABBA—those smiley, soft-spoken radicals; those almost blandly futuristic Swedes—has orchestrated an immaculate 3,000-person, 95-minute digital hallucination. This is CGI stuff, the outer limit. Four figures appear onstage before us, avatars, daemons, numina, whatever they are, denser than holograms, more shimmeringly charged than human beings, with a kind of atomic brightness, composites of light and longing. And we know them: Björn, Benny, Agnetha, Frida, in their late-'70s/early-'80s pomp, their poppiest plumage, variously nodding and swishing and keening and twinkling and making little gracious gestures. Huge sidescreens give us close-ups, flashes of realism—the eyes, the sweat on the cheekbones. Holy shit. ABBA!

ABBA Voyage was five years and zillions of dollars in the making, a *meisterwerk* created with Industrial Light & Magic, the visual-effects company founded by George Lucas. And it's the future, quite obviously. Present-day old-age ABBA, having worked for weeks in motion-capture suits to get the genetic code of ABBA-ness into the ILM computers, can now sit back as these radiant editions of their younger, prettier selves sell the place out night after night. The brain buys it, is the point: Your wobbly old analog brain, as you watch these figments come high-heeling out of the digital ether, is very happy to accept them as real. Very happy to weep, cheer, join in the chorus, wave your arms. It's a success, artistically and … neurologically. This could go to Vegas, this could go to Sydney, this could go anywhere. Everywhere. The Rolling Stones could do it. Lana Del Rey could do it. The pop star as pure illusion, pure imago, pure energy state, infinitely reproducible and infinitely potent if you have the tech. David Bowie, where are you?

ABBA Voyage is a success, artistically and neurologically. The pop star as pure illusion, pure imago, pure energy state.

(Actually, I know where David Bowie is, at least tonight. He is weirdly inhabiting the cyberapparition of ABBA's Frida, who is revealed by this experience, and by the trick of time, as not a sweet and cheesy pop star but a teetering, angular '70s-style *rock star*, loaded with otherworldliness. Her disco hauteur, her hair of Ziggy-est red, the filter of alienation on her beauty, and the seam of coldness in her voice. Frida's onstage authority, even as the rest of ABBA boogies and beams around her, even as she boogies and beams, is Bowie-esque, Bowie-echoing, no other way to put it.)

They—"they"—open with the massive, foreboding synth-throb of "The Visitors." Perfect choice: the most paranoid and eerily electronicized of all ABBA songs. "I hear the doorbell ring and suddenly the panic takes me / The sound so ominously tearing through the silence." Sung by Frida, of course, in a sinuous, ceremonial, artificially thinned voice. "And now they've come to take me / Come to break me …" She—"she"—raises her arms, phoenixlike, and light spatters off her amazing, bedazzling cape, all around the arena. It's jaw-dropping, literally: I go *Uuuuuuuuh* …

Part of the secret of ABBA's music is its inorganic quality—the ticktock notes at the beginning of "Mamma Mia," the robotically chanted backing vocals to "Take a Chance on Me"—as if among its primary elements of tinkly Euro-pop and Scandinavian singalong were Kraftwerk and Gary Numan. ABBA Voyage's director, Baillie Walsh, when asked in the official concert program how he would describe ABBA to someone who's never heard them, answers: "A folk group from Mars."

And then there's the repression. The frozen lake of sadness. Benny and Björn were a grinning hit factory, a two-man Brill Building, and the group as a whole never failed to project a sheen of super-trouper professionalism. But the music of ABBA is quietly thunderous with heartbreak and failure. "Deep inside / Both of us can feel the autumn chill …" Agnetha was married to Björn, and Frida was married to Benny, and both of these marriages collapsed, sundered like calving glaciers as ABBA went global. "Knowing Me, Knowing You," at the arena in London, is almost sensory-emotional

MICHEL GINFRAY / GETTY

A performance of ABBA Voyage

overkill: Refracted and merging mirror images of the two couples ripple across the stage as the anthemic breakup lyrics shake our ribs. "We just have to face it / This time (this time) we're through." Strong men cry—or I do, anyway—at the peculiarly ringing metallic melancholy of great, late ABBA.

The whole world loves ABBA, but England especially, because of the repression (see above). So ABBA Voyage opened in England, in the special arena—Nordically tasteful in dark metal and blond wood, like the back parts of Keflavík airport—at Pudding Mill Lane, in London's redeveloped Docklands. Seven performances a week, sold out for months to come. The crowd bubbles. The crowd is thrilled to be there. "Dancing Queen" is a celestial event; a kind of black hole of joy; a rushing, released groove unlike any other in the ABBA songbook. The ushers in the aisles turn to us and wave their arms over their heads, so we wave ours too—we in our feather boas and our sensible shirts, our gleaming youth and our dowdy middle age, our gayness and our straightness, a solid wedge of the Great British Public. ABBA people.

Cartilaginous tubes of Nothingness. That's a line I scribbled in my notebook at some point in the evening. I must have been getting freaked out. Because it was freaky, undergoing the memory onslaught of compacted decades of ABBA experience while gazing enraptured at something that, when you got right down to it, wasn't there. In the spaces between these near-angelic digital beings, in the spaces behind them, the unreality comes trickling in—through holes and portals and cartilaginous tubes of nothingness. Here's what you don't get, will never get, at an event like this: the sensation of the performers locking in, intensifying, beginning to draw their power from a grid that transcends the immediate moment. Power like a gift, pouring out of the holy matrix. That won't happen. Even if the Björn avatar does a backflip at the end of "The Winner Takes It All," or humps the stage like Iggy Pop.

Strong men cry—or I do, anyway—at the peculiarly ringing metallic melancholy of great, late ABBA.

But I'm old, aren't I, and my skin is cold, and I shall wear the bottoms of my trousers rolled. This is what's coming, like it (or love it) or not. And for ABBA, with their silvery excellence, their poignancy and remoteness and smilingness, and their astrally piercing harmonies, it's perfect. It's state-of-the-art. They can live forever like this. There's an ABBA thing, a resurgence, an indulgence, going on right now on TikTok. Great pop never dies. And now it really never dies. Ground control to Major Tom: Stay right where you are. No need to come back to Earth. "To be or not to be," says the enigmatic Benny avatar to the audience at ABBA Voyage, musing between songs. "That is no longer the question." *A*

James Parker is a staff writer at The Atlantic.

JOHAN PERSSON

ILLUSTRATION BY MATT WILLIAMS

The Trap

What it takes to make it in hip-hop's new capital

By Jack Hamilton

Nayvadius Wilburn, a 38-year-old Atlantan who performs under the name Future, is one of the great musicians of the 21st century. Future is often classified as a rapper, but he is really an all-purpose vocalist, a man who sings, chants, rasps, yelps, and growls, frequently through Auto-Tune. In Future's music, that vocal-processing software becomes less a melodic device than a textural one, blurring the boundaries between human and machine, embodiment and alienation. He makes songs about women, drugs, cars, guns—not exactly groundbreaking subject matter—but much of his work is tinged with self-loathing and low-grade dread, reveling in hedonism and excess while warily staring down the existential emptiness of the morning after, if not the night itself. That Future's music does all of this and manages to be hugely successful—his latest full-length release, *I Never Liked You*, was the eighth album of his career to top the *Billboard* charts—makes him even more remarkable.

Future's music also showcases the current hallmarks of the southern-born, Atlanta-dominated subgenre of hip-hop known as trap, which now permeate nearly every corner of popular music: rattling digitized hi-hats; booming sub-bass; keyboards forging lush, woozily surreal harmonic backdrops and melodic lines. Auto-Tune itself is a tool that's been prevalent within hip-hop for about 15 years, key to the experimentations of Lil Wayne (New Orleans) and Kanye West (Chicago), and one that has been voraciously adopted by many Atlanta rappers besides Future. It's used, for example, in music as disparate as the spacey avant-gardism of Young Thug and the earworm Top 40 smashes of Lil Nas X.

Much of the hip-hop that has emerged from Atlanta in the past decade-plus has charted fresh directions for the genre. The music's essence is incantatory, rather than marked by the quasi-cinematic storytelling that largely defined rap of the 1980s and '90s. Atlanta trap typically feels more oriented toward song than speech, a notable swerve for a genre that was often characterized (and disparaged) in its early decades as spoken music. It also largely departs from using samples in favor of deploying immense libraries of keyboard sounds. These rappers function as curators of atmosphere more than as ornate wordsmiths, and the entrancing and elliptical musical effects have a way of stirring distinctive, and new, emotional responses. To use a word of our moment, Atlanta hip-hop is about vibes.

Joe Coscarelli's *Rap Capital: An Atlanta Story* is an unusual distillation of this moment, one that Atlanta and its music continue to define. Coscarelli is a pop-music reporter for *The New York Times*, and his book reflects nearly a decade of reporting on the city's hip-hop scene. But it's not really a history of Atlanta's emergence as a hub of rap, and doesn't try to be one. Readers hoping for a beat-by-beat account of how the city became the epicenter of 21st-century hip-hop—tracing the lineage from TLC and OutKast through Ludacris, Young Jeezy, T.I., and Gucci Mane, and culminating with Future and his contemporaries—will have to keep waiting.

COSCARELLI FOLLOWS several overlapping but contrasting stories in the city's musical universe as they unfold. The bulk of the book takes place from 2013 to 2020, and tracks six main characters—three solo artists and one group, and two executives. In 2013, Kevin Lee, better known as Coach K, and Pierre Thomas, who goes by P, co-founded Quality Control Music, one of the most successful labels of the past decade. Two of the four performers are megastars—the wildly successful and influential trio known as Migos, and Lil Baby, whose music often feels like

Opposite page, clockwise from the left: *Offset, Quavo, and Takeoff of the trio Migos; Future; and Lil Reek*

a blockbuster amalgam of forebears such as Gucci Mane, Young Thug, and Future. The other two, a veteran street hustler named Marlo and a teenager named Lil Reek, are up-and-comers. Marlo is signed to Quality Control but is considered one of the label's most volatile prospects. Reek is pure dreamy ambition, a recent high-school graduate with an unspecified medical condition that affects his growth. "Including the bubbled white soles of his designer sneakers, Reek would've needed his toes to top five feet, and a three-digit weight seemed like a stretch," Coscarelli writes. "At eighteen, he looked closer to ten years old than twenty."

This music-biz story is about haves and have-nots, and the yawning chasm between the spoils of stardom and the devastations of foundering. It's also about the porous borders between the civilian world and the underworld, between legality and illegality: For all of these men, in very different ways, "making it" in music is intertwined with the lures of a street life that promises its own, even more precarious path to riches.

Lee and Thomas exemplify the divide. Lee grew up in Indianapolis, but fell in love with Atlanta and its growing hip-hop scene during an early-'90s visit to Freaknik, an annual spring-break festival that had been created for students at Spelman and other nearby historically Black colleges and universities a decade earlier. He later relocated to Atlanta to pursue a career as a music manager, and in the early 2000s signed Jay Wayne Jenkins, soon known to the world as Young Jeezy. The association with the multiplatinum Jeezy, one of the artists most responsible for pulling Atlanta trap into the musical mainstream, launched Lee's career. It was Jeezy who nicknamed him Coach K, a nod to Duke's legendary (and extremely un-hip-hop) basketball coach.

Thomas's route to success is a gritty contrast to Lee's more conventional rise. In his own telling, Thomas began selling crack cocaine at age 10, and ultimately became a millionaire by way of the streets. He used part of that wealth to build a recording studio, and around 2013 approached Lee, eager to establish himself in music and leave the drug game behind. Lee, who was looking to start a label of his own, recognized that Thomas's street cred and financial means would be valuable assets, and Quality Control was born.

Even the most successful artists who appear in *Rap Capital* know the push and pull of desiring aboveboard success and gravitating toward dangerous opportunities. Lil Baby served time in a maximum-security prison on a drug charge prior to fully dedicating himself to music. When Migos first rocketed to fame, in 2013, one member of the group, Offset, was incarcerated for a probation violation stemming from a theft conviction.

Atlanta's trap artists function as curators of atmosphere more than as ornate wordsmiths.

The journeys of these thriving Atlanta executives and musicians, like those of successful hip-hop artists who started out on the streets of poor Black neighborhoods in other cities, are compelling. As Jeezy's great line from "Thug Motivation 101" puts it, "I'm what the streets made me: a product of my environment / Took what the streets gave me: product in my environment." Still, they are essentially variations on the rags-to-riches yarns that have drawn people to show business for as long as that business has existed. Far more revelatory—and more representative, though rarely written about—are odysseys like Marlo's and Lil Reek's.

For both, music indeed beckons as a way out of bleak circumstances, but the two of them confront multiple and eventually insurmountable obstacles—some of their own making, others outside their control. Marlo, who is living a perilous but lucrative life as a drug dealer even as he pursues a rap career, faces the challenge of extricating himself from his underworld ties. That he is also openly addicted to Percocet, caught in the throes of the national opioid epidemic, which has ravaged Black Atlanta, only adds to his troubles. "The connections between chronic self-medication and the traumas of racism and poverty that touched nearly everyone he knew," Coscarelli writes, "were almost too obvious to remark upon at length." Marlo is haunted by something like commitment anxiety, an inability—and at times an unwillingness—to give his art the attention it needs. Relentless focus and grueling work are essential (if not sufficient) for a shot at success in the ruthless popular-music world, the cutting edge of which has long been dominated by young, hungry, and obsessively myopic people, most of whom have also enjoyed some helping of sheer luck.

Lil Reek appears to be this sort of person, minus the luck; his struggles expose just how merciless the winnowing process is, and how readily circumstances can derail even a promising trajectory. Reek first rises to prominence via cameos in videos by more established rappers, such as Fetty Wap and Lil Baby, before releasing his own debut single, "Rock Out," in 2018. "Rock Out" premieres on the popular WorldStarHipHop site and surpasses 1 million views. That is enough to attract major-label interest, and Reek soon signs a $350,000 deal with Republic Records.

From then on, almost nothing goes right. The deal is short-term, guaranteeing Reek a single Republic release and providing the label with an option to extend the deal based on how that release performs. Reek's single "Door Swing" receives minimal promotion (the contract evidently included nothing more than that), and he and Republic part ways. The $350,000 doesn't end up going very far in the hands

of a teenager trying to help support his family while also spending in the "fake it 'til you make it" mode endemic to aspiring music stars. Soon the money is gone, and he's facing added responsibilities, among them caring for his younger brother and sister, whom Reek refers to as "my kids."

Given that so much writing about influential pop music is, by definition, a winners' history, Reek's experience is especially instructive. Because his lone hit was released when he was a high schooler, he doesn't have much of a local following to fall back on. In Atlanta, the distinctive physical venue for hip-hop isn't the hallowed park jam or freestyle cypher of old, or even a traditional concert. Instead, it's strip clubs: Records that will become some of the biggest hits in the country are quality-tested at locations like Onyx and the legendary Magic City, the latter of which Coscarelli describes as "Atlanta's Disneyland of ass." But to get spins at such places, you need backers and connections, a network Reek mostly lacks. That means relying on the whims of the web and social media, where Reek can only hope lightning strikes twice.

TO READ *Rap Capital* as Marlo and Reek veer downward is to have a sense of entering uncharted territory. More than once I felt the effects of the glaring power imbalance between the well-regarded, white *New York Times* reporter and the ever more desperate Marlo and Lil Reek, for whom a journalist's attention offers hope but also means exposure of a painful sort; readers may find aspects of this dynamic uncomfortable. Yet Coscarelli brings empathetic detail to his coverage of those who continue to struggle, not just winners; he's alert to a deeply entrenched pattern of young, frequently poor, overwhelmingly Black musicians being taken advantage of by an industry that has long seen those artists solely as fonts of talent and revenue, only to promptly turn away when one or both appear to run dry.

Rap Capital offers a look at a music world in a time of uncertainty, taking vivid note of new avenues for old forms of exploitation. In the nearly quarter century since the MP3 and Napster cratered the record industry, the music business has again found its way to steady growth, with the rise of streaming and an expansive landscape of digital-media platforms through which to sell its star artists.

As a vibrant and remarkably fertile musical breeding ground, Atlanta has played an outsize role in this turnaround. The city's sprawl—its disorienting geographical distinctions and fuzzy borders—is mirrored in its music scene, which has proved conducive to a thriving contemporary recording industry. Artists are fiercely connected to their own blocks and neighborhoods, but musical collaboration often occurs in the ether, via hard drives, cloud servers, and email attachments. The untethered portability of the process enables output that can be astonishingly prolific: At various points in their career, the Migos trio—as well as Gucci Mane, Young Thug, Future, and other Atlanta luminaries—has been renowned for releasing music at a relentless pace. In the streaming era, a red-hot artist embracing this fire-hose model of production can promise untold hours' worth of plays on Spotify or Apple Music.

And yet this approach has also fit snugly into the extreme "What have you done for me lately?" logic of the pop-music business, a logic that devalues artists and their art alike, as Lil Reek's experience dramatizes. In an earlier era, a $350,000 deal might have indicated an actual investment, been a sign of belief in a young artist's talent; now it's a mere bet, and a feckless one. For Republic, which is owned by Universal Music Group, such a sum is nothing. When "Door Swing" failed to match the popularity of Reek's previous single—one made without the assistance of any label—he was once again out in the cold. "To the label, which had offered him nothing in the way of artistic development, he would only ever be a rounding error," Coscarelli writes. For Reek, the backing was everything, until it wasn't, and he found himself on his own again.

By the end of *Rap Capital*, it's clear that the winners aren't insulated from the churn either. In 2020, Migos sued their attorney, who also happened to represent their label, Quality Control, claiming that he had cheated them out of millions by manipulating the trio into signing a predatory contract. The same cloud-based world that makes prodigious creativity possible also begets murky arrangements between labels and streaming platforms, leaving even top musicians feeling bitter about the deals they've struck. From a certain angle, *Rap Capital* tells a story that's a lot older than rap, and maybe as old as capital.

It's worth noting that the suit, which was ultimately settled out of court, was filed when Migos's voluminous output had slowed and their music had dipped in popularity, and when the coronavirus pandemic had shut down live performances for the foreseeable future—both reminders that, as Marlo and Lil Reek learned the much harder way, an unforgivingly rapacious recording industry is only part of the picture. The music business can be fickle and unfair, but so is the world. *A*

RAP CAPITAL: AN ATLANTA STORY

Joe Coscarelli

SIMON & SCHUSTER

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BOOKS

The Long History of Russian Brutality

What the fratricidal fury of the country's civil war a century ago can teach us about the invasion of Ukraine

By Adam Hochschild

It is impossible to watch Vladimir Putin's arrogant invasion of Ukraine without being appalled by its savagery. Dead men and women strewn on the streets of Bucha, hands bound behind their backs. Russian soldiers raping women, sometimes in front of husbands or children. Russians seizing loot of every size, from cellphones to giant John Deere wheat-harvesting combines. And, again and again, testimony about torture: beatings, electric shocks, near suffocation with plastic bags.

Yes, all wars are bloody, but they're not all fought like this. The First World War, for example, killed millions. Yet Captain Boris Sergievsky, a fighter pilot in the Imperial Russian Air Service stationed in western Ukraine, who as an émigré years later married my aunt, told me that if you fatally shot down a German aviator over Russian territory, you buried him with full military honors; you then dropped by parachute onto the German airfield his

UNIVERSAL HISTORY ARCHIVE / GETTY; BETTMANN / GETTY

ILLUSTRATION BY VARTIKA SHARMA

personal effects and a photograph of his funeral. That war, like this one, was over territory. But in today's war, even as Putin insists that the would-be conquerors and the invaded are "one people," the Russians almost seem to have an additional aim: to humiliate the Ukrainians, to dehumanize them, to see them suffer.

Most often, we find cruelty like this when human beings are divided by religion or ethnicity. Consider the Crusades, the Holocaust, the lynchings of thousands of Black Americans in the South, and, for that matter, the two recent Russian wars against the Muslim Chechens. But both Russians and Ukrainians are white, Slavic, and, if religious, usually Orthodox Christians. In eastern Ukraine, many victims of Russian atrocities are native Russian speakers—as is the country's president, Volodymyr Zelensky.

Any search for perspective on the invasion's brutality must include Putin's background in the secret police, his dictatorial rule, and his drive to extend the reach of that rule. Russia's past is also crucial to the mix. In recent years, Putin has determinedly justified his expansionist ambition by spreading his own version of Russian history. School curricula and a nationwide array of historical theme parks now lavishly celebrate one incarnation after another of a strong unitary state made stronger and larger by all-powerful leaders—from Peter the Great to Stalin—who defied foreign meddling. One particularly savage and revealing slice of that history, however, is a moment when the state was anything but unitary: the Russian Civil War of a century ago, when assorted forces known as the Whites tried for three bloody years to dislodge the new Bolshevik regime from power.

Before the U.S.S.R.'s collapse, in 1991, its rulers portrayed that war starkly: The Whites were evil reactionaries who tried to delay the glorious triumph of Soviet rule. But Putin, whose passion is for empire, not communism, has a different view. He would love to restore the power of both czarist Russia and the Soviet Union, which extended over territory far larger than his own shrunken Russia of today. Last November, in Sevastopol, Crimea, the site of one of the civil war's last evacuations of White troops, Putin dedicated a monument to the war's end and declared that "Russia remembers and loves all its devoted sons and daughters no matter what side of the barricades they once were on." The civil war was a struggle that embodied much of what's in the headlines today: ruthless violence, Russian fears of foreign intrusion, a brain drain of educated refugees, and the tension between dreams of empire and breakaway regions wanting independence.

Long before the civil war tore Russia apart, the challenges of holding such a huge country together, against threats without and centrifugal forces within, had been handled with widespread oppression as well as tight control from the top. Orlando Figes, a historian who taught at Cambridge and the University of London, gives a useful, compact survey in *The Story of Russia*, which is particularly strong in its sense of the continuities between past and present. For instance, he sees a parallel between the great boyar clans of several centuries ago—allowed to accumulate wealth and power but only at the czar's pleasure—and the oligarchs in Putin's orbit. He is also instructive on the czarist conquest of the Buryat and other peoples across Siberia, a 200-year process beginning around 1580, pointing out that Russian history books have always portrayed it—wrongly—as less brutal and genocidal than the conquest of the American West.

Putin, whose passion is for empire, not communism, would love to restore the power of both czarist Russia and the Soviet Union.

A less democratic regime than czarist Russia would be hard to imagine. Starting in the 17th century, serfdom enslaved a high proportion of the country's citizens—a system maintained by whips, chains, the threat of separating families and exiling rebels to Siberia, and the massacre of tens of thousands of serfs who staged hundreds of revolts over the years. In the 18th century, the Enlightenment passed the country by, and in the early 20th, Russia was the last absolute monarchy in Europe. (A wildly unrepresentative parliament installed after a 1905 uprising was dismissed by the czar several times.)

As in all despotisms, power rested upon violence. In the eyes of the regime, Russian citizens were either loyal subjects who knelt to the ground when the czar passed or deadly enemies most likely bent on assassination. The idea of a space in between barely existed. Over the centuries, five czars were indeed stabbed, strangled, shot, or otherwise assassinated, as were several grand dukes and other high officials.

None of this was promising material out of which to build a new regime. That effort began with the March 1917 overthrow of Czar Nicholas II, who seemed, to his ever more frustrated subjects, blithely unconcerned with the millions of dead and wounded and the catastrophic food shortages his empire was suffering in the First World War. The Bolshevik seizure of power followed that November, a swift coup at the top rather than a nationwide uprising. But what came next, the civil war, affected every person in that huge country, and was truly the foundational trauma of its 20th century.

NO ONE KNOWS the total death toll from the scorched-earth battles, firing squads, and famines that swept back and forth across the land for three years. In *Russia: Revolution and Civil War, 1917–1921*, the military historian Antony Beevor suggests that it could be as many as 12 million people. Other estimates range higher still. And that's not counting the millions more who were orphaned, who came close to

starving, or who fled the country as refugees, depriving Russia of a large number of its trained professionals. Beevor's new study is all the more welcome because most Westerners have paid little attention to the fratricidal fury of the Russian Civil War, finding it bewilderingly complicated (true), and feeling that it didn't really involve us (not true).

Beevor's book is a thorough, traditional military history, and some of its flaws are familiar in that genre. The cascade of commanders, regiments, and brigades can be overwhelming. Which side, again, is the Second Cavalry Army on? Although there are a few maps, they don't show all the hundreds of places mentioned in the text; the serious reader needs an atlas. But the narrative benefits from his eye for the telling detail. Vladimir Nabokov's father, a democratically minded politician who had been arrested by a Communist Red Guard, managed to escape and flee the country, but not before the family's cook made him caviar sandwiches for the journey. Darker particulars dominate. The novelist Victor Serge, for example, describes the "prehistoric gloom" of starving St. Petersburg, then known as Petrograd, where "people slept in frozen dwellings where each habitable corner was like … an animal's lair. The ancestral stench clung even to their fur-lined cloaks which were never taken off."

Even an atlas isn't sufficient to map the chaotic ebb and flow of this war. At the beginning of 1918, the Bolsheviks, who soon began calling themselves Communists, were the nominal rulers of a bankrupt realm, its military drained by desertions and its economy in shambles. Their rapidly formed Red Army occupied Moscow, Petrograd, and a large swath of central Russia containing much of the country's industry. The opposing Whites tried to advance into Red territory from several fronts, principally in Siberia, the Arctic, southern Russia, Ukraine, and what is now Poland.

A minority of Whites hoped for a parliamentary democracy, but most wanted something like the old regime. Among their forces were the great majority of Russia's Cossacks, who had long helped carry out the czarist empire's infamous pogroms (Beevor assesses one of them as "probably the least murderous" of the Cossack leaders). The Whites also included a panoply of unsavory local and ethnic warlords, one of whom kept wolves as house pets. Joining these fearsome figures was an assortment of landowners, businessmen, czarist officials, and military officers—including my uncle Boris—who knew they would lose everything under Red rule. The widely separated White armies, top-heavy with colonels and generals, quickly came under the leadership of former czarist commanders such as Admiral Alexander Kolchak, whom Beevor describes as a man with "the expression of an angry eagle." He headed the White regime based in Siberia, traveled with his 26-year-old mistress, and styled himself "supreme ruler."

Seeing each other not merely as opponents, but as traitors to an imagined ideal nation, both sides fought with an unbridled fury. In Taganrog, a mere 70 miles from ravaged Mariupol in today's Russian-occupied Ukraine, Red forces promised to spare the lives of 50 White cadets if they surrendered. Instead, "their arms and legs were bound and they were thrown one at a time into a blast furnace." Favorite Red torture methods included peeling the skin off people's hands, after first loosening it by plunging the hands into boiling water. In the Baltic Sea and the Volga River, White prisoners were tied with barbed wire and loaded onto barges, which were then sunk. Reds tossed an elderly White colonel, alive, into a railroad locomotive's firebox.

The Red leaders were driven by a righteousness that ran as deep as that of any Inquisition functionary. Communism promised an earthly paradise, and saw a working-class elect who would attain it up against a supremely evil ruling class that had to be crushed. Lenin, Trotsky, and many other Communist leaders came from educated, middle-class backgrounds and hence were all the more determined to prove they were fervent revolutionaries. Lenin called for "mass terror" against "class enemies," and praised civil war itself as "the sharpest form of the class struggle." He and his comrades venerated the radicals of the French Revolution, who had made free use of the guillotine.

The Whites unleashed their own terror. "We were forbidden to shoot prisoners," wrote one White soldier. "They were to be killed with a sabre or the bayonet. Ammunition was too precious and had to be kept for combat." Some captured Reds were burned alive, while Cossacks would whip Reds to death "with metal ramrods, bury them in the ground up to their neck and then cut off the head with their sabre, or castrate them, and hang them on trees in their dozens." White forces sometimes paused their pursuit of the Reds to carry out pogroms; during the civil war, an estimated 50,000 to 60,000 Jews were murdered. About such things my beloved uncle Boris did not speak (nor did I, more than 50 years ago, know what to ask him), except to acknowledge, in his memoirs, that in fighting the Communists his fellow Whites "tended not to take prisoners."

Both sides raped the other's women, and looted freely: The Communists had a slogan, "Steal what's already been stolen!" (that is, by the upper classes), while a White general, despairing at the state of his army, complained that some regiments had accumulated up to 200 railway freight cars of stolen goods. Both sides brazenly displayed the corpses of their enemies. The Whites strung up Red bodies on

The Communists had a slogan, "Steal what's already been stolen!" (that is, by the upper classes).

telegraph poles of the Trans-Siberian Railway, and one Red locomotive was adorned with the bodies of slain White officers. When Supreme Ruler Kolchak was finally captured, he was shot—a relatively merciful fate for the time—but denied a burial. His corpse was pushed through a hole chopped in the ice covering a Siberian river.

The war ended, of course, with a Red victory and Leninist rule that brooked no dissent; within a decade it had evolved into Stalin's dictatorship. Yet even if the Whites had won, their supreme ruler might well have imposed a dictatorship of his own. In any event, those three years of unrestrained ferocity were, as Figes remarks, "a formative experience" for the regime that followed. And, one might add, for the regime today. Enemies are traitors, deserving no dignity. When Putin's sidekick (and the former Russian president) Dmitry Medvedev called his critics in Ukraine and abroad "bastards and scum," we can perhaps hear an echo of Lenin repeatedly speaking of the White forces as "lice," "fleas," "vermin," and "parasites" deserving extermination.

THE STORY OF RUSSIA

Orlando Figes

METROPOLITAN BOOKS

RUSSIA: REVOLUTION AND CIVIL WAR, 1917–1921

Antony Beevor

VIKING

OFTEN FORGOTTEN is that the Russian Civil War included troops from other countries. Terrified of revolution spreading to their own war-weary, discontented populations, the United States, Britain, France, and their allies were eager to help the Whites, urged on most vociferously by Winston Churchill, then Britain's secretary for war and air. "If I had been properly supported in 1919," he later said, "I think we might have strangled Bolshevism in its cradle." The intervention was mostly a matter of arms and supplies for the Whites, such as 200,000 British army uniforms. But soldiers came to fight as well, including 13,000 Americans—dispatched to both the Arctic coast and the Russian far east.

Altogether, approximately 200,000 foreign troops were sent to Russia, as well as dozens of naval vessels to the surrounding waters. Some of them—most notably French-navy sailors in the Black Sea—mutinied when deployed against Red forces. They did so because, like millions of Westerners at the time, they believed that the Russian Revolution really was what it claimed to be: a matter of workers taking control. I wish Beevor had said more about the clash of ideals represented in the mutinies—there are considerable records to draw on—and about the mark the intervention left on Russia. In a nation so deeply xenophobic to begin with, the ultimately victorious Communists never forgot the foreign troops who had tried to strangle their baby in its cradle.

One more aspect of the Russian Civil War reverberates directly with the conflict we are now watching play out. The war was not just about who would rule Russia, but about whom Russia would rule. As the combat raged across thousands of miles of forest, mountains, wheat fields, and tundra, several wars erupted within the war. Outlying areas of the old Russian empire took advantage of the Red-White struggle to battle for independence. Poland, Finland, and the Baltic states did so successfully, Ukraine unsuccessfully. The fighting in the latter, among Reds, Whites, and several rival Ukrainian forces, convulsed cities in the headlines today: Kyiv, Odesa, Kharkiv, Kherson, Mariupol. (In his acknowledgments, Beevor thanks a research assistant who is now a rifleman and medic in the Ukrainian army.) Although mortal, existential enemies, both Reds and Whites were united on one point: They wanted the boundaries of the Russia they hoped to control to be as wide as possible. Both sides had little but hatred for these non-Russian independence movements, especially the one in Ukraine, a land so rich in grain, iron, and coal.

On the heels of the Russian Civil War, Ukraine became one of what would eventually be 15 nominally autonomous republics within the Soviet Union. That structure was a huge mistake, Putin has declared—but of course, for nearly 70 years no one really expected that the once-mighty Soviet realm might dissolve along those lines. Putin has long dreamed of reestablishing a wider empire: He served the Soviet one until its collapse and, unlike his Soviet predecessors, has often paid homage to the czarist one. The last czar and czarina, assassinated by the Bolsheviks, have now been officially declared victims of political repression, and in 2008, Putin gave his blessing to a lavish biographical feature film glorifying Admiral Kolchak. In recent years, his government has restored to a position of honor one of the most notorious forces of that time, the Cossacks, starting dozens of Cossack military academies around the country, with support from descendants of czarist refugees overseas.

In 2005, Putin arranged to bring back from the United States the remains of General Anton Denikin, the commander of the White armies in southern Russia and Ukraine, who had died in exile. "Russia One and Indivisible" was the slogan Denikin fought under. The general was a firm believer, Putin pointed out during a visit to his new grave, in Moscow, that Ukraine is part of Russia. That dream is now at loggerheads with a Ukraine that, however faltering and imperfect, has enjoyed three decades of independence. In this clash of visions, the unresolved tensions in Russia's history still cast a long shadow. *A*

Adam Hochschild is the author, most recently, of American Midnight: The Great War, a Violent Peace, and Democracy's Forgotten Crisis.

BOOKS

The Literature of Paranoia

Living in Turkey has made Orhan Pamuk a master of the genre.

By Judith Shulevitz

Orhan Pamuk's new novel, *Nights of Plague*, is set mainly on Mingheria, a "fairy-tale," "otherworldly," and fictional Ottoman island—a "pearl of the Eastern Mediterranean Sea," or so say the painters and tourists enchanted by its rugged mountains and its pink-stone capital, which glows when seen from afar. But behind the Orientalist fantasia lies a microcosm of empire at the point of collapse. In 1901, a bubonic plague breaks out. Pamuk will use it to expose the infirmities of this body politic.

Back in Istanbul, the sultan dispatches his top public-health official, the Royal Chemist, who happens to be a quarantine expert. The Royal Chemist is promptly murdered. The sultan sends out a second doctor, Nuri Bey, to solve the crime and try again to contain the plague. But all sanitary measures must go through Mingheria's Ottoman governor, Sami Pasha, a genial host and an irrepressible stonewaller, political to his core. Nuri Bey has recently married the sultan's niece Princess Pakize, so when the royal couple arrive, Governor Sami Pasha gathers a crowd for a suitable welcome ceremony, contagion be damned.

The plague doesn't worry Sami Pasha; he considers the rumors a scheme to heighten tensions between the island's rival groups, the Greeks and the Turks. He's not interested in a scientific approach to the murder, either; he will just drum up 20 murder suspects to throw into jail. As he tells Nuri Bey, "Even that which may appear at first to have nothing at all to do with politics may reveal beneath the surface all manner of plots and nefarious intentions."

Pamuk has said that he began thinking about a plague novel decades ago, started work on this one in 2016, and had partly completed *Nights of Plague* when COVID-19 erupted. "I learned a lot about human stupidity in the pandemic," he told a journalist earlier this year. But he wasn't using the plague to talk about stupidity. What interested him was quarantine, he explained in 2020, with its potential to blow up existing institutional arrangements.

Lockdowns and other wildly unpopular injunctions—all of which happen in *Nights of Plague*—stir up unrest and may lead to revolution or a coup, even a succession of coups. By setting the novel at a time when quarantine could mean closing food

ILLUSTRATION BY ARMANDO VEVE

markets, burning down neighborhoods, and herding exposed people into overcrowded areas almost certain to kill them, Pamuk is able to pose timely questions about the nature of the state: When is it helping people despite themselves, and when is it a dictatorship? And how are citizens to know the difference?

Nights of Plague is a novel in three parts. Each depicts a stage in the evolution of Mingheria from colonial possession to independent nation, with the epidemic acting as a catalyst for change. Sami Pasha represents the Ottoman imperial bureaucracy, literally—that's his job—and figuratively. He's cavalier with the truth and nonchalant about justice, but Pamuk specializes in protean characters and dizzying shifts in perspective, and he is not about to make moral judgment easy. The governor smiles ingratiatingly as he tries to placate first one, then another, of the island's factions—Greek and Turkish nationalists; religious rebels; sheikhs who tell their followers to use prayer sheets and amulets to ward off the plague, and to keep washing their dead; foreign consuls eager to make trouble for the Ottomans; shipping companies that lobby against quarantine while eking out profit from panic. He is particularly desperate to please his boss, the sultan, who cares less about the health of Mingherians than about appeasing the European powers that have mounted a naval blockade of the infected island. Dithering and backtracking, the governor sows confusion and paralysis. But he does readers the favor of taking them inside every nook of the island as he spins out possible conspiracies in his head.

As it turns out, actual conspiracies abound. At a swearing-in ceremony for recruits to the new Quarantine Regiment, the governor and his entourage are served poisoned biscuits. Anyone who maligns the sultan is immediately thought to be an agent provocateur working for the sultan, and probably is. The sultan's suspicions make him dangerous, though they're not unreasonable; he has spent his life trying to forestall assassination attempts. Princess Pakize knows firsthand how deadly sultanic mistrust can be. Until her marriage, she was his prisoner, locked in a castle with her family after the previous sultan, her father, was deposed. She thinks that her uncle is behind the murder of the Royal Chemist, and that she and her husband will probably come to some as yet undetermined harm. "You must not be so quick to come to conclusions!" Nuri Bey says. He is among the few who believe in the inductive method—just like Sherlock Holmes, he likes to say.

PARANOIA IS Pamuk's great subject and the engine of his style. He forces you to read through scrims of suspicion and doubt. No fact, no backstory, is ever what it seems. "There is a literature of paranoia," Pamuk has written, adding that it's what he writes. If his novels have the postmodern quality of resisting closure, if they frustrate what Roland Barthes called "the passion for meaning," that's because there are plots and counterplots all the way down. He's truly a novelist for the post-truth age.

Trying to identify the forces behind Pamuk's continued harassment is like trying to map the infinite regressions in his novels, only harder.

When Pamuk called himself a paranoid writer, he named other masters of the genre—Dostoyevsky, Borges, Eco, Pynchon—and then said he had a certain edge over them, having grown up in a country that "has appropriated paranoia as a form of existence." He was referring to Turkey, of course, a nation of political chaos, military coups (four since Pamuk was born, in 1952), and frequent furor over anti-government plots. These have typically featured shadowy networks, many composed of high-ranking officials in the state security apparatus who are fanatically loyal to Turkey's modernizing first president, Mustafa Kemal Atatürk. It's no accident that the term *deep state* originated in Turkey.

Pamuk has more reason for paranoia than most Turkish citizens. In 2005—one year before he won the Nobel Prize—he was tried for "denigrating Turkishness," which is a crime, by alluding to the Armenian genocide in an interview with a Swiss magazine. He endured a show trial during which screaming mobs roamed the courthouse and attacked his car. (The case was ultimately dropped.) As of this writing, he's under investigation for another criminal act of denigration: insulting Atatürk in *Nights of Plague*, published in Turkey in 2021.

Trying to identify the forces behind Pamuk's continued harassment is like trying to map the infinite regressions in his novels, only harder. For example (bear with me): In 2021, Tarcan Ülük, an ultraconservative lawyer, filed the complaint against Pamuk that launched the latest inquiry. Back in 2010, Ülük had established a political party called Ergenekon. Two years before that, the Islamist government of then–Prime Minister Recep Tayyip Erdoğan had exposed a purported clandestine terrorist organization that was said to be plotting a coup. That group was also known as Ergenekon, and it appeared to have targeted Pamuk for assassination. (*Ergenekon* is a name from Turkish myth popular among nationalists; it refers to a magical place deep in the Altai Mountains.)

Did Pamuk have enemies with murderous intentions? He thought so, and acquired bodyguards. Were the enemies part of a secret entity called Ergenekon? As the circle of so-called plotters widened and accounts of rights violations piled up, critics of the Erdoğan administration began to call the "Ergenekon conspiracy" a pretext for rounding up his opponents. Maybe it was even a fabrication, though no one doubts that violent, covert, ultranationalist groups exist in Turkey. Conspiracy? Counterconspiracy? Both? It is impossible to say.

ONCE YOU'VE heard the charge against *Nights of Plague*, it's hard to resist the urge to adjudicate the case, even if that lends legitimacy to a law that props up a dictatorship. The facsimile of literary argument in the complaint, however grotesque, has its uses. It gives us a taste of the atmosphere of menace that surely closes in on Pamuk as he sits down to work. And understanding the political and legal constraints he has to write around helps explain the feints and complications that make his fiction unsettling and often funny, but also hard to get through.

So here goes: It's the hero of the second part of *Nights of Plague*, Major Kâmil, whom Ülük objects to, saying he "mocks the figure of Atatürk." And this chunk of the novel is cartoonish. The Major, an expatriate, returns to Mingheria as the Princess's bodyguard. Plague has emptied the streets of everything but bodies. The sultan deluges Sami Pasha with telegrams that contravene his efforts at quarantine enforcement. So the Major takes it upon himself to shoot up the post office to stop all telegram traffic. After that, he accidentally starts a remarkably brief war of independence: a single spaghetti-Western-style scene during a meeting in Mingheria's fancy new State Hall. An important sheikh at the gathering misses the whole coup because he's in the bathroom inspecting its famous "quintessentially European" toilet bowls.

We now move from farce to mock epic. The Major ("a man whose actions would soon alter the destiny of the whole island") emerges as the first president of the sovereign nation of Mingheria. He strides to a balcony and waves a flag (actually a banner advertising personal-care products) before spellbound onlookers. The Major's walk to the balcony is swiftly turned into an oil painting modeled on Delacroix's *Liberty Leading the People*, which is then rendered onto tchotchkes "sold in the island's shops all the way through to the late 1930s." The Major makes a speech two days later, declaring, "I am a Mingherian!" It will be "fondly remembered—and tearfully recited—by every Mingherian citizen and anyone who has gone to school on the island."

Does Major Kâmil make a mockery of Atatürk? Knowing that Pamuk has had to anticipate this question gives the portentous tone of these chapters a different resonance. It is true that the Major resembles the late president in some particulars. Atatürk led a war of independence and gave a famous speech memorized by schoolchildren. His cult yielded mountains of kitsch—Atatürk buttons, watches, bumper stickers, T-shirts, shoes. Even 84 years after his death, his photograph appears in storefronts, restaurants, and private homes. Atatürk also led one of the most radical cultural revolutions in history, known as Kemalism. He resurrected myths from Turkey's pre-Islamic age, switched the Turkish alphabet from Islamic script to Latin letters, and outlawed the fez and turban in favor of Western hats, as well as ties and suits.

NIGHTS OF PLAGUE

Orhan Pamuk, translated by Ekin Oklap

KNOPF

The Major does something similar: He resuscitates the Mingherian language, revives Mingherian myths, renames streets. But there the likeness ends. In temperament and character, the fictional founder of modern Mingheria and the "Father Turk" (the literal translation of *Atatürk*) occupy different moral universes. Major Kâmil is an amateur—sweet, idealistic, and indifferent to his presidential duties. While members of his administration oversee a raid on a Muslim sect that resists quarantine, the Major lingers in his palace to research Mingherian names for the child his wife is about to bear. She contracts the plague instead, and the Major holds her in his arms until she dies, then dies himself. Atatürk, by contrast, was a professional from the get-go, a brilliant politician and ultimately a ruthless despot. He would not have martyred himself for love.

Pamuk has given the Major plausible deniability. But *Nights of Plague* is unmistakably satire and allegory. Its mordant riffs on Ottoman, revolutionary, and nationalist styles of leadership do amount to a critique of Atatürk, Kemalism, and even President Erdoğan's government—just not in a single character.

To parse a Pamuk novel, you can't focus exclusively on plot. You have to pay close attention to how the story is told. Pamuk sets fictions inside metafictions: His narrators explain how they found the letters or manuscript on which they will base their tale, only to undermine that claim with offhand revelations and jarring changes of tone. By the end of a Pamuk novel, the scaffolding established at the beginning has usually collapsed, leaving readers dangling in midair.

So we should not be surprised to find that the narrator of *Nights of Plague*, a contemporary historian of Mingheria with the Dickensian name of Mîna Mingher who comes off as relatively normal at first, grows ever loopier. She says she is writing a historical novel, but intermittently forgets that she's making things up and pedantically cites sources. She drapes all things Mingherian in a cloak of radiance, especially the Major—except when she lets it fall away. She writes that he was loved like a father even before the uprising: "People looking out at the street from their windows were often impressed by the sight of the Major walking past in his uniform, and felt that they could trust him." But a few pages later, they "taunt him, or tease him, or pretend to be respectful only to sneer at him the next moment."

The final third of the novel explores strongman rule in Mingheria, and brings the pressures contorting the narrative into focus. After the Major's death and the two short-lived administrations that follow, the island comes under the sway of one leader for

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31 years. He is Mazhar Effendi, who served as "Chief Scrutineer"—chief spy—in the time of Sami Pasha. He ascends to the presidency in a coup so subtle, it goes all but unnoticed.

President Mazhar cements power by turning the tale of Major Kâmil into both an origin myth and a sophisticated nationalist ideology. At President Mazhar's inauguration, "the most meticulously organized political pageant … in the island's history," students wave Mingherian flags and village girls perform Mingherian folk dances in Mingherian costumes. Later, he has thousands of photographs of the Major and his wife distributed. A much-embroidered-upon account of their romance and marriage goes into children's books and textbooks: If President Mazhar can present himself as the guardian of the Major's legacy, he can get away with whatever he wants.

What he wants is to consolidate power, and on that subject, Mîna Mingher is openly bitter. "Those who have expressed reservations about these myths, suggested they might be contrived, or even simply joked about their exaggerations, have often ended up in prison," she observes. Indeed, President Mazhar "would use prisons, labor camps, and other similar methods to subjugate the island's liberals, its pro-Turkish and pro-Greek factions … and he would also put together a powerful army." Eight decades later, his successors kick Mingher off the island for 21 years. Perhaps she had been too blunt in her protests against the regime; perhaps she had committed other offenses. In any case, she returns, and in the book that she finishes in 2017, she is careful to pay homage to the cult of the Major and the glorious state of Mingheria.

In short, section three reframes section two. In retrospect, Mingher's shambolic prose looks like preemptive self-defense. The same can be said of Pamuk's cagey style. In a press release put out by his Turkish publisher after *Nights of Plague* came under attack, Pamuk says that the Major "is a hero of many virtues who is loved by the public," and therefore not meant to lampoon the late Turkish president. Maybe. Or maybe Pamuk tricked his tormentors into fingering the wrong guy. Do they grasp that the authoritarian President Mazhar is the leader who comes closest to insulting Atatürk? After all, they *like* Atatürkian autocrats. We can be sure that they lack the finesse to grasp that novels tell their stories slant. How do we know a legitimate government from a dictatorship? Pamuk has built a maze around the answer, and that's an answer in itself. *A*

Judith Shulevitz is a contributing writer at The Atlantic *and the author of* The Sabbath World: Glimpses of a Different Order of Time.

String
By Daniel Halpern

Think about it, a piece of plain string,
any length, a piece of hemp, a strand of
bright orange strangleweed, north
to south, east to west, tie, bind,
or hang according to our gravity.

Of any color, green, indigo, black,
or white. You think of a piece of string mostly
white wrapped around a ball of its own kind.

I read of a falconer trying to trap a hawk.
She fashions a noose of twine
around the feathered body of a live blackbird
then hides in the woods with the end of the string
in her hands—and if the hawk takes the blackbird
she will pull the loop over the bait-bird's feathers
to catch the hawk by its legs.

A special knot that hawks and string
must contend with. What is a string,
what is a hawk on a gossamer of air,
what is a predator knot without
the straight extension of string,
of any color, doubling back
on itself, then back on itself
if she is able to catch the blackbird?

Daniel Halpern is the founder and publisher of Ecco and the author of nine books of poetry, including Something Shining *(1999). He is currently an executive editor at Knopf.*

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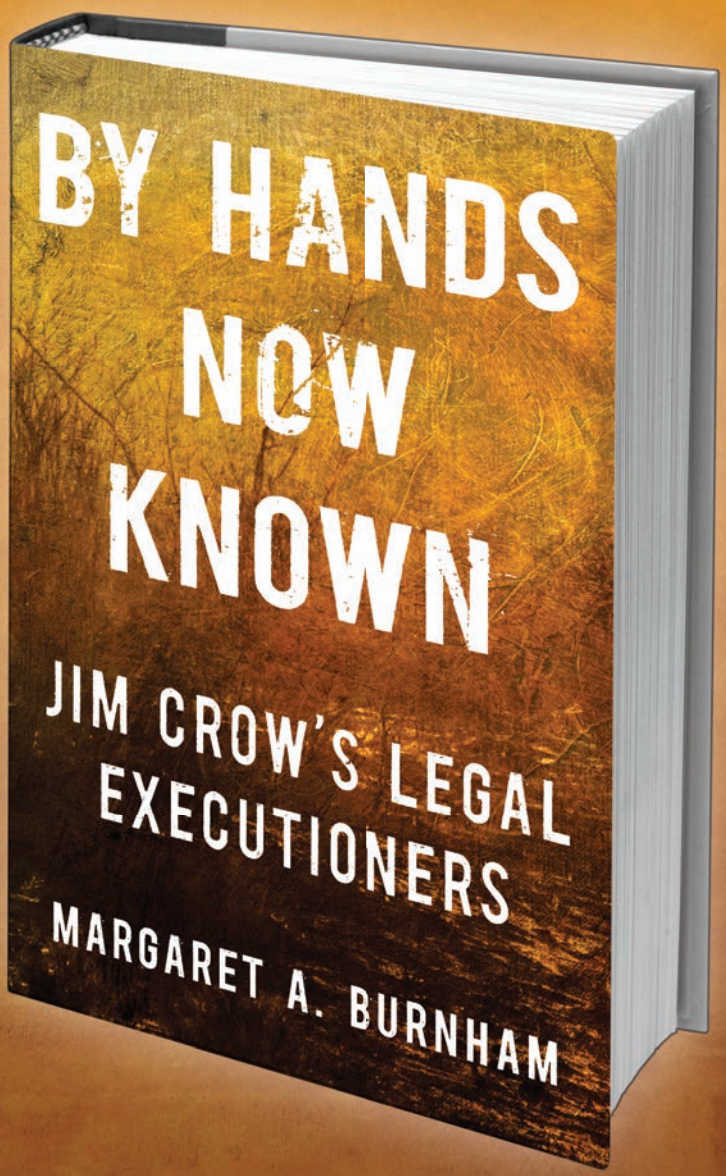

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Getting Up

By
Oliver
Munday

"Steve."
There is a pause.
"Steve."
The tiny voice is
adamant, frustrated.
"Steeeeeeeeve."
The man does not
look up.
"Steve. Steve.
Steve," she chants.
It is early—
always early.
Carter, his
daughter, laughs.
"You're Steve."
That his name is
Haiden has ceased

to matter. He would love, simply, to go by Dad, or Daddy, but since her third birthday weeks ago, Carter has been stubborn—or dedicated, depending on his vantage. At first Haiden balked at being called Steve. He was mortified by the comparison to a goofy kids' YouTuber who seemed only to bald and pudge further in each new clip. Haiden gave up once he realized that Carter's commitment was hitched to any frustration he expressed. And anyway, a kid wouldn't think of it as a daily compromise of identity, would she?

Light sprays in through the living-room window, misted with dust, turning the old wood floor golden. Haiden imagines the sun as a tiny hole in a faraway nozzle. He shuts his eyes. His wife, Hannah, is asleep in the next room; every room in their small apartment is the next room. Since Carter was nine months old, Haiden has been the one to get up with her each day and watch her until the nanny arrives. Hannah's job is demanding, more important and more lucrative than his. The morning is his shift, his half of the parenting peace agreement. The morning is a trial of not counting down the minutes and trying to be present.

"Da—" Carter catches herself. "Steve." She pauses, leaning over to reach beneath the couch and grab the new toy that her aunt, Hannah's sister, sent recently. A light-up drawing board that's impossible to clean. "Let's draw."

"Draw—now?" He's tired. "Why?"

"Because," she says. The word sounds like "peecuz," a quirk in her speech he knows he will miss later. She smears a strand of hair out of her face with the heel of her hand, holding out a peach-colored marker with the other.

He sits up, regretting his question. "Of course we can. What should we draw?"

"You draw something." Carter jabs the marker at him.

He takes it, and she flicks the background light off and on. She stares at his hand. He uncaps the marker, puts the tip against the board, and quickly picks it back up.

"Please? Steve?"

He stares at the drawing board once more. Streaks are smudged along the plastic. Again, nothing comes to him.

ON THE LIVING-ROOM COUCH during sleepless nights, Haiden is limited to activities that don't require light, lest the glare reach through the gaps in Carter's blackout curtains on her French doors and wake her. This has never happened, but in the unlikely event that it did, he would be fucked.

Tonight he lets an arm hang from the side of the couch. He feels a pull across his chest, a reminder that he should exercise, a reminder that he ignores. He thinks about listening to music or skimming the news on his phone's dimmed screen, but he's bored of both. On the floor, beneath his knuckle, he feels something smooth. He grazes it—a marker from Carter's drawing board. He lifts and twirls it gently between his fingers, watching the slender beam of plastic in the dark.

Turning to lean half off the cushion, the blood rushing to his head, he reaches down and pulls out the drawing board. He won't turn its light on, of course, but his eyesight has adjusted to the darkness. The surface looks clean, though he knows it's not, the way concrete walls in the city sometimes appear pristine at night. When he was younger, much younger, he loved how an alley wall looked under moonlight: the fine grain of concrete or coarse mortar, the scent of spray paint filling his nose. When he'd first started writing graffiti, he'd used latex gloves to hide the traces. Eventually he stopped because he enjoyed the constellation of color on his fingers the next morning. Loved scratching it away. If he was out tagging long enough, he could pick flecks of color from the hairs in his nostrils.

Haiden uncaps the pen. The letters flow out seamlessly. The word is more familiar even than his signature: *Moat*. He follows the angled line from *M* to *o*, and the *o* as it swoops to form a lowercase *a*, tracks the tail of the *a* as it runs up to form the *t*, a final connection that had taken months to master. Haiden observes the tag in wonder—his tag—unwritten for more than 20 years. When he was a teenager, the word was arbitrary; the beauty of the tag lay in how each letter connected. It is now, he thinks, more precise and more refined than it used to be. It feels orchestrated and alive. He's impressed by his mind's retention. The muscle memory.

He gets up from the couch and creeps to the bathroom, board under his arm, pen in hand. Carefully, he shuts the door; the toilet seat is cold through his briefs. He turns the board's light on, imagining a billboard along a highway, lit under a heavy sky, a blank wall freshly painted. Fear had ruled him once—fear of police, of rival graffiti writers, of those who were fearless—but now he remembers the speed with which he would loop those shiny black letters along a wall, a roof, a mailbox.

He wets some toilet paper and begins to scrawl and wipe, scrawl and wipe. He fills the board, which is not so unlike how he spends his days, a production artist tracing his pen against a digital tablet, enhancing the work of others. But this is different. He's struck by how unthinking it is to get his tag down, though "getting up" is the term of art. This tag is him, not even the word itself so much as the motion and expression of it.

Haiden hears a noise outside the closed door. He goes still, turning his head to listen. A shadow moves along the wall through the door's frosted glass. Then a knock.

He panics. "I'm in here."

"Are you okay?" Hannah's voice is muted through the door.

"I'm—" Maybe she imagines him masturbating, but sitting on the toilet with his daughter's drawing board is somehow worse, more alarming. "Almost done," he says. He watches her hazy form.

"I need to pee."

"One sec." Haiden turns on the faucet and lowers the board carefully into the tub. He will retrieve it in the morning when he's up with Carter.

He opens the door and smiles at Hannah. Her new haircut, much shorter and brushing her chin, is sexier for its messiness. As he attempts to inch past her, she reaches out and grabs his forearm. She pulls him back and kisses him with gently parted lips. His eyes close reflexively.

"I'm gonna wash," she says. "Wait up for me."

In the bedroom, the floor is cold beneath his feet. He finds a condom on a shelf above the headboard and sits on the bed. The blood inside him is a bifurcated stream pumping to his heart and his groin.

Hannah comes back into the room naked, leans over her side of the bed and reaches into the bin below for lubrication. She's used the cream since giving birth; the need for it, he's decided, is no fault of his, but one of biology.

He tries not to watch her, wary of imposing additional pressure. Each second is immense, and his focus disrupts his desire. He reaches slowly for a pillow and covers himself. The dense stitching from one of the pillow's petals grazes his penis.

"Wait," Hannah says.

He clenches the pillow tighter.

"Fuck," she says. "Fuck," tossing the empty tube back into the bin. She falls back on the bed, facing away from him.

He is shocked by the volume of her voice. He watches a loose ripple of skin form along her ribs. His condom slips, slightly, from his wilting erection.

"We can still try?" she turns over to look up at him with large eyes.

He sits on the bed with the pillow on his lap in the same way the drawing board had been moments before.

"What?" she asks, palming his arm.

"Nothing."

"Haiden, I'm trying."

That her effort needs underscoring annoys him. That effort is needed at all. Arousal, like anger, should be pure and instantaneous. He knows this isn't fair. Still, he pulls away.

From the next room comes a noise, which may mean Carter's awake. He listens but hears nothing more. Hannah gets up and walks into the dark kitchen to open the fridge. She grabs a small container of orange juice as the light hits her bare thighs. She swigs the drink and her lips glisten with pulp.

IN THE MORNING, it's raining. The sound on the back of the AC unit is harsh. Somehow, when it pours, the apartment feels even smaller. Haiden stares at Carter's nude torso, her belly button a chickpea. He's on all fours; Carter wants to ride him around the living room like a horse.

"Steve," she says. "Go down."

He wonders which fate is worse—the horse's or Steve's. The answer, of course, doesn't matter. He will be both. He will be anything she needs him to be.

Her hands are warm on his neck, her weight a solace. Once, when she'd had a high fever, he'd sat with her in a rocking chair as she'd slept across his chest for hours.

"Giddyup!"

As they round the corner to the kitchen, they hear cautious knocking at the front door. Carter breathes in dramatically. Haiden is relieved by the distraction as she dismounts. He quickly slips her shirt over her head, and they approach the door down the hallway in mock suspicion.

"Dada Haiden, what's up?" It's Tony, their upstairs neighbor. His hair is long, tied in a ponytail, and his beard is dense. Both are dark. Tony's son, Markus, younger than Carter by three months, is behind Tony in the lobby of the apartment building. He appraises the many scooters and bikes parked below the staircase. Carter runs out the door, yelling his name repeatedly.

Haiden spots a shallow box of spray paint, covered by a translucent tarp. He bends down and traces a finger along a can, the curved rusting edge of metal.

"What's up, Dada Tony?" Haiden had found this greeting challenging at first, but now he's fond of it.

"We're going to the warehouse. You two want to join?"

Tony's warehouse, where he runs a small delivery company, is a spacious option for entertaining the kids on rainy days.

"Check with the boss?" Tony jokes, jutting his chin at the apartment behind Haiden.

This Saturday morning, Hannah would be grateful for a few more hours of sleep. The weather on Haiden's phone reports rain all day. "Give me a few minutes to pack up."

Haiden knows Tony's name isn't really Tony from the labels on his Amazon boxes in the lobby. Tony is from Kyrgyzstan. He speaks English with a heavy accent, but very well. Tony's wife, an Albanian woman, has Americanized his name for convenience, though she hasn't done the same for herself.

They ride to the warehouse in Tony's van, which Markus and now Carter refer to as the "broom-broom." Haiden does not own a broom-broom and has been reminded lately of the need for a broom-broom by both his wife and daughter.

"Look, Steve." Carter points out the window.

Through the dripping pane is the water tower rising in the distance. Carter notices it every time they're on the expressway. The first time she'd seen it, she'd described it as a toy rocket.

"The water tower, Markus," she says. Markus sits up in his car seat, yells out in recognition. Tony turns his head and grins through puffs from his vape pen.

The warehouse is cold. Water leaks from the corners of the ceiling, a patchwork of wood and corrugated metal. Carter is enticed by all the foreign materials and devices—brackets, shiny clamps, bolts the size of flashlights. A pile of pale two-by-fours rests beside a shelf, and Haiden thinks of the sled Tony built for Markus last winter. Long and sturdy with curved, cradled seats. Haiden had taken Markus and Carter out to a hill one school-canceled, snowy afternoon and was stopped by envious parents holding their kids' flimsy saucers.

On a bottom shelf, Haiden spots a shallow box of spray paint, covered by a translucent tarp. He bends down and traces a finger along a can, the curved rusting edge of metal. It's the famed brand of paint he used as a kid, the cans he'd buy with his allowance while claiming, to his friends, to have stolen them.

Tony steps up. "We had to make custom shipping containers." His voice is deep, raspy. "A wealthy customer wanted his shipments in black boxes, large black

boxes. Spray paint was easiest. We spent weeks building them. He's loyal, so I don't ask."

Haiden stands slowly. His hips are weak.

"You want it, old man?" Tony nudges the box of spray paint with the toe of his boot. "We haven't used them since." Whenever Tony notices Haiden noticing something, he offers it to him. This is true regardless of price or apparent worth. In the past, it has meant a VR headset and a mid-century chair. Haiden imagines these gestures pertaining to Kyrgyzstani culture somehow, an old-world traditionalism, because they're distinctly un-American.

"No, I—" Haiden pauses. "I used to spray-paint—write graffiti—when I was younger."

"The Soviets hated graffiti in my country," Tony says. "My brother used to write his name on his bed frame over and over; drove my parents crazy." He smiles at the ground, shakes his head as he does whenever he invokes his younger brother, after whom Markus is named. "Why did you stop?"

The honest answer strikes Haiden as one that Tony would scoff at. Writing graffiti is risky in every sense; kids he knew growing up had been jumped or jailed for it. "Grew out of it, I guess."

"You know Baudelaire? 'Genius means retrieving childhood at will.' You should continue."

Typically, Haiden would have laughed off Tony's advice, thought it facile, but he'd invoked Baudelaire. Haiden had never read Baudelaire.

Tony claps his hands. "Who wants to see magic?"

The kids dance in tight circles saying, "Me, me, me." Tony gives them both earplugs that look like candy corn. He fits safety goggles around their small, round heads. He warns them to stand back—Haiden, surprisingly, too—as he lowers a circular blade's teeth onto a piece of pipe. Sparks shoot outward as smoke rises from the metal. Carter's eyes are glossy, the sparks slipping along her pupils. She leans forward, hands on her knees.

"IT JUST makes sense," Hannah says. "Financial sense."

It is late—always late—and she has been offered another promotion. She and Haiden sit on the bed, not facing each other but side by side. They are both turned toward the wall, as if waiting for something to be projected onto it.

"I'm asking you to be open."

It's true that they would save money if Haiden cut back further at work; they'd no longer need the expensive full-time nanny. He could pick Carter up from preschool in the afternoons.

"Money can't be the only reason," Haiden says.

"Why are you so attached to your job all of a sudden?"

His attachment isn't to the job itself, but to the distraction it offers. He was never supposed to be a production artist for this long. Working for an ad agency had been a stopgap.

"You want to live in this box forever?" she asks.

He turns to the window, visualizing the magnolia tree waiting to bloom in someone else's yard. Maybe he's not ready, just yet, to think about moving, or buying a house, with the same degree of urgency.

"We need more space." She crawls her fingers toward him. "And besides, Carter loves being with you."

"I barely have any freedom left to give up." He feels pathetic, pleading with her.

"You'd be doing it for us."

Is he selfish? he wonders. He remembers, when he started going to work again after paternity leave, how Monday mornings began to feel like Friday nights, with all they promised.

"With this raise, we'll have a down payment in six months."

He is losing; he can feel it. He was losing even before he opened his mouth. She rubs his bare thigh in a way that feels infantilizing, though he knows she's trying.

"You'll have your moment."

"So you at least understand the moment isn't now." He is impatient, angry. "Don't dangle the hope of some improved future moment in front of me. It's pathetic."

Her tone loses its former warmth. "Pathetic for you or me?"

CARTER IS perched on Haiden's shoulders, her tender calves in his grip. As they leave the apartment building, she reaches to grab a metal pole in the scaffolding above. He adjusts his balance under the motion of her shifting weight.

"Steve," she says, twisting again, "it's Markus!"

Tony's van is double-parked down the block. The hazards are flashing, the sliding door open. Markus sits alone, feet dangling from the runner, eating gummy worms. This means Carter will want to join him.

"Where's Dada?" Haiden asks Markus.

"He'll be right back." Markus holds a yellow-and-green worm in the air, slick and chewed. Carter reaches for it.

Tony calls out sweetly to Carter as he approaches the van. He and Haiden bump fists. "Get in your seat, Markus." Tony turns to Haiden. "You two want a ride in the broom-broom?"

After dropping the kids off at preschool, Tony says he wants to show Haiden something. They return to the van and Tony offers to take him downtown, to work, after the detour. Haiden only now notices the cans of spray paint at the foot of the passenger seat. The labels are shinier than before. Hayden thinks that maybe Tony has cleaned them. He picks one up and inspects the tiny ribbed cap, rests his finger on the groove.

Tony instructs Haiden to bring the cans with him as he parks. They pass Tony's warehouse, rounding the corner through an alley. Tony opens a door the color of clay.

"Neighbor," Tony takes a pull from his vape. "He's a set designer but he left the space early. Said I can use it for another month or so. They will scrub the place after we're done."

This warehouse is huge, its walls smooth concrete, blank except for a few notations and measurements marked in wax pencil.

"Show me," Tony says, nodding his head at the wall.

"Show you what?"

"I want to see how you do it."

"Here?" Haiden demurs. "You're sure it's okay?"

Tony's laughter is raucous. It is almost cruel as it echoes. Haiden crouches beside the cans like a golfer gaming out a putt. He lifts one, shakes it, and the ball inside clacks against the tin. The sound sends a chill across his arms, his neck. He's forgotten how close to stand; he runs his palm across the wall, rubs dust between his fingers. He sprays a quick black line. The smell is sharp and expansive. He remembers, then, the special spray caps he'd ordered from a graffiti magazine as a kid. The night after the small, flat nozzles had arrived, he'd sneaked out to a nearby bridge that was closed for construction. He'd realized he had to return home, after hours of filling the bridge's hulking concrete columns, only when he saw the neon vest of a construction worker showing up as the sun rose.

He turns to look at Tony. He takes two steps back.

"What does it say?" Tony asks, tilting his head.

"Moat."

"Like a castle?"

Haiden nods.

Tony crosses his arms. "Continue," he says.

All that wall: The way surfaces take on fresh meaning once they're available to him—the experience comes back to Haiden. It's like seeing the world at a new frequency, like noticing a secret plane that very few people have access to.

He proceeds. He holds the cap down and slows his hand, allowing drips to form; splays the cap out for fat, diffuse letters. Each MOAT possesses its own quality, a distinctness amid the apparent uniformity of the pattern. A row emerges and Haiden wants to fill the entire wall, floor to ceiling.

Tony is eager to facilitate, running out to grab a ladder from his warehouse. Haiden then works vertically, slowly, to fill the upper portion of the wall. When Tony heads back outside to talk to one of his drivers, Haiden realizes he's now late for work. He doesn't bother pulling out his phone to email.

He stops, moving the ladder aside. He walks backwards to the opposite wall to take in his effort. He steps toward the center of the space, blurring his eyes and focusing. The smell makes him briefly light-headed. He looks down at his side, his hands flared with black.

"I CAN'T keep them waiting," she says.

Haiden knows he's pushing it. "It's fine."

"Fine—what's fine?"

Hannah strokes Carter's tawny head as Carter turns her drawing board right side up to study a recent doodle. The three of them are seated in the living room, which gives the conversation the air of a family meeting.

"Go for it," he says. "I'll cut back. It makes sense."

"So why do you seem down?"

"I'm saying it's fine."

"I don't want it to be fine, is the point. I want you to be happy. For me, at least."

Carter turns her head slightly to look at Haiden and then back at her drawing board. He'd always expected fatherhood to change him, and it had, certainly, yet it never managed to overrule his other selves.

"I know you think this is strictly about my career," Hannah continues, "but it's not. I've thought a ton about what this means for us. After everything. Think of a house—you can have a studio space, do whatever the hell you want in it."

He nods. It's not the worst thing to imagine.

"Think of how good it will be for Carter in the short term. She'll be so happy."

Carter looks sidelong at Haiden before sticking her tongue out and smiling.

HANNAH IS ASLEEP, scissoring the striped comforter between her legs. A gentle wheeze in her nose. Haiden looks at her chapped and almost-smiling mouth. He decides he's okay with his decision. Hannah had cried after they talked again, after Carter was down, her tears eased by the gratitude she expressed. This is worth something, he thinks.

Haiden can't remember the last time he lay awake in a state of true anticipation. Of readiness. The spray paint is in the hall closet, under the coats and behind the plastic tub with detergents and cleaners. He gets up and walks carefully across the old wood floor. He reaches into the closet and pulls a can free. Next, he eases open the front door and brings his shoes and jacket out into the hallway, resting them on the bench by the mailboxes. The radiator hisses as he pulls his gray beanie out of his pocket.

The darkness is muddy outside. The air cool. His shoulders are tight, the spot where his tension is stored. One benefit of cutting back at work is that he will no longer be hunched for hours every day.

A block away is the renovated movie theater, with its large exposed wall rising above the roof of its squat neighbor. He crosses the street, walks beneath the art deco marquee, wanders down to the alley's entrance. Two cars cruise by on the street, smoke blowing from the passenger window of one.

He's studied the various points of entry and exit while out with Carter: He must pull himself up onto a low window ledge and from there climb the fire escape. The ladder is flaking, and he regrets not bringing gloves, but without much trouble he makes his way up the metal stairs to the roof's edge. The view of the street makes him feel unsteady, so he shuts his eyes. The wind whips against his lids.

He looks up at the wall. Down the street, a dim light is on in Tony's apartment, a floor above his own. Haiden wishes he could send him some kind of signal. He wishes Tony could be his witness. From the ladder, he steps over the lip of the roof and then onto a dark swath of something, a loose panel among many scattered across the roof's surface. The ground beneath his feet is softer than he'd imagined.

Haiden walks a couple of yards, grabs the can from his coat pocket, and takes a wide step back to test the spray against the roof. He trips, his foot catching on the edge of one of the panels. He falls hard. The noise of the can against the roof seems conspicuously loud, and he remains flat on his back to stay out of sight. He feels a sharp pain in his elbow, some nerve-induced static along his forearm. After a minute, he rolls over and crawls to grab the can, resting his hands on it and then laying his head on his hands. There's not much ambient noise except the wind, the shimmering trees. He gets up to face the wall, spraying with speed. Then he jogs back to the fire escape.

His tag is a stark glyph in the morning light. It doesn't look as impressive as he'd hoped, but it's there.

"STEVE," her little voice says. "Look."

Carter has slipped her pants off for a third time and Haiden is verging on surrender.

He's tired. As he remembers the reason he didn't sleep, he's distracted momentarily from his fatigue. "Come on, we're gonna be late."

Carter is silent at first. "Fine," she says, which sounds like "foyne." (He will miss this later too.)

Haiden is surprised to hear Hannah moving in their bedroom. "Come on, Carter. Let's get going."

Carter's dress is tucked into the back of her pants and her feet are bare. He grabs a pair of socks from her closet and sticks them in his pocket, slipping her backpack from the hook beside the kitchen door. His hand is speckled with black.

The bedroom door opens, and Hannah's sleepy, slitted eyes focus on him. "Come here for a sec?" she says.

He hands Carter her balled socks with his hand, the clean one, aware he will have to adjust her socks later.

"Where did you go last night? I came out and you weren't on the couch."

"I was probably in the bathroom?" He turns to Carter. "You good with your socks, bud?"

"When you were back in bed you smelled … smelled like, I don't even know. Like paint."

Haiden's hand is hidden by Carter's sky-blue backpack at his side. "Paint?" he says. "What do you mean?"

Carter clues in. "I want to paint!"

Hannah furrows her brow. "Is this about my job?"

"You think I'm huffing fumes or something? I don't get it."

She watches him. "Radical honesty, remember?"

Carter walks past. "Bye, Mommy."

Hannah kisses her hair. She rubs a thumb across her forehead, smiling behind her dangling bangs. She turns to Haiden. "Whatever's going on—"

"Don't worry," he interrupts. "Grab some sleep." Before leaving, he blows a kiss through his balled fist. A love-dart gun, as he'd originally conceived of it.

Outside, his tag is a stark glyph in the morning light. It doesn't look as impressive as he'd hoped, but it's there. Carter, on his shoulders, has an ideal view of it. They walk to the corner and Haiden lingers, pretends to search for something inside his jacket. His elbow is sore.

"Go. Go." She bucks on his shoulders. "The light is green."

He stands straight up and positions her toward the theater, but Carter fails to notice. At school, he kneels to hang the backpack from her shoulders. She pulls the straps tight as Ms. Adrienne holds the door open.

"You forgot something," he says when Carter walks in. This is a game they play. She runs back out and hugs him, leans her head on his shoulder.

"Were you all painting?" Ms. Adrienne asks, nodding her curls at his hand.

"WHERE ARE YOU tonight, Moat?" Tony asks.

"You and I are grabbing drinks."

In the van, Haiden watches the graffiti pass by from the highway. It appears on distant billboards and shadowed underpasses. All the space seems vast.

"I didn't think you'd agree," Tony says.

Haiden doesn't read too much into the comment. He repositions his backpack at his feet. He's here, after all.

They exit down a ramp into industrial territory. Tony leans his head over the steering wheel and looks up through the windshield. He searches the tops of the buildings.

Haiden feels nervous suddenly.

"Almost there," Tony says.

They turn onto a long block of warehouses, a streetlight at the corner stuttering. Haiden thinks of Hannah sleeping, of Carter, but shakes off the images.

"You're quiet," Tony says.

"Mental preparation," he tries to joke.

Tony parks; the van sighs to silence.

"It's up there." Tony points to a tall concrete facade. "The water tower is on top."

Haiden realizes that he has only ever seen it from afar, driving by.

"There's some scaffolding," Tony says. "It blocks the view partially from the highway. Once the construction is complete, all the cars will see."

It feels real now, all of it. Haiden pulls his backpack onto his lap. They both scan the surroundings. "When you're up there, make sure the ladder is sturdy before you climb."

He grabs a pair of gloves and hands them to Haiden. Then he stops suddenly. Haiden stops too. They both listen to the distant sound of sirens.

Tony eyes Haiden, grabbing the key ring, still in the ignition, but doesn't turn it. The noise of the sirens grows jarringly loud before coming to a halt. Tony pulls his hand away and sits back. Lights flare faintly from the adjoining street.

He starts the van then and does a slow 180. At the corner, he makes a right turn and then another, driving past the street where police cars, two of them, have pulled up to a garage. Haiden can make out only one officer, leaning against his door, which is wedged open.

"What should we do?" Haiden asks quietly.

"Do?" Tony fishes his vape from the cup holder. "Go home."

"The cops won't be out there all night."

Tony looks at him with mild surprise. "There will be other nights."

"Can't we drive around, or go grab food and come back? What are the chances they return to this exact spot?"

"The police aren't lightning. It's possible."

"Think about it; it's probably safer for us that this happened."

"There could be more surveillance, backup. Who knows what the fuck goes on inside of that garage?"

Whatever it might be fails to compete with Haiden's adrenaline. To delay the momentum would be to threaten it completely. He leans back against the headrest.

"Dada Haiden," Tony reaches over and squeezes Haiden's shoulder. Haiden flinches from the pain, and shrinks away. "It doesn't have to be right now."

Haiden shuts his eyes and clenches his jaw. He rests his hand on the door's handle.

"You'll have your chance."

"Just let me out," he says. "Up here."

"What? No, man. No way."

"Just do it."

Tony stares at him, as if awaiting a punch line. "You're coming home with me."

Haiden is silent.

"Don't be crazy. Think about Carter."

At the stop sign, Haiden grabs his bag and hops out of the passenger seat. Slams the door. Tony rolls down the window and yells after him, but Haiden doesn't look back. He jogs down the street, listens for the van to pull away, which eventually it does.

He's cold now, unsure of where he's heading as he leaves the water tower behind. He pulls on the straps of his backpack. The exercise, should he decide to walk the three or maybe four miles home, will be useful. In the distance, an 18-wheeler passes by and gradually disappears on the elevated expressway. He flips on his hood, cinches it tight. The backpack bounces gently as he walks, and he can hear, just barely, the sound of the cans rattling inside it.

A few blocks ahead, Haiden notices a van slowly coming toward him. He takes a deep breath before registering Tony's face. Tony nods his head and parks.

The street is dark, and the only other car is parked on the opposite side. Haiden walks by the blue sedan, which looks like it's been sitting there for years.

Tony holds his hand out. "I want my own."

Haiden smiles. He unzips his bag and hands Tony a can, which Tony then tucks into the waistband of his pants.

There will be many surfaces for them to hit, lesser monuments than the water tower, but still. Haiden reaches into his pocket and feels the flat caps he ordered—for fat and skinny lines—pulls them out and opens his palm. A coin from Carter's toy cash register is mixed in, almost the exact shape and weight. His daughter is likely dreaming now. He won't have trouble making it back home before she's up. *A*

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ODE

— *to* —

CRYING BABIES

By James Parker

Crying baby,
I hear you.

I've got no choice but to hear you. You're 10 rows ahead of me in Economy, raging like Lear on the heath. *Blow, winds, and crack your cheeks!* You're challenging the gods, the elements, the injustice of life. You may also have gas.

Who is by your side as you arraign the universe? Who is with you at this ultimate moment? Lear had his Fool, and you have your parents. Wan, stretched, stooping presences. They loom over you uncertainly. Exhaustedly. Most horrible, with the last of their energy, they *bicker*: Even as they attend to you, they're saying quiet, vile things to each other. If they get divorced, crying baby, it's your fault.

But listen: I appreciate you. I appreciate your outspokenness. These bodies we're in, they're not always the greatest, are they? They itch, they sting, they ache, they bloat, they overheat. They feel weird. They get tired. They make us grumpy. (Which is, now that I think about it, another thing I appreciate about you: The old mind-body binary does not apply. You're all mood. Or all physicality. Your digestive system and your emotional life are basically the same thing.)

I once lived with a crying baby. He's 20 now. I used to come home from my job as a night baker at three in the morning, do a shot of whiskey, and fall into bed. An hour later he would wake me with his crying. I'd flounder out of bed, stumble toward his crib, and—quite often—faint. *Bam!* Out cold on the floor. Low blood pressure, as it turned out. Plus, you know, no sleep. The voice of the crying baby would wrench me imperiously from one form of oblivion to another.

Anyway—keep it up, little tyrant. You've got a lot of power, and no power at all. You're a tiny fist shaken at the heavens. Soon you'll be talking, and language will betray you. You'll say vague, helpless things and make bad jokes. But right now your protest is very direct, very effective. It's going right through my head. *A*

James Parker is a staff writer at The Atlantic.

I SERVE LUNCH AT MY CHILD'S SCHOOL, BUT STILL CAN'T AFFORD TO PUT FOOD ON OUR TABLE.

Melissa, Michigan

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