From Sonnets to Ransom Notes

Shakespeare Sleuth Helps Police in Literary Detection

Terry Pristin

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You are what you write. At least, that's how Donald W. Foster sees it.

Dr. Foster, who is a professor of dramatic literature at Vassar College, made a name for himself in the academic world by persuading many other scholars that a long and disappointingly bland funeral elegy came from the pen of William Shakespeare.

Now he spends his spare moments helping to solve crimes.

It all started last year after Dr. Foster wrote an article for New York magazine identifying Joe Klein, the journalist, as the anonymous author of "Primary Colors," the political roman a clef.

Since then, law-enforcement officials have sought his help, and he has applied his talents at text analysis to the Unabom case, the murder of JonBenet Ramsey and a 1996 double murder in Windsor, Conn. Usually more at home with songs and sonnets, he is poring over extortion letters, pseudonymous tips and ransom notes. The Federal Bureau of Investigation has asked him to teach agents some of his techniques for unmasking authors.

Those techniques include using a computer to see if the authors of two different texts favor the same uncommon words and phrases. Then he compares stylistic mannerisms, looking for parallel patterns in grammar, syntax and sentence structure, errors of spelling and usage, and ideas and psychological underpinnings.

This has been a heady period for the professor, who pedals a clunky Schwinn between his apartment on the Vassar campus in Poughkeepsie, N.Y., and his cluttered office and still looks boyish at 47. His expertise has also been requested in a variety of civil matters — among them a case in which he refuted a lawyer's hunch that opposing counsel had ghostwritten the judge's opinion.

Despite his new sideline, Dr. Foster said, he is not about to abandon the scholarship that made him prominent even before "Primary Colors."

He still devotes many of his working hours to shoring up his conclusion about Shakespeare's authorship of the elegy for a young Oxford scholar who was murdered in 1612, against a wave of what he describes as "increasingly hysterical" skepticism among British academics. He is also assembling an anthology of writing by medieval Englishwomen.

But the chance to poke his head out of the academic cloister from time to time has proved stimulating, he said.

"I'm feeling the tremendous appeal of actually doing something that might have value in the real world," he said. Little of that has been monetary. He has been paid as much as $250 an hour for civil cases, but has also volunteered in the Unabom and Ramsey cases.

Other professors applauded Dr. Foster's forays into applied scholarship but were cautious about making too many claims for such verbal fingerprints.

"It's a good advertisement for what we do," said Dennis Baron, a professor of English and linguistics at the University of Illinois.

"As one tool among many," said Stanley Fish, a professor of English and law at Duke University, "it seems to me to deserve a place in the legal world, just as it does

in the literary world. There's a legitimacy, as long as you don't think it's the magic key."

It was the defense that first approached Dr. Foster in the Unabom case. Lawyers for Theodore J. Kaczynski, the suspect, hoped that the professor would discredit a textual analysis made by the F.B.I. comparing the Unabom manifesto to other writings ascribed to the defendant.

After looking at the documents, Professor Foster said in a declaration filed in Federal District Court in California, he came to believe that the Unabom manifesto matched other writing samples from Mr. Kaczynski, who is accused of killing three people and injuring 23 others. Then, in March, the F.B.I. asked him to examine the documents more thoroughly and respond to a defense expert's contention that the agency's claims were "untenable and unreliable at best."

He concluded instead that the F.B.I. had understated its case. "The evidence of common authorship is far more extensive, detailed and compelling than the F.B.I. has suggested," he said in the court document. Neither the Justice Department nor Dr. Foster would release a longer analysis he drafted because it is not part of the court record.

In the Ramsey case, Dr. Foster has provided Alex Hunter, the Boulder County, Colo., District Attorney, with extensive notes on the ransom letter found after the 6-year-old JonBenet was murdered, and has studied letters from "supposed tipsters," as he calls them.

Last summer, investigators in Windsor, Conn., asked Dr. Foster to analyze an anonymous letter purporting to confess to the March 1996 murders of Champaben Patel, 54, and her daughter, Anita Patel, 32 in an arson fire at the mother's home. That work is still going on, and the case is unsolved.

Many people have the misconception that attributional work is mere word-crunching, Professor Foster said. The computer, he acknowledged, has provided researchers with enormous capacity to identify likely authors of a particular text.

To help determine the origin of the funeral elegy, a project he began when he stumbled across the unattributed poem in 1984 while he was a graduate student at the University of California at Santa Barbara, Dr. Foster developed a computer database called Shaxicon containing an index of words that Shakespeare used most infrequently, cross-indexed with thousands of other texts from the period. But the database is only a starting point, he said. "The notion has been perpetuated that there's a computer program that can identify authorship, and there isn't," he said.

It is up to Dr. Foster to look for idiosyncrasies making up a distinctive verbal pattern. "One can make deliberate errors to try to conceal one's identity," he said, "but it's very hard to abandon one's customary habits." In the case of "Primary Colors," for example, Dr. Foster found that Anonymous and Joe Klein were both fond of compound words, colons and short sentences.

In his criminal work, he also hunts for psychological clues, the aspect of attributional work that he seems to find most engaging. "The person who is being criticized or

is under suspicion for committing some sort of serious misdeed," he said, "will on the one hand adopt various strategies for self-justification and various strategies for concealing."

To illustrate the point without divulging details of his current criminal work, Dr. Foster cited O. J. Simpson's suicide note, which originally contained the phrase, "First, everyone understand I have nothing to do with Nicole's murder," until Mr. Simpson scratched out the words "I have." To the professor, this suggested "a need to conceal the self and its agency."

Dr. Foster said his penchant for ferreting out personality traits is what particularly irritated Mr. Klein. In his Feb. 26, 1996 article for New York magazine, Dr. Foster suggested that both Anonymous and Mr. Klein had "issues" about blacks. "Anonymous thinks like Joe Klein," he concluded. "He has read Klein's Newsweek commentaries on race, and he thinks it's pretty smart stuff. Good blacks are hard-working, middle-class, nonthreatening. Bad blacks need quotas, affirmative action, welfare, gerrymandering." After the article appeared, Mr. Klein said he took offense at having his writing characterized that way.

"This made him very angry," Dr. Foster said in the interview, "because he wanted to say, 'This is not me.'" Mr. Klein declined to be interviewed for this article.

Dr. Foster was not actually the first person to identify Mr. Klein, but he may have had the most to lose. "Three editors had just announced that the funeral elegy would be included in their forthcoming editions of Shakespeare's work," the professor said, "and suddenly, Foster's authority started looking pretty shaky."

Unaccustomed to dealing with authors in a position to issue denials and unable to reconcile the vehemence of Mr. Klein's protests with his own methodology, Dr. Foster backed off a bit, suggesting that Mr. Klein might have had some help in writing "Primary Colors." The professor's ordeal ended when The Washington Post got hold of a copy of the manuscript containing Mr. Klein's handwritten notes and Mr. Klein acknowledged its authorship.

The full potential of literary attribution has yet to be explored, Professor Foster said. "Text analysis is now where DNA analysis was a few years ago, or where fingerprinting was 50 years ago," he said. "We're realizing that we can learn an awful lot from evidence of this sort."

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