

Chapter 27A: San Francisco III (1988 – 2010)

San Francisco itself is art, above all literary art. Every block is a short story, every hill a novel. Every home a poem, every dweller within immortal. That is the whole truth.

William Saroyan

O glorious City of our hearts that has been tried and not found wanting...

Inscription inside San Francisco City Hall

1. Events



As described in Chapter 25, I left the Truro house for the last time on September 30, 1988, drove to Orleans to attend the closing, and continued on, temporarily homeless, to San Francisco, where I arrived on October 14.

I stayed at Les and Makiko Wisner's house on 31st Avenue, where I had spent every August since 1984. I was glad to see them, and deeply glad to be back in San Francisco, where I felt completely at home.

Although I had been away for six years, not counting annual visits, it felt very much as it I had never left, or had been away only for a weekend, or had somehow fallen unconscious for a while and was now revived.

I actively enjoyed being back. From my diary, October 19: *It's good to be back in the CITY again! Theatre bills on lampposts!* From my diary, November 24th: *REMEMBER half hour on beach in prismatic radiant white-and-spectrum Turner-like views, with romantic Point Lobos on horizon. How beautiful!!! As beautiful as any Truro seascape. I ♥ SF!* My diary for this period keeps mentioning what a great town San Francisco is – all the beautiful views and terrific neighborhoods and all the movies and plays and music and so much to do and acid in the park. More than twenty years later I feel exactly the same way. I still ♥ SF!

The first thing to do, after a brief rest, was to find an apartment. The Wisners were glad to have me as a temporary houseguest. But before, I had been there for a set period; this time I was in theory there indefinitely, until I found another place. I wanted to do this promptly, both so I could settle in and to avoid imposing on them. When I lived in San Francisco before I liked the downtown area – I lived on Leavenworth and Post, an old-fashioned neighborhood of small apartment houses which probably looked very much

like it did in the 1940s, and in other places in the same neighborhood (see Chapter 23). Although thoroughly urban, it was not bustling like the Financial District. Still, it was a very city-like environment. After six years in the quiet of the country, living in a house out of sight of any neighbors, I no longer wanted even that much bustle. I decided to look in the Sunset District, in the westernmost part of the city south of Golden Gate Park.

The Sunset was the last district in the city to be developed, in the 1930s and 40s. Before that it was mostly sand. The houses are single-family row houses, developed as tracts but deliberately not made identical. Most of them are still in their original state and rarely more than two floors high, so this neighborhood too looks like it did in the 1940s. It is cool and foggy in the Sunset, which a lot of people don't like, so property values are lower than they should be (although still very high by the standards of almost anywhere else). I liked the fog, and I liked the proximity of the ocean, with its breezes and distinctive smell and feel in the air.

So I got the newspaper (this was before Craigslist) and began answering ads.¹ Pretty soon I found a house I liked, at 2634 Yorba Street, near Sunset Boulevard (see Map IV). Yorba Street only goes for a few blocks. It is the last of the alphabetical streets in the Sunset, in a series beginning at Anza Street in the Richmond District north of Golden Gate Park and ending at Sloat Boulevard.² Number 2634 was between 37th and 38th Streets, which is pretty far west – the numbered streets only go as high as 48th Avenue, although there is a Great Highway Street and (in some places) a La Playa Street to the west of the numbers [*la playa* means *the beach*). So I was well out in the County.³

On October 26, 1988, I rented 2634 Yorba Street for \$1000 a month, which was quite reasonable by standards of the place and time, and started moving in the next day. It was spacious and sunny, on a quiet street. There was an entranceway downstairs, with white gravel and some plants inside a wrought-iron gate. Within this area, decorated with spiky succulents and open to the air, there was a stairway leading up to the front door of the

¹ Future researchers: Craigslist (www.craigslist.org) is a classified advertising website, free to most listers and all buyers, localized by place and even neighborhood if desired, which rapidly became the cheapest, easiest and most efficient way to find an apartment, a car, a job, a guitar, or a girlfriend. Its huge success eclipsed newspaper classified advertising and contributed significantly to the economic pressure which is now threatening the very existence of print media.

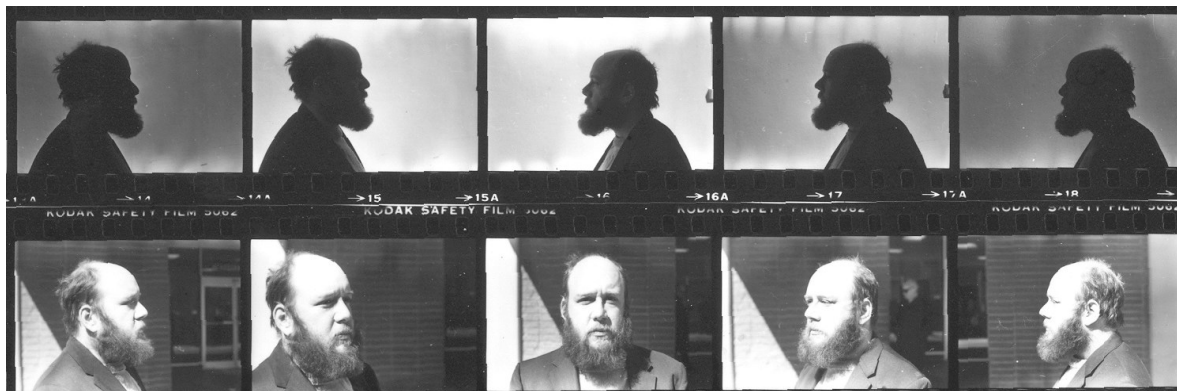
² Poetically the last street in the alphabetic series should really be *Zloat* Boulevard.

³ San Francisco has a unified City and County government, so jokingly but not legally the downtown area bounded by Van Ness and Market is sometimes called the City and the rest the County. I think the legendary *San Francisco Chronicle* columnist Herb Caen thought up this jest.

apartment.⁴ From the top of the stairs you entered into a hallway full of doors, which led to two bedrooms, a bathroom, a closet, and a good-sized kitchen with an open doorway. The bathroom had a skylight and an attached dressing room which connected to the bedroom. The apartment was full of light – as there was no house attached to the west, I had three exposures.

The two back bedrooms faced north, so they got only indirect sun, a nice feature. I used one as a bedroom and one as a library. There were also two front rooms, on Yorba Street, which I used as a living room and an office. The office had windows on two sides – the windows onto Yorba Street were really doors leading to a narrow balcony. Very snug and cozy. There was a nice back yard and an funky extra bedroom downstairs, and a garage, which I used for storage – I parked in the driveway. The L-Taraval streetcar line was a few blocks north, stopping at 37th Avenue next to Sunset Boulevard. Although I couldn't see the ocean I could sense it, about 12 blocks away, and when the wind was right I could hear the siamangs howling in the zoo.

I went to Costco and bought furniture, silverware, plates, glasses, a microwave oven, a vacuum cleaner, towels, sheets, phones, a filing cabinet, and other household stuff – almost nothing I had along this line was worth shipping from Truro.⁵ I had sent a lot of things to the Loc-n-Stor storage facility on Townsend Street – books and records and anything too bulky to carry in my car – and I had to get all that from Townsend Street to Yorba Street. I finally moved from the Wisners' house on October 30, a little over 2 weeks after landing. My diary reveals there was lots of unpacking and shade-hanging and arranging still to do, but I was installed in my new home. I had bookshelves built in the room I used as a library, to hold my heraldic and reference collection.



⁴ Google Earth Street View reveals that this open area has since been remodeled to add a downstairs apartment.

⁵ Note to future researchers: Costco was a “big box” store with lots of merchandise arranged on barebones racks, not much selection but a big discount.

On October 31, 1988, I started work in Ted Winchester's law office on Fillmore Street between Geary and Post. For more on this see Chapter 15.C. I decided that now that I was working as a lawyer it was time for a computer, so I ordered one and it arrived on November 8. It was hard to figure out at first, but I got the hang of it soon enough. By November 12 I wrote in my diary: *Wonderful! I'll never go back. It's like being in love – I think about it all the time and don't want to do anything else.* Now in 2010 the infatuation period is long over, but the computer and I are still happily married after more than 21 years.⁶ Here's what I wrote a year or so later.

I am at least twice as good a writer now with the computer. A large part of that comes from the freedom to write without caring about mistakes, either typos, easily fixed later, or larger problems or even conceptual gaps, also easily fixed later. This helps shorten the distance between mind and page, which in turn leads to finding one's natural voice. Think if Joyce had had a computer! Although, unlike Franklin or Jefferson, he probably wouldn't have used it. I don't think he even used a typewriter, although he died in 1941.

About this time my doctor, Herbert Jacobs MD, like my father a tallish bald Jew with a stammer, told me to lose weight, which doctors have been telling me to do since childhood (see Chapter 34). I told him I didn't know how to do that. He said if I was serious he would refer me to a clinic where I could lose weight on a medically supervised fast. I said OK, I'll give it a try. So in November 1988 I applied to the Weight Management Program at Children's Hospital, which actually operated not at Children's Hospital but out of a suite at Daniel Burnham Court, a fancy modern building between Van Ness and Franklin, and Sutter and Post. I started the program in January 1989.

It was a very rigorous program indeed. You had to go once a week – if you missed two meetings they dropped you. At each meeting there was a ceremonial weigh-in, classes on nutrition and calorie-counting and so on for *after* the long fast, a meeting with a doctor, issuance of diet supplies, and of course payment of the substantial bill (not covered by insurance). The fast, for as long as we were on it, consisted of no regular food at all. We got one 500-calorie packet of powdered food supplement a day – originally they were chicken-flavored, but I soon switched to egg-based chocolate or vanilla, which tasted sort of like a saccharin milkshake. I found if I mixed it with very little water it had the consistency of a pudding rather than a milkshake, so it could be eaten with a spoon. We had vitamin pills and a bottle of nasty-tasting potassium supplement and some salty

⁶ I switched from the WordPerfect word processing system to Microsoft Word some years later when my office did – unwillingly at first, but it is much better, because it can do so much more and because the image on the screen duplicates the image on the page. Researchers in 2319, when you probably just breathe your copy onto a page where it proofreads itself, it will be quite a task to find examples of these two systems and see what I mean.

dried-soup things for sodium (these were for when we felt faint), and an unlimited allowance of water and diet sodas. And that was all. It was calculated that we would lose several pounds a week this way, because we would be in calorie deficit. Since 3500 calories equaled a pound, if we expended 2000 calories a day and took in 500 we would lose 10,500 calories a week, or about three pounds. A long walk every day was part of this regimen. There was also a voluntary body mass experiment at Letterman Army Medical Center, on the treadmill with a face mask and being weighed underwater.

Well! This was quite a strain, to put it mildly. In addition to constant famished hunger there was the social problem of not really being able to meet people for meals, which it turns out is a lot of how people socialize (I had never thought about this before). Also the half hour's walk a day (later raised to an hour) was difficult, and reading my diary of this period I remember how constantly exhausted I was. I was starving! But I kept it up for four months, didn't cheat, and lost over 60 pounds. I finally knew I was finished in a movie theatre lobby when I couldn't stand it anymore and grabbed a packet of relish from the hot dog tray and ate it. By this time I weighed about 149 pounds (right), and discovered that I was rather slightly built, which I had never experienced before. I was able to buy clothes off the rack for the first time in many years, and admired my reflection in shop windows.

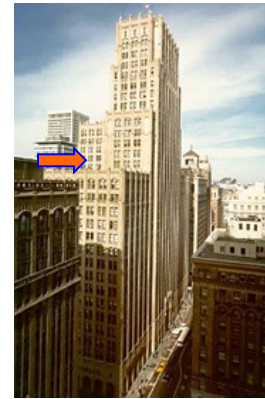


I resumed eating normal food, but in rigorously restricted quantities, kept meticulous records in my pocket notebooks of calories eaten and calories spent on walking, and continued to go to the Program for post-fast support. All the training they gave us during the fast, and afterward, paid off and I was able to keep to this weight for about a year and a half after the fast was over. I continued to walk my hour a day. By this time I was working on Montgomery Street, so I used to get off the train coming home at Forest Hill, walk a few blocks uphill and then downhill all the way to 37th and Yorba. When I didn't go downtown I walked somewhere else – often toward the Zoo. I joined the Zoo so I could include it in my daily walk without paying admission.

But as with almost all regimes built on calorie deficit, for almost all people, it did not last. Eventually not only did all the weight come back, but even more came back, so I ended up significantly fatter than I was when I started. When you fast or rely on calorie deficit your metabolism thinks you are in a famine, so it readjusts to meet the new conditions. It is exceptionally rare for anyone to defend this kind of weight loss over a significant period. If I had known that at the time I could have saved myself months of starvation, a lot of time and effort and money, and would probably be thinner and healthier today. Oh, well. Now I have my clothes made to order in India on my visits there.

During this period I changed jobs several times. I worked about six months for Ted Winchester in his family law practice, and then briefly for George Buffington in his pension practice at 555 California Street, and then began a practice of my own as a free-lance appellate specialist. All this is discussed in more detail in Chapter 15.C. I finally went back to Farella Braun & Martel to work on their capital habeas case – see Chapter 27B for more about this job.

It was pretty surprising to find myself back at work at Farella. I went back to visit a few times on my August trips to San Francisco, and remember thinking as I walked up Montgomery Street to the Russ Building that I would never work there again. And yet suddenly there I was. I still knew a lot of people from my time as librarian, and it was a familiar and pleasant environment. After a short time I was assigned a nice associate's office on the 20th floor, with two outside windows and one interior window, just above my old library (see arrow).⁷ It was a good place to work (if I had to work at all). I got a Muni pass and commuted on the L-Taraval streetcar, which brought me to Montgomery and Market.⁸



We had the top floor in the Russ Building, and as the penthouse tenant we were allowed to use the roof. A key was kept on a hook inside the copy room on the top floor, and the door to the roof was up one more flight on the fire stairs. Very few people actually went there. I made a copy of this key and used the roof as a place to smoke joints. A few times on weekends I even took acid up there. It had a stunning view of the City and the Bay. When I left in 1982 I kept the key, but at some point I threw it away, in the sands of Ballston Beach in Truro, because I thought if I kept the key I would be tempted to use it on my visits to Farella, and of course I would no longer be entitled to use it, so it could jeopardize my relationship with the people there if I were discovered. Now I was back working there, but I had thrown away the key! And there was no key hanging in the 31st floor copy room any more. I was bummed out.

Then, after a few months, I noticed a sign in the stairwell saying no one except tenants were allowed on the roof. It took a while, but I finally pieced it together. If the door was locked, as it had been in the old days, there would be no need for the sign because no one except a tenant could get up there. Therefore the door must be *unlocked* – perhaps fire regulations did not allow it to be locked. I checked and sure enough, the door was not

⁷ For more pictures of the Russ Building, see Chapters 23 and 24.B.

⁸ Muni is the name of the San Francisco public transit system, still technically called the Municipal Railway. The pass was called a Fast Pass.

locked. I had been bummed at being locked out of an unlocked door! I resumed my use of the roof, for smoking dope and generally enjoying the view.

As remote access to the Farella computer system got better and better over the years, I came into the office less and less. After a while I stopped buying a Muni pass, because I came downtown so seldom it was cheaper just to pay the fare. I moved to a small office on the 31st floor, with only a lancet window, ironically on exactly the same spot (although not configured the same way) where I had first worked as the firm's librarian in 1977. It was ample for my needs. By the end I came in only once every few weeks, usually just to show the flag at an educational program or to have an occasional meeting. But I kept that small penthouse office, which was too small to give to an associate, until 2009, a year after I retired. I liked the idea that one of those windows at the top of the Russ Building, even a lancet window, was mine.

In 1989 there was an important earthquake in San Francisco, called the Loma Prieta Earthquake after its epicenter in Santa Clara County. I was in the Russ Building when it happened and felt the whole building sway back and forth. The higher up you are, the more sway you feel in an earthquake. Not much damage was done in our building, but in some of the newer office buildings things flew off shelves.

We went down the fire stairs (I was on the 19th floor) and out onto Montgomery Street, then walked down the center of the street because if there was another shock we might be slightly safer there from falling glass. I found a taxi, picked up some other people and headed for home. The traffic lights did not work and traffic jams were building, but I knew how to go around them and directed the driver to Yorba Street by the back way, down Third Street and through Glen Park. We could see smoke from fires in the Marina District. I made it home to find no damage at all in my house.



I had an appointment in San Jose the next day, to meet with my investigator Russell Stetler and a court official in one of the capital habeas cases (see Chapter 26B.1), so I had prudently brought my briefcase downstairs with me. I called Russ and we agreed we had no reason not to go, so he picked me up the next day and we had our meeting. I explored the Marina (above) later that day and North Beach the next night, where there were no

lights except car headlights – not even traffic or street lights – it was very scary and dangerous driving. I saw houses tilting wildly (below left) and ripped open – with the walls down you could see people's clothes hanging in their closets. Wrecking machinery tore down some of these houses – they were hazards and beyond repair. The Bay Bridge was out – a section had fallen (below right). My Farella patron Doug Young was actually on the bridge at the time and had to turn around. The earthquake happened during a game of the so-called subway series – the World Series between the San Francisco Giants



and the Oakland Athletics – it came just before Game 3 was about to start in Candlestick Park. The game was called and the series was postponed a week.

Not a lot of damage was done, but yellow caution tape marked off unsafe buildings and areas for a long time. City Hall was damaged, and for years afterward doorways there were shored up with two-by-fours. Later City Hall was extensively restored and retrofitted, to become the largest building in America not fixed to the ground (it rests instead on Teflon feet, so it can shift laterally rather than break). I visited City Hall during the renovation – there was a hardhat open house led by the Chief Engineer. What a massive project!

I wrote to Peter Miller soon afterwards:

I'm glad I was in SF for this. I felt afterwards the way you feel when you're in a car crash and walk away unhurt – a few days later it's as if you were beaten up. But in my neighborhood the worst damage was a single glass falling off a shelf. Aftershocks for three weeks or so afterwards, so often that it became routine and I didn't even bother to get up for most of them. How *blasé* I have become.

I have felt a lot of smaller earthquakes since – occasionally things shake, once there was a roar like a subway car, and once or twice a sharp blow as if the side of the house had been hit with a huge mallet. In fact there was one last month (June 2010). These are scary for a few minutes but have not inclined me to leave the city. They have tornadoes in Kansas and heat waves in Missouri and hurricanes in Florida and landslides and brush fires Southern California, and Wyoming is sitting on top of a super-volcano capable of

causing mass extinctions. So what are you going to do? Anyway, every little one relieves pressure and postpones The Big One.

The 5.2 came like a quick jolt – no, it actually *was* a quick jolt – I’m sitting here with 1000 heavy books up to the ceiling behind me and 2500 in front of me – you never saw a fat man move so fast, I was like a sub-atomic particle. The pathetic anti-hero of [E. M. Forster’s 1910 novel] *Howards End* is killed by a falling bookcase – weavy vewy symbowic! Actually the bookcases that are really bookcases are attached to the wall with angle-brackets – the bolts could of course pull out of the wall, but that would have to be quite a jolt. But in the library the shelves are just shelves on standards, and the shelves are not the major problem, it is the books themselves, which can slide right off (also off a secured bookcase). The thing is to be alert and leap out of the way in the first instant. The scary part is not the first instant but the thirtieth instant, and wondering if that’s it or just the beginning. But it’s worth it to live here. You could be completely safe from earthquakes in Nebraska, but then you’d have tornadoes, *plus* you’d have to live in Nebraska. In Florida they have hurricanes. In India they have floods and earthquakes and Moslems burning the neighborhood down. Yer takes yer cherce. It’s actually quite rare for anyone to be hurt in an American (as opposed to a Pakistani) earthquake, anyway.

A great many of the events in this period of my life, the longest period covered in any chapter of this memoir, are dealt with at length in other chapters and I will not repeat them here. Examples include my work, health, travels, writing, religious development, stopping cannabis, and retiring. For color, I reproduce part of an e-mail from June 2000, when I happened to be working rather hard and feeling harassed.

The weasels have been loose this week. A double feature: the exciting classic *Best Efforts Clause*, with Wallace Beery and Margaret Rutherford, followed by the ever-popular *Promissory Estoppel*, starring John Wayne and Martha Raye. Very tight deadlines. I have been working whenever I can stand it, alternating with periods of eyestrain where I can’t keep my eyes open, and not just from boredom, either. (Homeopathic remedy for eye-thing not working so well since I switched labs – original remedy by different supplier – will order more of the good stuff). So work madly, knocked-out sleep, more work, then to a jail in San Jose, or downtown for some reason or other (for example, 80-year-old cousin in town, wants to meet me for dinner, I have to see her, and also I want to see her). Then back to work. So everything else is postponed. Sometimes I cannot bear to write another word – that’s when e-mail gets neglected. I haven’t done a laundry or a shopping since I came back from Europe in mid-May; have not answered or even opened mail, either; I delayed writing to my nephew, 8, on the eve of his first trip to Europe, so I ended up having to send it FedEx (his first FedEx – awww). And all the while weasels nibble my toenails, I feel their little claws grasping my toes, the sharp little teeth, the beady eyes, the fusty smell of wet weasel-fur, their evil cries.

I have periods of this kind of disorder, when the tables silt up with junk and papers and old cans of corn, and then I have periods of tranquility, where all the tabletops

are neat and the laundry is done and I take a leisurely breakfast at the corner diner with the morning paper and *The Return of Tarzan*. And then I do these work marathons from time to time. Not complaining, really – my willingness to do this, through the weekend, late at night, whatever, is part of my usefulness, which is how I keep my job, and when you add up the hours it's not much, really, by the standards of your average Montgomery Street lawyer. I have decided that it's all to the good that I have any tranquil periods at all, and try to increase them, without letting weasel season get to me (no preferences). So both kinds can be a yoga – even during weasel season I try to stay conscious, just reminding myself that it *is* weasel season, but not to get involved with it, or distraught, or upset, or.

It is odd that I am still living the same kind of bachelor life I have lived all these years, corn out of the can, laundry piling up. But I kind of like living this way – I must, because I *could* cook spaghetti or make a salad if I wanted to, I do know how. But I am so uninterested that I don't want to take the time for domestic tasks – if I'm not working I'd rather be at the theatre, or doing my stoned-atlas game, or writing to you. As a married man and an accomplished chef this must seem very juvenile to you – habits basically unchanged since college (except that I cooked in college and now I don't, and I don't do speed either). I think it stems from living alone – I have only lived with someone else for very brief periods. Two women, only a few months each; my brother one year in Truro; other brother one summer in Berkeley; Joel Solkoff one year in San Francisco. Otherwise solitary, and I can no longer imagine it any other way. It is a luxury to be able to spread work (or play) out whenever I wish, no need to consider anyone else. I like the silence (I rarely even listen to music anymore). J. knew what she was doing in not marrying me. But you're right, I am a voluptuary. I just compartmentalize my pleasures.

As the years progressed and my equanimity grew more practiced, the weasels became fewer and fewer – now they are, if not quite extinct, at least a severely endangered species. Thank you, Lord Ganesha!

What else has happened? Here are some things.

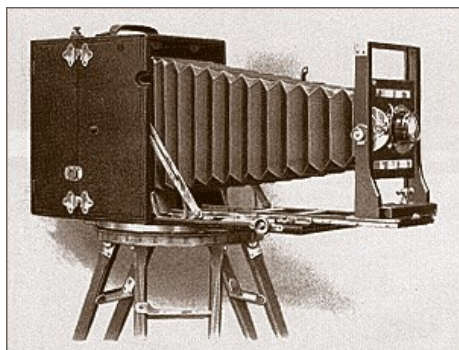
Adam got married on Leap Day (February 29), 1992. I went to New York for the occasion, which took place in a suite at the Plaza Hotel on 59th Street and Fifth Avenue, where our parents and paternal grandparents were also married. The ground was covered with snow, as I recall it – Adam's suite had windows which opened and a number of us clustered on the sills. It was a bizarre ceremony – the bride's side wore Star Trek paraphernalia and the groom's side wore Groucho Marx glasses with nose and moustache attached. The judge wore a miniskirt. Afterwards we all went out to a delicatessen for a love feast about how glad we were to have merged our families. That all turned very bitter very fast. It was the first marriage in our immediate family since 1942.

Adam's son Noah was born on July 2, 1992, while I was in Moscow. It was the first birth in our immediate family since Adam and Victoria were born in 1955. I was delighted to

have a young relative and it gave me a slight peek into what people must feel when they have children – the future suddenly seems a lot more important. I wrote a lot of letters to Noah when he became old enough to understand them, each with a comic drawing on the last page – Christopher has a complete file of them, and I will lodge a set at Yale as a Supplement.

Adam's horrible divorce happened. I actively advised him without helping very much. It is too painful to discuss here and not really part of my own story. Also, as I advised him as a lawyer I couldn't talk about it anyway. But it seared my soul. If it seared *my* soul, and it wasn't even my divorce, I can scarcely imagine how much it must have seared *his* soul, and probably Noah's also. I have some opinions about the conduct of one of the parties in that action, to record which would melt the silicon in my computer.

On the Fourth of July one year Les Wisner offered a deal at his café: a free hot dog for anyone who would sing a patriotic song. I said *O Canada* was a patriotic song, and I would come and sing that. I found the words and music on the Internet and practiced. A piano player who was a regular at the café found me the right key, and sure enough on July 4, 2000-and-something, I got up in front of a crowd and made my singing debut (right). It was a great hit, and so I decided it would be my farewell appearance also, and have resisted the impulse to go back and try *Advance Australia* or *God Defend New Zealand* or even the *Marseillaise*. We show folks know it's best to leave 'em wanting more.



This is out of order, and maybe it should have gone in an earlier chapter, but I want to tell about Les' project of taking panoramic photographs with an old Cirkut camera.⁹ These cameras revolve on a pivot while the film is passed before the lens and exposed through a slit. The result is a very long photograph in which an arc is flattened out into a line, and so a huge number of people can be gathered together, arranged in an arc, and will appear in the print to have been lined up in a straight row. It works well for landscapes, too –

remarkable work can be done on this antique equipment. Since all parts of the image are not exposed at the same time, clever effects are possible too – the man at one end can run around the back of the camera and be photographed again at the other end. A clock at one end will appear at the other end too, showing the time to be a minute later.

⁹ If I add it now into the earlier chapter where it probably should go, I'll have to repaginate all the intervening chapters.

Les did a lot of these, and I often went along to help. One memorable image was of the Oakland Athletics baseball team, on the field in the Oakland Coliseum between games of a double header. The team lined up, Les started the camera, Billy Martin, the team's manager, ran around back to appear twice, and when it was done the crowd cheered us and I took a bow. The circular grandstands of the Coliseum looked perfectly flat in the print. Here's Les with a Cirkut picture. I guess it was quite a while ago, in the 1980s.



When Les and Makiko's son Toby was growing up he played Little League baseball, which Les coached. I used to follow those games and attended a lot of them. Many took place while I was in Truro, and in that period I only saw games when I was visiting in August. But my notebooks reveal I saw a lot of them after I came back. Toby is now 34 and a divorced father (2010).

I took a drawing class at the University of California Extension on Laguna Street in 1989, hoping it would teach me enough drawing skills to be able to draw heraldic animals. It didn't – it was about drawing from nature, shading, perspective, foreshortening, all the things heraldic art doesn't have (see Chapter 6.B). The next semester I took another course – was it at Cal Extension or at SF City College? – on Art Deco. It was very interesting indeed, and we had a walking tour of Art Deco buildings in San Francisco. I spoke a little to the class about the Russ Building, where my office was – while not exactly a Deco building it had some deco features.

There was significant beach erosion on Ocean Beach near my house, and the City added more sand, strengthened the seawall and built a promenade. At the time I hoped the promenade would not reach the untamed dune opposite my house. Now that I have more trouble walking on dunes I find beach access easier from the promenade. There was also a significant amount of oil on the beach, released illicitly from ships approaching the Golden Gate. After the sand project it looked a lot better, until the oil spill of 2007.

When I arrived back in San Francisco I had an old Toyota Corolla. It was a faithful car and had a spotlight mounted on the roof. It can be seen in the driveway in the picture of my house in Chapter 6.C. Eventually, because I parked it in my driveway exposed to the salt breezes rather than inside the garage, the body rusted away so thoroughly it would not have kept the rain out in the wintertime. I gave it free – it was worthless – to someone who worked for Rosemary Woodruff-Leary at the Pillar Point Inn, and who needed a car quickly to finish school with. I had someone looking for a car for me and he found another old Corolla and checked it out. This one too had rust problems, but I lived with them. It lasted me a number of years and then died on the operating table during an oil pump transplant.

After that, in March 1998, I got an old (1988) Subaru Justy which had been living in the neighborhood. This too was found for me, for \$700 plus \$100 finder's fee, and it too had rust problems, but only 58,000 miles. I am still driving it happily in 2010, with 94,000 miles and aluminum tape over the rust spots (I park in my garage now, which helps with the rust). This works out to roughly 3000 miles a year, or about eight miles a day.¹⁰ I have glued Presidential seals on the doors, taken from Washington DC souvenir plastic refrigerator magnets, and claim it is President Clinton's old limousine. For a picture see Chapter 31.M. The car has front-wheel drive and is so small I can park it almost anywhere. I will always cherish the memory of the time the rust ate through the driver's-side door hinge, and the door fell off in my office garage, amid the sleek BMWs of the other lawyers in my firm, and the parking staff had to find some wire coat hangers to tie it back on with. You can't buy moments like that. I found a Mexican welder to fix the hinge.

- I have continued my long-standing policy of paying less for almost every successive car than I did for the one before. I would rather buy a car for \$1000 and drive it for five years (not to say twelve years for my still-running-fine Subaru) and then buy another for \$1000 and drive it another five years, than pay \$25,000 for a new car. At five years each, it would take me 125 years to break even. Plus this way there is no need for collision insurance (liability yes), registration costs almost nothing, old cars are easier to fix than newer ones running on computers, and there is just about no risk of theft and very little of anyone breaking in. The Subaru looks like a worthless jalopy, but so what? It suits my purposes perfectly. I drive it to Lake County and Santa Cruz without fear.



I had given some help in various ways to Sviatoslav G. Yasinitsky (1927-2009), known as Yash, a distinguished medal scholar in his 80s, who was also a Russian émigré and a U. S. Army veteran of WW2.¹¹ He was the last surviving knight of the Czarist Order of the Compassionate Heart, founded as a reward for those who aided Russian veterans in distress. So, being the last



knight and therefore *de facto* Grand Master of the order, he knighted me and presented

¹⁰ Actually I often drive more than eight miles a day when I drive – San Quentin, for example, is a 50 mile round trip. But I am away a lot, and even when I'm home there are many days when I don't drive at all.

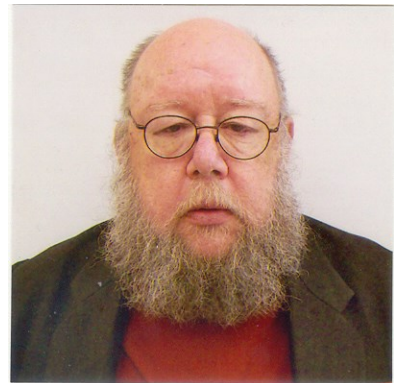
¹¹ Yash was the founder (and member No. 1) of OMSA, the Orders and Medals Society of America (www.omsa.org), of which I am member No. 6786.

me with a diploma (a reproduction of a diploma given by the former Grand Master, with his own signature substituted) and the insignia of the order (which he had on hand, being a medal dealer, with reconstituted ribbon). There was a formal investiture, one other new knight and me. So now I finally have a medal I can actually wear, if the occasion should ever arise. I also get the postnominal letters O.C.H. This may sound like a lark, but I take it very seriously. The picture above left shows Yash and me at the investiture; the medal is pictured above right. I reproduce the diploma as Document 27-1.

2. Slices of life



“All I’m saying, I suppose,” wrote Philip Roth in his 1988 memoir *The Facts*, “is that I’m interested in the things an autobiographer ... doesn’t put into his autobiography. The stuff people take for granted. Like how much you have to live on and what you eat, what your window looks out on and



where you go for walks.” So here are some slices of life, taken from my archived e-mails.

In 2008 I wrote this.

Life proceeds placidly. I have been designing coats of arms for people, even rendering them myself with compasses and tracing paper and brush markers and a copy machine. I have completed four heraldic articles and am working on a fifth. I am studying the history of the Indian princely states, working hard to understand the subject before Independence comes on August 15, 1947 and wipes them all out. I went up to Mendocino with a friend and then came back again. I bought more bookcases so I can free up my library-style book truck, so when I write another article I can keep my books there rather than spread them all over my desk. So neat! So organized! I am having my front door painted a glossy fire-engine red so my house will look like an Episcopal church. I helped my friend in England organize her master’s thesis (on Burmese refugees in Thailand) and edited her chapters as they came steaming out of her computer. Maybe for this chivalrous service I will be

knighted again, and made a Companion of the Blue Pencil. Can't have too many medals!¹²

Here's another slice, also from 2008.

Retirement is working out very well. I am not at loose ends. I am not idle, although I move at a very relaxed pace. I sleep when I'm tired and eat when I'm hungry, whatever time it happens to be. Often I don't leave the house or even my bathrobe for days at a time – but so what? Although that kind of lifestyle can be a sign of aimless moldering, and indeed depression, I am not moldering and I'm certainly not depressed. I'm as busy as I want to be and in the best humor of my life. And I am getting things done.

And again, to the same friend:

I do descend from the rabbinical tribe, rather than the beach-bum tribe. But the rabbinical tribe, as you will recall, doesn't necessarily go around signing up for social action, although many of them do (*tikkun olam*). No, the primary activity of the rabbinical tribe is studying and learning to understand, which I have been doing without stopping very long since I learned to read in 1947. The Happy Hunting Ground of the rabbinical tribe is a well-furnished library where sandwiches are supplied as a benefit of membership and no one ever has to stir beyond consulting the dictionary every so often. I have at last been promoted to full membership in the HHG and the last thing it would ever occur to me to do is dive back into active legal work, which I never liked even when I had to do it and got paid for it.

It is a nice question whether the HHG is really non-work in the beach bum sense. It requires a lot of effort, if that means anything – it is not lying around on the beach drinking margaritas. But surfing takes a lot of effort too. Work for me means spending life energy on other people's business; whether this means solving their legal problems or driving their buses hardly matters. If *you* feel good after working, that's a blessing – but that's what people say about exercise, too, and I don't feel good after that either. It's true I am writing some essays on heraldic topics, which I don't really need to do, but it pleases me to do it. If that counts as work, OK then; but litigating even an unfair death sentence – in fact, especially an unfair death sentence, a fair one is easier to accept – that wouldn't please me one little bit. Let this cup pass from me.

On the other hand, this is from a pre-retirement (2002) e-mail to a different friend.

Two ways to go with busyness. On the pro side: good to be busy, that way we get a lot done, get to do what we want to do and see what we want to see before the Scytheman comes for us. Time spent on such pursuits, at the Grand Canyon, with

¹² Actually I never did get my door painted red. The painters I hired to paint the downstairs apartment made such a mess of everything, and cost so much doing it, that by the time I fired them I had no more time or money to waste on such fripperies.

friends and family, studying historical atlases or baseball or whatever, is well spent, not wasted watching television (except PBS of course), or working at stupid tasks like (this week) the Prisoner Litigation Reform Act.¹³

But on the con side: most of that stays on the surface. A person doesn't want to be so busy that busyness is all, and just bounce from one thing to the next and not stop to smell the Postum, understand the reality beneath the surface, purify the soul while s/he has the chance.¹⁴ That stuff is so much more important than most of what we keep busy with that we should spend all our time on that, as monks and hermits do, which is why that life has always had such an attraction for me. Six of one, half a dozen of the other, and then we die. Who wrote these rules?

And again:

I have no major administrative responsibilities beyond administering David Frank Phillips II, a tedious job. Dishes don't stay washed; teeth don't stay brushed; mail doesn't stay answered. This is a sign of poor staff work.

More slices of life:

- Cool gray fog. Found a Russian super market on La Playa – all the Russians go there to get the candy bars and pickles and nitrite-filled sausages and special cottage cheese that remind them of home. I buy salmon roe and *blinis* and exotic fruit juices – instead of Donald Duck grapefruit juice I am drinking rose hip nectar from Armenia and sour cherry juice from Belarus, at lower prices. I love SF!
- Work horrible – for details see last 42 complaining e-mails. Weather on the other hand glorious – cool gray salt-smelling fog every day, while the rest of the world swelters. Christopher is here and we took a day's excursion to Mariposa and Calaveras Counties – 91 degrees – C who used to love that kind of climate now doesn't like it either. Coming back it was great, feel the temp drop 10 degrees at the Contra Costa county line, suddenly see the great fogbank, drop another 10 as we approach the Bay and another 10 or more in the city. By the time we got to the Sunset we had to set windshield wipers on intermittent as the cool fog misted the windshield. This is the only place to live – you pointed this out to me in 1969 and now you're gone and I'm still here.



¹³ Future researchers: PBS is the Public Broadcasting Service, a non-profit television network specializing in cultural and public interest programming.

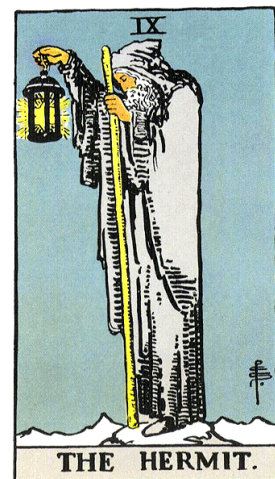
¹⁴ Future researchers: Postum is a caffeine-free coffee substitute made from cereal.

I am growing more isolated, and sometimes don't emerge from my house or talk to anyone for days at a time, although I do a lot of e-mail, and am usually up for a phone call. But I don't go to parties much any more.

- Great food at the party, and lots of interesting people, except I am finding it harder and harder to be sociable in a party-type environment. I used to be OK at these things, amusing conversationalist and so on, and I always did fine at Rosemary's annual bash, but nowadays I find I just don't have the heart for it, or have become more solitary, or withdrawn, or something – I'm not so good at that anymore, no longer interested I guess. *Plus ça change* and so on. I only want to talk to people I've known for at least 20 years.
- I was at a party this evening – there was a presentation I wanted to hear. But then when the presentation was over and the social side of the evening began I looked around and thought: what am I doing here? I don't feel like talking to any of these people (even though they were all interesting, intelligent, well-educated people) or almost anyone else except my hostess and her husband. I used to be OK at parties but have lost the knack – why? From too much isolation? Or am I so isolated because I've lost the knack of chatting with people? I just can't be bothered – and when I can't be bothered talking something has changed. Unsociability is the sin that dare not speak its name nowadays. I don't mind talking to my friends – I enjoy that – but strangers are too difficult. And now that I am not seeking to get laid it has not even that possible benefit. Perhaps this is why our mothers taught us never to talk to strangers? As the age of 60 I am finally following my mother's advice.

I'm not a hermit, but I could be one. What's the point? I asked my friend.

Small talk is small; big talk takes effort. Talking never used to take effort – the effort would have been to shut up, not that I ever did that (too much effort). I now find myself doing all I can to discourage conversations with strangers. You can't do that at a party, it's rude, but I kept wishing the [July 4th] fireworks would come on so I could get out of there already. I never go to office functions, and people are dropping me from their party lists, so pretty soon it will be just me and 4000 reference books, which is more or less how I want it, I guess. I am turning into a really crabby old man.



Well, maybe *crabby* is putting it too strongly. But by how much?

I took the day off and cleaned up the piles of newspapers and books and laundry and paper plates that accumulate if I don't watch my step. When things pile up I get not exactly depressed but more and more into my Collyer brothers act, layer on

layer.¹⁵ This increases the clutter, which raises my Collyer rating further, which hypnotizes me deeper, and so on. Every so often I have to pull the plug and put everything away. As long as I can keep pulling the plug I figure I am still just eccentric and not yet exactly loopy. Or that's my hope, anyway.¹⁶

Or again:

Seriously, folks, I do not just doze all day long. Sometimes I work, sometimes I watch World War I on TV or read the English newspapers on the Internet, sometimes I study atlases or read books or teach advocacy or pal around with my friends or write to you. Sometimes I go to the dentist or the theatre or San Quentin or the Dark Continent. It is a full if sedentary life. If I am allowed to get old I plan to keep it up pretty much as I am doing now. Knock vood.¹⁷

Here's how I felt not long after 60th birthday, in September 2004.

Still feeling pretty autumnal, but not (and this is the key point) bummed out or depressed about it. I mean, it is autumn at least, indeed early winter. I really feel I have made a sudden leap forward, as I did at both the two preceding decade points, toward integration and contentment.¹⁸ I have learned (a lot more than before anyway) to accept things as they are (which makes sense because that's how they are). This includes accepting myself as I am, and my circumstances in life as they are, and even (gasp) other people as *they* are, even the Republicans. Struggling against these circumstances is not an adaptive strategy, at my stage of life anyway – Pete Seeger may feel differently but that is *his* life.¹⁹

So I have largely stopped complaining even to myself, and am trying not to spend time regretting things either, and am concentrating on enjoying life, and doing and being what feels good. I mean *feel good* in the sense of *true to my nature*, not in the

¹⁵ The Collyer brothers, recluses and compulsive hoarders, lived in a house in Manhattan so cluttered with furniture and books and newspapers and junk that in March 1947 it all finally collapsed on them and killed them. Their name became a byword for this sort of craziness.

¹⁶ Making everything shipshape before a trip is a good strategy for fighting this tendency, since I make 4-6 trips a year.

¹⁷ Seven years after writing that passage in 2003, I'm still at it.

¹⁸ I was 60. In 1852, at the age of 32, Queen Victoria wrote in her journal: "I like *not* the speeding fleeting of time, – when one's bright youthful years pass away! But we have with God's mercy many yet before us, & *every* age has its advantages & its blessings." (Emphasis in original.)

¹⁹ Future researchers: Pete Seeger, in his 90s as I write this, is a folk singer, musicologist and activist for peace and justice. He is one of the great American radical voices and secular saints, and his life is a model of tireless engagement.

more literal sense – I don't eat cookies (usually) even though it feels good to do so, because given my situation they are unacceptably dangerous. But I find even *that* much easier to accept than I would have not so long ago. All that Buddhism has helped hugely – it is deep enough in my bones now that I can use it as a practical compass rather than just a theoretical doctrine.

So don't worry about me – I think I'm doing better than ever in terms of energy not wasted on suffering and anxiety and projections. The first weeks of winter were a little rough but I feel a lot better now that I have settled into it. And with luck maybe the groundhog will not see his shadow, and I will have a nice long winter in my seaside hermitage, snug among my reference books, blowing reefer and spinning prayer wheels and going to the theatre and reading the *New York Times*. There are many worse ways to end up.

A few years later – still steady on course.

I am on a placid plateau where everything is going pretty well and nothing exceptional is happening and my health is stable (numbers mostly good) and my job is stable and my life is stable and everything is, well ... stable. In a situation like that, maybe no news is good news. Change, when it comes, will probably not be welcome.²⁰ * * * So there it is. A boring letter, but better than a crisis letter. I don't do crises any more – haven't had a crisis since I was in the hospital in 2005. Come to think of it, except for that I can't remember having a crisis that really shook me up since the flameout of a red-hot love affair in 1990.

- Ocean blue and sparkly out my window, almost white where the sun hits it. Yesterday mist! Green gardens. Seabirds. Nasturtium climbs up ivy fence. Surf laps in the distance. A perfect time to drive to Frontier County, Nebraska! Which, incredibly, I will start doing in about 3 days.

I have gotten increasingly high-tech. I use my computer more and more, not only for writing and e-mail but for research and news and shopping. Most of the pictures in this book come from the Internet, and the rest come from the scanner operated from the computer. I have a cell phone now, too, which I rely on a lot – I forward my calls to the cell phone when I leave the house or am at home but don't want to be bothered. The cell phone takes a message – I have no need for a home answering machine any longer. Usually I answer, though – I prefer to get the call rather than to play phone tag later.²¹ Three-way calling is another great invention – I can set up a meeting or patch someone in, and settle whatever it is right on the spot. I have a headset, which I got when I had a

²⁰ Actually the next big change – having to quit my job, see Chapter 27B.6 – turned out to be an immensely positive one.

²¹ Future researchers – phone tag happens when I call you but have to leave a message, and you return my call but then *you* have to leave a message, and this continues back and forth. Do you still have that in 2319?

work project which kept me on the phone for hours, and use it (or a speakerphone) most of the time when I'm at my desk. It keeps my hands free to take notes on the computer.

I have commercial high-speed Internet service. I used to have service free from my computer-whiz neighbor, in return for answering some legal questions for his business – an actual cable ran through my wall and through my immediate neighbor's house into the whiz's house next to his. But that ended when he split up with his wife and moved away. My current service is not free, but is a lot more reliable. With high-speed Internet access I can connect to my office through Citrix and work at home, getting all system documents right on the screen, not that I work much any more except for my imprisoned clients, but I save documents on the company server, and use their e-mail program. I have satellite TV now, and a color copier as well as a scanner, and who knows what will be next. I'm wired!

I mentioned that I used to be a member of the San Francisco Zoo. I never go to the Zoo now – the suffering of the imprisoned animals affects me too much to make it any fun. But in July 1989, when I was still a member, I went on a Zoo-sponsored trip to the Marine Wildlife Sanctuary on the Farallon Islands off the San Francisco coast (I can just barely see these islands from my upstairs window on a clear day). I brought some friends with me, and we sailed out there on the *Salty Lady*. I got seasick on the way out but took a Bonine, and was OK on the way back. We could not go ashore, but our boat got right in close to the rocks and we saw elephant seals and lot of other creatures – on the way back there were minke whales, and dolphins riding our bow wave. Very cool.

I went through a jazz period in 2004. Here's what I wrote to a friend:

Latest enthusiasm (like Mr. Toad – *poop-poop!*) is jazz music.²² I love jazz when I hear it (most of it), but don't know what to listen to. So I began deliberately educating myself, more or less as I did when I first began to learn about classical music from the radio at age 17, and again when I began collecting all those records so I could do *Lower Cape Concert Hall* on WOMR.²³ I watched Ken Burns' TV series *Jazz* and bought the 5-disc highlights set. I listened to the discs and made a list of all the performers I wanted to hear more of – there were about 40 of them.²⁴ Then I started going to the used music stores, just as I did when buying those vinyl classical LPs, and on eBay, and have been buying one or two discs or box sets for each artist. I have about a dozen so far and am listening to them intently and reading the learned liner notes. As I find someone else I want on the list I add him – I just put Bill Evans on the list yesterday, and bought a compilation CD of his.

²² From *The Wind in the Willows* by Kenneth Grahame. Mr. Toad is always exchanging new enthusiasms for old ones. When he discovered motor cars (this was in 1908) he would stare dazedly after them and say *poop-poop* in imitation of their klaxon horns.

²³ See Chapter 26.A.

²⁴ The list is attached as Document 27A-2.

I stopped listening to the classical records (which included a lot of avant-garde 20C works in the classically-derived tradition) when I moved back to SF in 1988, because I no longer had a show to prepare, and because I found I preferred to spend my time reading and couldn't do both at once. Now I find some of the time I prefer listening to jazz instead of reading. I got one of those little CD players you can walk around with and just spent two hours with Sidney Bechet on the way to the ball park and back again. I don't know why I didn't do this years ago. I am getting to Miles Davis and Thelonious Monk and bebop, but right now I am wallowing in the music of the 20s and 30s, which speaks to me as almost nothing else ever has. And there is inexhaustibly more where that came from. I have a lot to learn – I am still at the stage of trying to figure out which sound on a recording is the trombone. But I feel about the saxophone like I feel about the cello; I feel about Louis Armstrong the way I felt about Pablo Casals, except Casals had a score and Armstrong was making it up as he went along.

But it didn't last – I stopped listening, and went back to reading. *Poop-poop!*

There are probably lots more incidents. The most important and interesting incident at the present time, though, is the project of writing this memoir itself.

I note in passing, as a point of character, that I usually have lots of paraphernalia with me. I carry three kinds of eyeglasses (reading, distance and tinted distance), and a special gray insert to wear over those in glary conditions or while driving, and sleep goggles for impromptu naps in the car. I carry earplugs for when things are too noisy and special earflaps (see Document 34-1) for when I have trouble hearing clearly, for example in a theatre. I have a little light on my keychain and also a tiny screwdriver for fixing eyeglass frames. I have a pill case with pills for many occasions, and a special cloth for cleaning my glasses. I carry business cards in a silver case, and a pocket mirror and a cell phone and a package of tissues and some sugar-free cough drops and a pouch with packets of sugar substitute, and emergency medications, and diabetes equipment, and eye drops. I wear a watch with eight or nine different functions including a stopwatch, a calculator, the time in every time zone in the world, a countdown timer, and room for 150 appointment reminders and telephone numbers entered with a fingernail on a tiny keyboard. Of course I always have my all-purpose pocket notebook with calendar and diary (see Chapter 28), and pen clipped inside. And except when passing through security, I am never without a Swiss Army knife with 22 functions including pliers, a saw, a magnifying glass (good for starting fires), a ruler in inches and millimeters, a pair of scissors, a tweezer and a chisel. And in my shoulder bag I always carry a copy of the *Dhammapada*, a folding wire bookstand, my current book, and sometimes a headlamp for reading in the dark, in a pouch with spare batteries just in case.²⁵ My friends are amused

²⁵ I also used to carry a small leather folder with pouches for joints and a glass joint holder, and a lighter, and a toothpick to get the roach out of the holder. *Semper paratus*, as the Boy Scouts say – always prepared.

by all this equipment, which actually distributes to my shoulderbag and various pockets without much difficulty, but I notice that when someone needs a Phillips screwdriver in a hurry, I'm the one they turn to. All I need to complete the rig is a cleft stick.²⁶



Tailpiece: Swiss Army knife

²⁶ In Evelyn Waugh's comic novel *Scoop* (1937), the hero is sent to Ismailia (Ethiopia) by a London newspaper called the *Beast*. As they are fitting him out he says he needs a cleft stick for carrying messages in. "We can have some cloven for you," says the outfitter. "If you will make your selection I will send them down to our cleaver."

Document 27A-1: Order of the Compassionate Heart



Document 27A-2: List of jazz performers

from notebook 183

piano

Count Basie
Dave Brubeck
Duke Ellington
Bill Evans
Earl Hines
James P. Johnson
Thelonious Monk
Jelly Roll Morton
Bud Powell
Art Tatum
Fats Waller

saxophone

Ornette Coleman
John Coltrane
Stan Getz
Dexter Gordon
Coleman Hawkins
Gerry Mulligan
Charlie Parker
Oscar Peterson
Sonny Rollins
Grover Washington
Ben Webster
Lester Young

trumpet

Louis Armstrong
Chet Baker
Miles Davis
Roy Eldridge
Dizzy Gillespie
Wynton Marsalis

clarinet and cornet

Sidney Bechet
Bix Beiderbecke
Benny Goodman
Artie Shaw

others

Stephane Grapelli, violin
Charles Mingus, bass
Django Rinehardt, guitar

vocalists

Louis Armstrong
Ella Fitzgerald
Billie Holiday
Bessie Smith
Sarah Vaughan