

Among the more famous of these was to embrace uncritically the testimony of Mark Fuhrman, the police detective who turned up evidence at the scene of the murder and at Simpson's house, and who incidentally happened to be a self-admitted sociopath with a long record of racist actions. Another was Clark's allowing the case to come to trial at warp speed, which played to the defense's advantage by cutting the time the prosecution had to gather evidence. Still another was Clark's locking her case to a time line that allowed no small variations, no margin for error, and that ultimately allowed the defense to cast doubt on her assertions.

Toobin shows that what Marcia Clark did not successfully do throughout the trial was to convey a sense of the preponderance of evidence of Simpson's guilt. He notes that the blood drops found on Nicole Simpson's stone pathway matched Simpson's type, which is shared by only seven percent of the American population. The blood on the infamous glove found behind Kato Kaelin's apartment, too, was a mix of Simpson's with that of his two victims. Those gloves, later the subject of an exquisitely stupid moment at the trial, were rare; Nicole had bought them, one of only a few hundred pairs made, for Simpson at a shop in New York City. Hair from the victims was found on the clothes Simpson had worn; so were fibers from their clothing. Prints from his shoes were discovered at the site of the murders. His Bronco was seen leaving the site of the crime at the estimated time of the murders. He had no alibi. He had a fresh cut, blood on his clothing, blood on his automobile. Although the initial prosecuting attorney, William Hodgman, wanted to amass further evidence to make the case airtight, his associates urged that Simpson be arrested immediately. Simpson failed a lie-detector test with a score of -24. Any score lower than -6 indicates that a suspect is lying. (F. Lee Bailey later explained this away unchallenged, maintaining that Simpson was emotionally distressed at the time of the test.)

But in this case, race—not evidence—was what mattered. Important, too, was celebrity, and in this case the celebrity of O.J. Simpson and his lawyers—Gerry Spence, Alan Dershowitz, F. Lee Bailey, Robert Shapiro, and Johnnie Cochran (in Toobin's eyes the best of the lot)—who were in the main more famous for being famous than they were for being

great attorneys. None of those lawyers bought their own lines. All exhibited what one distinguished jurist calls "the indifference to truth that advocacy entails."

Toobin offers substantial testimony to these lawyers' cynicism: the defense's readiness to plea-bargain for lesser charges the moment the evidence threatened to turn the jury against Simpson; Robert Shapiro's wife Linell's cheerfully announcing at cocktail parties, "Guilty, guilty, guilty"; Alan Dershowitz's equally cheerful admission, "Almost all of my clients have been guilty"; and Johnnie Cochran's building throughout the trial "a Potemkin village of assertions." Cochran's masterful construction of an alternate reality, Toobin says, is what truly won the day for Simpson. "There was nothing beneath the rhetoric. No matter; the evidence mattered less than what Cochran said it would be. He had planted the seeds: the LAPD was corrupt; O.J. was virtuous; Nicole deserved what she got."

An implausible defense matched with a jury predisposed to acquit (three-quarters of those jurors, Toobin reports, believed Simpson to be innocent because he was a football player, and football players don't murder people), an incompetent prosecution, an even more incompetent judge whom the defense beat like a stolen mule: these things, Toobin writes in this sadly damning book, conspired to set O.J. Simpson free.

*Gregory McNamee's latest book is the Sierra Club Desert Reader.*

## The Washington Touch

by Sol Schindler

Origins of a Catastrophe

by Warren Zimmermann

New York: Times Books;

257 pp., \$25.00



Warren Zimmermann was the last American Ambassador to Yugoslavia (from 1989 to 1992), and his memoir is of historical interest, but not for reasons the author intended. When Warren Zimmermann arrived in Bel-

grade in 1989, Yugoslavia was still a federation of six republics with a federal cabinet and government. Because of the changes brought about by the new constitution of 1974, the centers of power had shifted from the federal to the republican administrations. Thus the new ambassador presented his credentials not only to the federal president, but called upon the presidents of all the republics, the sole exception being Serbia. It took nearly a year—halfway through a normal diplomatic tour—before he could get an appointment to meet Slobodan Milosevic, the Serbian president.

This extraordinary delay could only be construed as a calculated insult. But why would the Serbian president want to antagonize the ambassador of the most powerful country on earth, a country that had through the years extended economic aid and worked continuously to maintain good relations with Yugoslavia? It is clear from his account that well before his arrival in Yugoslavia, Ambassador Zimmermann was deeply concerned about the human rights situation in Kosovo, where ethnic Albanians were in the majority and felt abused by the ruling Serbian government. After his arrival he expressed his concerns about the Albanians to a number of highly placed Yugoslavs who, of course, reported them to Milosevic. He in turn would certainly have resented what he considered American meddling in internal Yugoslav affairs. When the ambassador was invited to the commemoration of the 600th anniversary of the Battle of Kosovo, the battle in which medieval Serbia lost its independence and which had been a national day of mourning since, he had not yet been allowed to call on Milosevic. He therefore declined the invitation. He "made no effort to influence" the decisions of others, but actions speak louder than words, and, as a result, all the European ambassadors also declined. This rather puerile game of tit for tat, snub for snub, benefited no one. It was not the way a diplomat would like to begin a tour abroad.

Zimmermann tries to discredit the notion that ancient ethnic hatreds caused the civil war, arguing that Yugoslavia was formed originally as a voluntary association of south Slavs, with certain religious and linguistic differences that caused no particular strife. He is, of course, correct. He fails to mention, however, the massacres of Serbs and Croats and Muslims during World War

II. The hatreds they aroused, though not ancient, were easily rekindled.

He identifies the decentralizing constitution of 1974 as a contributing factor in the country's dissolution; it made the federal government virtually impotent and unable to govern. Unfortunately, he reflects on the point almost as an aside, as if to show he has read and agrees with Susan Woodward's *Balkan Tragedy*. What he does state categorically, however, is that "the prime agent of Yugoslavia's destruction was Slobodan Milosevic" with assistance from Franjo Tudjman. History is filled with imperfect players, and to put the blame for Yugoslavia's demise on two individuals, though as a device it might work in a Shakespearean play, is naive. And while the collapse of a country can be laid to the faults of its inhabitants, we read (one would hope) the ambassador's book not to marvel at the failings of the south Slavs but to learn something about American foreign policy: how the United States behaves under certain circumstances, and how it should behave.

Our policy in those days assumed that, for the benefit of its inhabitants, and for the peace and security of Europe, Yugoslavia should remain one country. Most Yugoslavs agreed. The author, for one, was convinced that unity and democracy had to go together, but he feared that unity meant coercive Serbian hegemony, with a loss of democracy in other republics. Encouraging democracy in Slovenia and Croatia, he felt, would mean the breakup of the country, and possible war. Our policy, then, became one of hoping for the best while watching from the sidelines. Most disturbing was America's lack of vision during these critical years: our inability to see beyond the present, and our passivity in the face of dangerous developments.

One could say that, given the rising tensions within Yugoslavia, dissolution was inevitable. One could also say that, given the economic limitations of such small entities as the six republics, which are bound to provoke popular discontent, some sort of union is inevitable. As Zimmermann predicted, civil war followed the declarations of independence.

With the commencement of hostilities the ambassador's position was completely reversed. When the Yugoslav National Army began shelling Croatian cities, he called for armed intervention. This was in sharp contrast to his belief while still in Washington that with the

ending of the Cold War Yugoslavia's importance had diminished, that the United States would not fight to preserve Yugoslav unity. He was also, of course, among the first to call for armed intervention in Bosnia.

These paradoxes of policy (the unity of Yugoslavia is not worth fighting for, the unity of Croatia is; it is legitimate for Bosnia to secede from Yugoslavia, but not for Serbian areas to secede from Bosnia) go unexplained, even unnoticed, and in the book much goes unexplained. Actions proceed from unarticulated assumptions. There is an underlying naiveté about the account that is highly unsettling.

The demise of Yugoslavia was a low point in international diplomacy, both European and American. It is difficult, and possibly unfair, to say that we could have done better; but it is even more difficult to say we could have done worse.

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## To the Lighthouse

by Loxley F. Nichols

The Fennel Family Papers

by William Baldwin

Chapel Hill: Algonquin Books;

284 pp., \$19.95



When Camilla, the elderly spinster daughter of the infamous Captain Jack Fennel and matriarch of the Fennel family, sees her house guest holding an antique spyglass, she comments, "My father's glass, Dr. Danvers. Are you planning a voyage?" Actually, the voyage is already underway for the young history professor who shows symptoms of seasickness the moment he steps into the Fennel house. In this house that is literally a land ship, constructed "every post and lintel" from the debris of shipwrecks off Dog Tooth Shoal, everything is awry from the wavy floors and unplumbed joints to the ideas and actions of the eccentric Fennels. Upon discovering that Ginny Fennel, a student in his class, is a descendant of the illustrious Fennels, Paul Danvers sets out to gain tenure by using the girl to get to and publish the

private family papers. However, when he actually arrives in Port Ulacca, South Carolina, to examine the logbooks of this family of lighthouse keepers, his travels take him on a journey through time and experience that is quite different from what he had anticipated.

Like *The Hard to Catch Mercy*, Mr. Baldwin's previous novel which won the William Smith Award in 1993, *The Fennel Family Papers* is an initiation story. Although Paul Danvers has been awarded his doctorate and is teaching history at the state university, he is illiterate, immature, and insubstantial—a mere ghost of a man. Ignorant, inexperienced, and inept, Paul Danvers embodies the worst of what we think about college professors. A textbook example of "those who can't," it is only Paul's utter dissociation from everything and everyone, and his acute awareness of his deficiencies, that render him salvageable.

At the onset of his week with the Fennels, Paul is impervious to beauty and ignorant of violence. He does not recognize, nor does he know how to respond to, Camilla's recitation of Wordsworth, and he cannot fathom Ginny's mother's love for her flower garden. As unsteady as he is inside this house, Paul feels more comfortable indoors than out, and he is no less than horrified when asked to help with the slaughter of a chicken for supper:

The idea that they would eat an animal that was at that very moment alive and running in the backyard made him uneasy.

'You thought chickens came from meat counters, didn't you?'

Paul shook his head no, but she was right—he did.

Terrorized by the witchcraft of Da Bena, the family cook, and brutalized at the hands of Leroy Ramona, Ginny's homicidal uncle, Paul suffers damage to both his physical and sartorial person—the tweed jacket with chamois elbow patches, the flannel trousers, the pipe are destroyed or discarded one by one, as his hands, feet, and eyes sustain various breaks and lacerations. Acute physical and emotional suffering, however, is for Paul ultimately benevolent and even necessary. For what he loses is irrelevant or false, and what he gains is courage, insight, and wisdom. Goaded past irritation he discovers for the first time true anger and laughter; stripped of affecta-