

of the death sentence, even though at the time Missouri had not put a person to death in nearly a quarter of a century. Significantly, the latter had professed his innocence until the death-qualified jury was actually in place. Deals may also include agreements by the criminals to testify against comrades. Obviously, the death statutes have clout even when they are not used for their intended purpose.

Obviously also, a prosecutor without the death penalty backing him has less to bargain with. In states without a death penalty, perpetrators of grisly murders are more likely to go to trial or plea bargain for much less proportionate punishment. Trial means expending untold sums and energy, risking reversible trial error, and fretting over witness and jury unpredictability, in order, if the state is lucky, to get the results Missouri got more easily in the cases mentioned above.

The outcome in the Missouri cases has its unsatisfactory side. The evidence suggests that both murderers not only killed for thrills but tortured as well, and the state had reliable witnesses who were willing to say so. The death sentence for these men, assuming a trial with no surprises, was an absolute certainty. Now these criminals can be expected to live a long life at the taxpayers' expense. But such was probably the case even if these criminals had been sentenced to death.

Why, then, does the mere existence of these statutes set off the anti-death penalty crowd like nothing else? In my limited experience, the answer is that some people are uncomfortable with the notion of *any* type of serious punishment for the violent, especially life prison terms. These are the people who write letters to the editor of their local paper reminding us that most murderers were abused as children and economically deprived. Maybe. Maybe not. It has been my observation that most violent criminals are compulsive liars, in addition to everything else.

Some lawyers will describe their clients as victims of circumstances—given too easy access to alcohol and weapons at the same time, for example. These lawyers indicate further that they blame the prison environment for the ever-apparent deficiencies in their clients' characters. Recently, I was describing to a public defender the utter

depravity of one of my clients, who is seeking post-conviction relief. This lawyer opposes the death penalty and, judging from her lapel button, favors peace and justice in Central America. She told me that my point of view was understandable, but that I must realize that post-conviction relief clients have been in a poisoned environment for a while and that the prison experience is the cause of their appalling nastiness. "When they first get to prison, they're really nice," she said. "Even murderers are nice."

*Betsy Clarke is a public defender in Columbia, Missouri.*

## LETTERS



### Writing in the Tolstoy Tradition by Sally S. Wright

"I always wanted to be a writer. I can remember the first book I ever wrote when I was very little. I wrote the title and the index, but I didn't actually get 'round to the contents." Nikolai Tolstoy laughs and leans back, trying to fit his extremely long legs under my dining room table.

Count Nikolai Tolstoy, who considers himself a Celtic scholar whose specialty is the study of Merlin, was in this country to receive an award from the USIC Educational Foundation in Washington in recognition of that part of his writing that examines the forced repatriation of Russian soldiers at the end of World War II.

He's an extremely tall fifty-three-year-old Russian émigré, born and raised in England, who never heard the Revolution mentioned in his own home and has ambivalent views about aristocrats. He's a countryman whose chickens escape and whose roof leaks, who keeps donkeys that have been left in his paddock, and enjoys the occasional sword fight with his small son. He ran into Tintern Abbey the last time he tried to drive. He laughs easily, and talked to me for four days without avoiding a question.

When I asked how he felt about aristocrats, he said, "In my personal case, I think it's a great advantage because, being obsessed by history, one knows so much more about one's ancestors, and it makes one feel in some way very much part of that unfolding process.

"But as a political institution, I have very ambivalent views. A code of honor, it seems to me, is really part of the definition of an aristocracy. Hereditary titles are all very well, but that's just a name. And I have very mixed feelings in England, where too many of the aristocracy (and they vary greatly) are people simply living on their name and what inherited wealth they've got. I feel extremely hostile to the youth of a privileged class which abuses that privilege and arrogantly exalts things which, in fact, they never earned and would be incapable of earning themselves. Indeed, all the more duty do you have, and the higher expectation of what you should set out to achieve, because you've started off with so great an advantage."

His grandfather was Leo Tolstoy's cousin, and although Nikolai considers *War and Peace* "one of the most extraordinary literary achievements ever written," he also finds "the philosophy of history as expressed in the book unconvincing and artificial." And unlike most writers, he thinks "one of the curses of literature in the 20th century is the enormous prestige which is placed on the artist and the writer."

His own writing has taken a circuitous route that started when he was a very small boy being shuffled from one boarding school to another during the Blitz, when there was reason to lose himself in the pleasures of historical novels. They remained "a serious absorption" until he was at least 20,



The Toledo Blade

Merlin scholar Nikolai Tolstoy will soon go to trial to defend charges he has made that the Macmillan government participated in atrocities in Austria in 1945.

although they became increasingly dissatisfying. "So then I began to read history. And I went to the other extreme — the more footnotes per page, the happier I was. But when I was reading these works and doing this scholarship, which still delights me, and is my major delight, I can see that I was in a way writing my own historical novel, because in my mind pictures formed of the past."

Tolstoy pursued Celtic studies at Trinity College, Dublin (learning Welsh and Irish to study the early sources), and it was then that he began writing a book on 5th- and 6th-century Britain. "My great work, as it was supposed to be, was started when I was still at university. It was going to be the mightiest novel of all time, but it was very bad." He worked on it for years until "this manuscript, which was a sort of summation of everything I'd worked for, was literally burnt in a fire," when his 17th-century Welsh farmhouse burned to the ground. "That was almost God taking me by the hand and

saying, 'Everything you're doing is wrong. It's not wrong that you wish to do this thing, but you are going about it in the wrong way.' All that was saved were the source books I had to have to work on it again. But in essence it destroyed what needed destroying and set me up again, which was astonishing.

"And then really by chance I was caught up into this business of forced repatriation." At the end of World War II, thousands of Soviet citizens fled the Soviet Union, only to be forced back by the British and Americans as a result of the Yalta agreement. The repatriates were then exterminated or sent to Soviet labor camps. "The material was absolutely fascinating, but when the book was finished it was very bad. It was written in a grotesquely intemperate style, because I was so agitated about the subject. But I luckily had a very good editor and he just told me, 'You've got to reduce this book about a third.' I was furious at the time, but I somehow did it. Then luckily the book (*Victims of Yalta*) was so successful, that then I was suddenly in at the deep end, and had no problem finding publishers."

He wrote a biography of Thomas Pitt and several other books on the Soviet Union, but, he says, "At the time, I wasn't satisfied with what I was doing." And then he wrote *The Tolstoy: Twenty-Four Generations of Russian History*.

His is no ordinary family. The records start in the 14th century, but "tolstoy" (which means "fat") wasn't used till the 15th, when a Muscovite prince awarded it as a nickname.

In 1718, Privy Councillor Peter Tolstoy was compelled by Tsar Peter the Great to arrange the secret death of the tsar's son, Aleksey, who cursed the Tolstoy family to the 25th generation, saying there would be madmen and idiots in every generation as well as individuals of exceptional ability.

Certainly it's been an unusually energetic and eccentric family. One revered Tolstoy general went into battle in the Napoleonic wars accompanied by three fully-grown pet bears, which also ate at his table and traveled in a carriage.

Fyodor Ivanovitch Tolstoy had himself tattooed from head to foot on a Pacific island (where he trained the

king to crawl at his side and rush into the ocean after a stick whenever he cried "Fetch!"). When he began inciting the ship's crew to mutiny, the captain abandoned him on a deserted island, where he became lost, but had a vision of St. Spyridon which directed him to safety. Years later, he attracted a ship, walked across Siberia, and took up his career again in Moscow as a duelist and card cheat. He distinguished himself in two wars, married the gypsy mistress who'd kept him from killing himself over his gambling debts, became extremely devout, and finally stopped cheating at cards. His children died at an alarming rate, and he took to carrying a list of the 11 men he'd killed in duels, so that as each child died at birth or in infancy, he crossed off a name and wrote "quits." When the eleventh child died and the twelfth was born, he said, "Now, thank God, my little gypsy maid can live." Which she did, unlike the rest.

Other Tolstoy were less flamboyant, becoming state councillors and governors and cabinet ministers, while one was the greatest painter of his generation. Aleksey Konstantinovich was a lyric poet and playwright who drove nails into walls with his palms, while his cousin, Lev Nikolayevich (whom we know as Leo) could lift 180 pounds with one hand.

Like many Tolstoy, Leo, the author of *War and Peace*, *Anna Karenina*, and *The Cossacks*, was driven by intense sexual desire, and while he came to endorse celibacy as the enlightened path, he couldn't live by his precepts, bestowing 13 children on his long-suffering wife. He ultimately rejected material possessions and all the institutions of man, developing his own idiosyncratic interpretation of the Bible and living on his country estate as much like his peasants as possible.

His cousin was raised totally apart from the family, and yet Aleksey Nikolayevich came to be revered for his noble antecedents. Even Stalin called his pet aristocrat "Count," perhaps in appreciation of the literary underpinnings A.N. provided the Revolution in the 30's and 40's. He became an art collector and gourmand, who entertained lavishly in his Moscow and Leningrad mansions as well as the country estates the party also provided, and who exhorted all Russians to die

rather than surrender to the Nazis—as his chauffeur packed his paintings and drove him to the safety of Tashkent.

The rest of the Tolstoy family had long since been killed, imprisoned, or exiled. Nikolai's father had escaped as a boy, after having been chased by the Cheka from Kazan to Moscow, where his English nurse, with the help of an English Anglican priest, smuggled him out as a British citizen.

"Even now, my father doesn't speak about it. I think it had some traumatic effect upon him. And so I can remember when I first heard about the Revolution, which was when a boy at my school told me about Red and White Russians. But I don't think that had very much effect on me straight away. I was always very touched and attracted to the old Russia, from seeing it around me in the homes of relatives we visited. But the political context of it I more or less learned as a later thing. In a funny way, it seems to have made me feel more intensively about these things. It's a whole society and civilization that's really vanished now, and the very few survivors will soon be dead, and so I felt very great interest. But I think my circumstances have been lucky for me, that I'm able to look at Russia, and admire, and be enthralled by things, but to do it at a distance."

It was because of his interest in Russia (and the number of mouths he has to feed in his own family) that Nikolai wrote several books on Soviet society early in his career. But when his editor gave him an opportunity to write for pleasure, he wrote a scholarly investigation called *The Quest for Merlin*, in which he traces every known historical reference to Merlin. The scholarship gets extremely complicated, the simplified version being that Merlin was a Welsh bard who lived in the 6th century. The early Welsh believed that he prophesied the fortunes and the kings of Britain and influenced the land's destiny much the way Prospero oversees his island in *The Tempest*. Merlin's king was not called Arthur, but Gwenddolau, and when he died in battle in 573, Merlin became mad with grief and fled to the Forest of Caledonia north of Hadrian's wall.

Even after Tolstoy had finished his scholarly book, he was still fascinated by Merlin. "I'd gone as far as I could go pursuing these sources, and three

people will read it, and I don't know that it gets you anywhere. So suddenly I said, 'Why not instead of that, sit down and write what I actually think took place?' Although I'd come to think of an historical novel as a sort of watered-down version of the real thing."

And yet now, having written *The Coming of the King* (which will be published this month in America by Bantam) as the first in a trilogy of Merlin novels, and having found the process fascinating, Tolstoy doesn't plan to write nonfiction in the future.

"I entered on this rather desperate venture quite recently. The poor Tolstoy household was financially in very bad straits indeed, but I thought if I don't write it now I never will, and I sat down and wrote what claimed to be the autobiography of Merlin. There was no more money coming in at this stage, and there had been a certain interview with the bank manager which had been very polite and friendly, but had, for me, grim undertones. But then the American publishers offered an unbelievable sum, for us, which in the end, I think, with hard work, will get us out of it all.

"The whole basis is the historical Merlin in the context of the 6th century, and it's actually a very fascinating period with many lessons for our own time—not the least of which is that many people who lament the age in which we live might do worse than to look back to the 6th century, and indeed might find an age not very dissimilar to our own. Those who go 'round with long faces explaining that they're living under the shadow of the bomb, for instance, might like to see what it was like to live under the shadow of the bubonic plague. As far as I can see, it was very much worse. It was a time when a whole civilized society seemed to be breaking up and where there were just small heroic groups of people attempting to preserve something of civilization. I hope in the form of a novel that these messages can be brought to a much wider and a different audience than that which I would gain by continuing to bore my fellow Celtic scholars at the Universities of Cardiff and Edinburgh.

"Of course the 6th century was a time when Christianity was becoming established in Britain, but paganism, as

I believe, was still flourishing. So a great deal of the book is about the Roman Empire, and I hope that people will realize what we can gain out of an understanding of the only civilization with close similarities to our own, that rose and fell and disappeared, which we can stand back and study. Yet this is being cut off by our modern education, and in fact the whole past really will be a closed book one day. We'll be like people who suddenly have amnesia, who have to start their lives from scratch. There's a feeling today that we've nothing to learn from the past. John Dewey actually said, 'No one should read any book written before 1900.' Yet there's also an unconscious fear and hatred of the past, especially in the field of education, because it does show up the littleness and the frivolity of what intellectuals are doing. The chattering that goes on in New York and London over candles at dinner—set it in the larger perspective, and you see it straight away for what it is."

Tolstoy is now working on the second volume of his Merlin trilogy, but not without the distraction of preparing for a libel suit. For in early 1987, based on his 1986 book, *The Minister and the Massacres*, Tolstoy wrote a circular that was widely distributed by Nigel Watts. This pamphlet outlined the actions initiated by Harold Macmillan and carried out by Lord Aldington (formerly Brigadier Toby Low) in Austria in 1945, which doomed tens of thousands of non-Soviet citizens—Cossacks, White Russians, Slovenes, Croats, and Serbs, including women and children—who "either died a lingering, death in Soviet forced labour camps, or were slaughtered in circumstances of appalling brutality by Titoist execution squads."

No action of any kind had been undertaken against Tolstoy by Macmillan's family or Lord Aldington in connection with Tolstoy's book, but Aldington brought a libel suit against Mr. Watts for distributing the circular. And Tolstoy then felt honor bound to include himself as a defendant.

The trial begins June 6 and has already attracted considerable attention in the British press. Last fall an "independent commission" investigated the Austrian atrocities and published findings that largely exonerate Mac-



millan and incriminate Lord Aldington. Tolstoy has been informed by a friend in British intelligence that this was not an "independent" commission at all, but one arranged by Sir Robert Armstrong, recently retired cabinet secretary. Tolstoy suspects that the government wishes to preserve the former Conservative prime minister's reputation, and says the materials have been mishandled by the commission (even though they strengthen the case against Aldington) and will be easily refutable, should they be introduced at the trial.

In spite of the pressures of public scrutiny, Tolstoy is grateful for the notoriety. For although he already had the testimony and support of many former British military personnel who observed, or were forced to participate in, the atrocities in Austria, many more have come forward, along with members of the victims' families and a handful of survivors, who would not have known of his work without the public exposure. "As much significant material has come to light since the publication of my book as before," and he believes the commitment of his supporters all over the world has deepened accordingly. He told me how he'd just received an anonymously donated five-pound Australian note with "God bless you" written on the card in Ukrainian.

"This trial is the only way to bring the reality of these massacres home to public understanding. And we hope, if the funds hold out, to bring a great number of witnesses, in order to imprint it on the record and the public consciousness."

The legal expenses are, in fact, a source of serious concern. While Lord Aldington is a man of considerable means, Tolstoy is not able to assume his legal costs himself, and a charitable organization, the Forced Repatriation Defense Fund, has been set up by his supporters to assist him.

Fortunately for Tolstoy, *The Coming of the King* spent two months on the British best-sellers list.

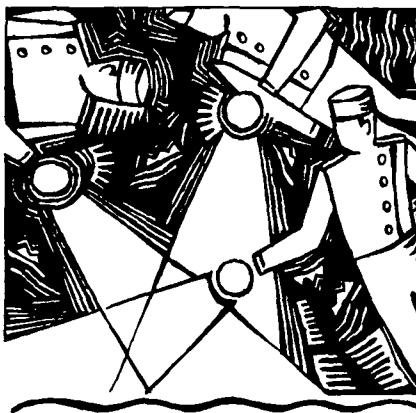
Nikolai Tolstoy has come full circle, from a fiction manuscript that was destroyed in a fire, through years of scholarly research on England and Russia, only to return to fiction that couldn't have been written without a lifetime of study.

"If my first books, which I'd set my heart on, had been published, not only would I have become arrogant and conceited, but that arrogance would have led me to write more books of the same sort. It would not have forced me to come to terms with myself, to find very slowly and painfully what I was capable of, and ought to be doing. A lot of achievement in writing is doing things and having them destroyed, but it's really a regenerative process. I think we really need tempering in life. And we just have to go on working.

"But I do love the exercise of trying to slip into another age, as much as you possibly can."

Sally S. Wright lives in Bowling Green, Ohio.

## FILM



Jeanne Berg

## Caution: Historical Revisionism at Work

by Arthur M. Eckstein

"He who controls the past controls the future." Nowhere is Big Brother's dictum truer than in the case of Vietnam and the antiwar movement. Lately, one can detect a new and persistent attempt to remold the history and goals of the antiwar movement in a way designed to make it more acceptable to the mass of the American people. And obviously, how one is taught to view the movement as it was in the 60's will help determine how one ought to view various move-

ment efforts of the 80's: the encouragement of a nuclear freeze, for instance, or the fierce support for Commandante Ortega's Nicaragua. Hollywood, of course, has always sentimentalized the radicals of the 60's: the outrageous *Running on Empty* (1988), with its warm, fatherly and motherly ex-bomb throwers still (for some reason) pursued by a harsh and unbending government, is only the latest in a long string of ideological epics that stretches back to *Alice's Restaurant* (1969) and *Zabriskie Point* (1970). But what is particularly at issue here is not the romanticizing of radicalism. Rather, it is the denial of the *existence* of radicalism, radical ideas, and radical goals among the movement in the first place.

As far as I am aware, this new tack was first taken by Stanley Kauffman, in his review of *The Hanoi Hilton* for *The New Republic* in March 1987. Kauffman bitterly objected to the depiction of representatives of the antiwar movement in that movie: the movement wasn't sympathetic to the North Vietnamese (as it is portrayed in the film), didn't idealize them, didn't see them as angels. The mass of antiwar marchers, Kauffman insisted, had no opinion one way or the other about the Hanoi regime: they simply wanted the war to end, they wanted to "bring the boys home." In that sense, they were, if anything, *sympathetic* to our soldiers in Vietnam. This same theme—that the antiwar movement was basically patriotic in its goals—recently appeared again in Curtis Gans' review of an excellent new book of memoirs from disillusioned movement people such as Peter Collier, David Horowitz, and Carol Iannone: *Political Passages: Journeys of Change Through Two Decades, 1968-1988*, edited by John H. Bunzel. Writing in *The Washington Post* (July 24, 1988), Gans insisted that the authors of these memoirs had a fundamentally misguided view of the movement: the movement did not consist of sympathizers with the North Vietnamese, such people constituted a mere "handful"; and meanwhile "the millions of patriotic Americans" who actually made up the movement are ignored in the book. The same point is pushed by Kauffman. Oh yes, he says, there were a "few" people in the movement who dressed in Vietcong