

The Search for Normal

“I had a hell of a time admitting,” Martha Bablitch now concedes, “that I was an alcoholic. It took several relapses and a lot of pain . . .”

She never admitted it fully from the time she was elected judge in the U.S. Court of Appeals in Wisconsin in 1978 to the day she resigned — March 4, 1985.

Diagnosed as having clinical depression in 1981, she “self-medicated” with alcohol to ease the pain. At times, her dosage was a half-quart of vodka a day.

Some colleagues were skeptical of the “clinical depression” diagnosis. “They had smelled alcohol on my breath and they thought that was the reason for my lack of production on the court. There were some people who thought I was just a common drunk.”

Martha Bablitch was born in Lawrence, Kansas, in 1944. Her family moved to Ypsilanti, Michigan, when she was two. Her mother was an attorney and her father was a

For the first time since her resignation last year, former Appeals Court judge Martha Bablitch tells her own story — of the pain, depression and alcoholism that nearly shattered her life.

by George Vukelich

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After graduating from Lawrence University, she entered law school at the University of Wisconsin — Madison and in her junior year, met and fell in love with William Bablitch, who was a year ahead of her. They married in January of 1968. When he graduated, he went to Stevens Point and became district attorney. When she graduated, she joined him and hung out her shingle.

“Bill ran for State Senate in 1972. I stayed in Stevens Point to run the Bablitch & Bablitch law firm.”

The firm was destined to dissolve, as was the marriage. The divorce became final in 1980, but she says: “We separated a couple of years earlier.” William Bablitch is now a justice on the Wisconsin Supreme Court.

Years later, she compares the pain of giving up her judgeship to the pain of giving up her marriage. “The most painful thing was giving up the hope that I had for both of them. I didn't let go of things easily.”

“I had always believed that the whole answer to the pain of my life was the clinical depression which the doctors diagnosed in '81. They put me on anti-depressants, but it took months to figure out which anti-depressant would work for me.

“Eventually, they had me try three different ones — Tofranil, Norpramin, Nortriptyline — and I had terrible side effects with all of them. I was absolutely spaced out. I felt like a zombie. I felt like I was perceiving the world through balls of cotton. My mouth was so dry I couldn't speak. My whole body would shake. I had all of the depression, plus all the consequences of the depression, plus the goddamn side effects — and the worst was that zombie business.

“Finally, the doctor told me to take a leave — ‘a brief leave’ — from the office. I did and it turned out to be six weeks. We went back on the Tofranil — it was spring of '82. This time, we increased the dosage very, very slowly to allow my body time to get used to the medication, and when we reached the maximum dosage I could stand, we stayed on that. For weeks.

“Finally there came a morning — I was sitting right there where you are sitting now — and I looked at that window there. It was a summer day, there was a blue sky and it was beautiful. I *felt* the beauty. It was almost as though I heard a voice in my ear, myself speaking, saying: ‘My God! Is this what it feels like to be normal?’

“I had come back. I had climbed out of that hole somehow.

“By that time, every single aspect of my life was worse and I felt much better. I felt like a human being who could tackle the problems of life again — instead of somebody who was flattened by a steamroller, which is what you feel in depression.

“But the office was falling apart. Completely. I had an accident, broke my collar bone, broke four ribs. I was given certain deadlines on my caseload in the court. The pressure was tremendous and I relapsed.

“I was also using increasing amounts of alcohol because alcohol was the only thing that helped. Talking didn't help. Loving friends didn't help. Nothing helped dull that excruciating pain, depression — nothing. Except alcohol.

“At the worst of it, before I went into treatment, my consumption of alcohol was up to about a half-quart a day — at the very worst of my depression. That's a heavy, heavy load.

“It was vodka at that point, but you know, there were other things. An alcoholic tries switching — from wine to beer, from bourbon to vodka — to see if he or she can't control the intake a little better.

“I was also medicating myself with the alcohol because medication — the anti-depressants for depression — takes a very long time to make itself felt.

“Looking back at it, I still feel that alcohol

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probably saved my life because it dulled the pain that otherwise would have been unbearable, and because of that pain, sure, I thought of committing suicide. People in clinical depression will tell you *anything* is preferable to the pain, including death.

“I never made an actual attempt, but I came close in my mind. I wanted not to exist. It was too painful. There was no purpose, no meaning, nothing that made sense. I hate to call it ‘a symptom,’ because that seems to minimize the amount of power that this feeling has. It takes over your life.

“I was unable to perform quickly enough at the office. The stuff I was writing was good — I think — the opinions on cases, but I was unable to turn them out, I was unable to hit a stride which was acceptable to my colleagues and so the pressure got greater and greater. I would get farther and farther behind and they would get angrier and angrier and more and more mystified, and I couldn't explain it.

“I particularly couldn't explain it in the many months before I was diagnosed with depression. I had no idea what was the matter with me. I only knew that it was something terrible that was happening.

“It wasn't just the job. My father was disintegrating before my eyes with Alzheimer's disease. He wasn't dying, his mind was disintegrating. He was becoming more and more inaccessible to me as a person, as a human being.

“My mother was becoming more and more enfeebled by her own illness, which is a kind of anemia, pernicious anemia. There were other members of my family, other losses of loved ones which I have not shared with the public and don't wish to.

“So all of those things were happening and I was becoming more and more isolated. This is what happens with clinical depression. It is also what happens with alcoholism. It is also what happens when you become a judge in the Court of Appeals.

“As far as my colleagues went — the

other judges — we saw each other every day, but that's not enough.

“When I was a lawyer, I saw five or eight clients a day. You're in court, you see all sorts of different people, you're interacting with a wide variety of people, in addition to your social friends.

“I was seeing my colleagues who were working on cases and that was it. You are not working with people. You are working in your head. You are reading and writing, primarily. Sometimes discussing but, primarily, the work of an appeals judge is reading, thinking, writing — and it is a very lonely job. Far more so, I would imagine, than that of a trial court judge.

“So all of those things were closing my little circle of life and I was getting more and more constricted and more and more lonely. In that job, I forgot how much I need people in my life and how valuable interaction with other people is for your own perception of yourself. You know, you can't see the back of your neck. You need other people to react to you and tell you, share with you, their views of reality.

“There are 12 judges on the Court of Appeals and some of them were under-standing — or tried to be — particularly once I was able to tell them that I had been diagnosed as having clinical depression.

“Others sort of took the position that it really doesn't matter why you can't produce, the only thing that matters is that you can't produce, and we don't give a damn about why.

“Some of the people who didn't care about the why cared only about the production rate — the ‘numbers game’ on the Court of Appeals. Get 'em out, get 'em out, the depositions. As fast as they come in, get 'em out. People who were most concerned about that tended to be least understanding and, occasionally, quite brutal in their attitude toward me and my ‘illnesses.’

“I had always thought that to quit the Court of Appeals would have been letting a banner fall — several of them, as a matter of fact. There was a period of time when I felt I had been treated like a criminal for being sick by people who didn't try to understand. That includes some of my colleagues — not all of them, but a couple of them.

“I wanted so badly for them to understand. I would give them literature about clinical depression and they wouldn't read it, by and large.

“So I was very hurt. I also felt that it was just wrong for a person, any person, to be treated as a criminal for being sick, so that was one of the banners. My hope was to recover and then do something about how people who were suffering from clinical de-

pression were being treated by colleagues and employers. I hope to be a conduit for information about that disease and assist in educating both its victims and people who have to deal with depressives.

"Being a woman judge was also one banner, sure. I was quite aware that I was the only woman on that court. I was the youngest judge on that court. I was 33 when I was elected. And there were some people who were out to prove that if a woman wanted to play hardball, they weren't going to treat her like a lady. I think because of that, I was treated rather more harshly than a man might have been in similar circumstances. Of course, that's all guessing, that's all speculation.

"I didn't feel that I would be letting women down if I left the court, although that was there, of course. I felt more that I would be letting down the people who had suffered from the horrendous stigma, the stigma of depression, and then as I became able to admit it, the stigma of alcoholism.

"Each of the times that I got plastered all over the front page, I got letters from people and they were beautiful. In all that time, in all those years, all those page-one things, I never got a negative letter. They were all caring, eloquent expressions. Some people said they were alcoholics, some said they were depressives. Some of them were simply saying, 'Don't give up hope.' You didn't read, 'Don't kill yourself,' but that's what they were saying. Don't despair is what the message was. 'Don't despair! We care. We care about you.'

"This meant so much to me and I felt a real obligation to those people to hang in there, by God. Hang in there.

"There was a third banner, and that was I really believed all that stuff I said when I ran for election to the office.

"I said that I was 'personally and professionally committed to the justice that this court was created to serve, meaningful justice at the appellate level.' To me, that meant issuing thoughtful, caring, careful opinions in each and every case. It meant doing it myself, not having a clerk do it. I was the one elected judge. I couldn't take shortcuts. I was committed to serving that ideal as opposed to seeing the court become a sort of numbers factory, which was simply interested in getting cases off the docket as opposed to *doing justice*. That was a real banner for me.

"It was hard to let go, but what came clear to me in those weeks as I was making my decision to resign was that I was too sick to carry those banners. I could not perform the duties of my judgeship under the circumstances which had developed surrounding my judgeship — the commission thing, the press thing, the attitude of some of my colleagues.

"I couldn't do the job of a judge in the atmosphere, nor could I recover from my diseases. There was an investigation.

"At the worst of it, before I went into treatment, my consumption of alcohol was up to about a half-quart a day. That's a heavy, heavy load."

"There came a time during that last year when it was pretty much guaranteed that about every three months, a reporter would call and say: 'We hear you aren't doing your job' and issue another front-page story about the statistics.

"I was particularly crushed when, having improved my rate of production enormously — at one point I was third-highest producer on the court early in the spring of 1984 — the headlines were 'Bablitich Continues to Fall Behind.' The reporters talked to other people who used the statistics to defeat the thought that I had made improvement.

"Then I couldn't carry the banners anymore. I couldn't do it successfully. I could not serve the ideal of justice that I held for that court and explain two stigmatized diseases — to the commission and to the public — and handle my father's death and my mother's dying, all at the same time. I just wasn't that kind of superwoman. I couldn't do it, so it was pointless to stay on.

"I was serving nothing but the continuation of my own pain and illness.

"It was not clear to me when my father died, in November of 1984, that this would be a catalyst. After all, he had been 'gone' from me for the preceding three years. He had been in a nursing home for that long and not himself, except rarely, he would surface. So I felt that I had really lost him a long time before he actually died.

"But again, there was something about seeing him dead and seeing the completion of his good life and then comparing my own situation, my life. I think that's what was happening as I stood saying my last words to him in that room and suddenly understanding that I was in the wrong struggle. I was fighting the wrong battle and that the first thing that I had to do was recover from a nearly fatal illness. Then maybe we'd see about the ideal of justice.

"There were a couple of things about my father's death. First of all, I was very, very grateful that he was gone from his pain and the public turmoil there had been about my

life. It would have given him terrible pain to have gone through that with me, so I was glad he was removed from it.

"He said to me once while he was still in his right mind — this was in the early years of my judgeship and I was telling him of my frustrations with trying to write opinions, thoughtful, caring, careful opinions, and being unable to make compromises that some other judges were making with the process — he said: 'So, you think you're the *conscience* of the court.' And he said that not in a congratulatory tone at all. He was chiding me for presuming such a position and he was right. He was right. I stubbornly held on to my own ideals in the face of the impossibility of serving those ideals on the kinds of courts that most intermediate appellate courts are — high volume, very high volume. You just can't do what I was trying to do under the mounting pressure of numbers. Nonetheless, I kept trying. I kept beating my head against that wall and thinking it was a noble cause.

"So that was a part of what I heard in my father's room. Heard without words, you know. 'Who the hell did I think I was. The conscience of the court? Joan of Arc? To be going through all this repeated public trauma and washing of dirty linen about my poor life. Where was my humility?' And humility was one of the things my father had that I very much admired. It is something I am learning as I recover from alcoholism.

"I n the last part of January — this is '85 now — after I had been at Hazelden 17 days, I wrote my letter of resignation. Two days later, I was told my mother was dying. I left Hazelden, left all my belongings there, hoping I could come right back, that the situation in Michigan would not be as bad as it turned out to be. She was in terrible shape, so I spent two weeks in Michigan with her, then went back to Hazelden and they said, 'You have to start over.' I had hysterics and ranted and raved because my insurance wouldn't cover it, for one thing. The insurance would cover only 30 days. But after all, these were the people who knew and in whose hands I had placed my life. So I took their advice and, at the end of the second course of primary, they said, 'Look, you have got too many issues to deal with in primary — all those losses.' It had been one hell of a five years or six or seven years for me. So I again resisted the thought of more treatment. Financing it was going to be a real problem, but I again took their advice and stayed on for extended care for another nine weeks.

"Hazelden's treatment is based upon the principles of Alcoholics Anonymous — the Twelve-Step program of AA — as are the treatment programs in many other treatment facilities. So you get a good healthy

dose of AA principles, particularly the first five steps.

"They do recommend attendance at AA meetings, but there's no requirement, ever, that a person who attends an AA meeting must become a member of AA. All you have to have to attend an AA meeting is a desire to stop drinking.

"I started out thinking that AA was full of people who had pink flamingos in their front yards and samplers saying 'Home Sweet Home' on the kitchen walls and religious pictures around the house. That's not the case. AA is full of some of the bravest and most fascinating people I've ever met anywhere.

"I go to meetings of recovering alcoholics as often as I need to. Sometimes that will be once or twice a week. Sometimes it will be every day. It depends on what's happening with me, where I am in my life, and with what particular problem and how much help I'm willing to ask for at that particular point.

"If I could have chosen to confront my diseases, I certainly would have chosen an easier way to do it than on page one. Step one is: *We admitted we are powerless over alcohol and that our lives have become unmanageable.* Now, I could admit that my life had become unmanageable real easily early on. I could *not* admit that I was powerless over alcohol, that alcohol was why my life was unmanageable. So, it took me a hell of a long time and the press got a lot of that pain that I was going through. My pain.

"**S**o do I have regrets? No. Strangely enough, and it surprises even me, I do not regret the past. It was terribly painful, but some of us have to learn the hard way. I guess I'm one of those persons. And maybe because of the vastness of the pain, I've learned better than I would have had it been easier.

"I have learned the hard way that you have to be able to let go, whether it's a career, a marriage, a friendship, a judgeship. Trying to hang on can smother, can turn a good thing into a bad thing.

"I'm in my second year of sobriety and the depression has not returned. I got off the anti-depressants while I was at Hazelden — after I decided to stay for extended care. I decided since I would be in a safe, protected environment, now was the time to try and get off all medication altogether. We did that and, thank God, the depression has not come back.

"So, in the year, I have begun to experience something I have observed in other recovering alcoholics who have been sober for a period of years, and that is serenity. It is the product of an approach to life that's really different from anything I have ever attempted before. It's hard to explain, but it has to do with saying 'yes' to life, instead of

struggling. It has to do with letting go and moving with the current of life downstream, rather than upstream.

"It has to do with accepting and this goes beyond accepting merely that you are an alcoholic, hard as that is to accept. It has to do with accepting your failings and defects as a human being and the fact that other people in your life are very imperfect too, and that they make mistakes and hurt you. We have to accept the fact that we live quite a long distance always from the ideal that we carry about how life is supposed to be, how justice is supposed to be.

"As far as finances go, I was very fortunate indeed in having taken out an Income Continuation Insurance policy some years ago and I've been very, very grateful that that has been there. That and the retirement that accumulated during the seven years I was judge have been paying for my medical care and for my living expenses during this period of necessary recuperation.

"The thing I keep coming back to is: By God, I have survived two nearly fatal, frequently fatal illnesses and now, more than just surviving them, I am growing in a way that feels wonderful. I am feeling like a better human being.

"Eventually, of course, I will have to work to pay for the roof over my head. Work at what, I don't know. I am addicted to writing. Writing has always been a very important part of my life, and the law, of course, is a profession in which I've been able to use a facility for writing. I haven't published anything since college and my primary emphasis in the last several years has not been on writing fiction or poetry, but I'm writing fiction and poetry now. I've sent off a piece to see if anyone is interested in publishing it, and who knows?

"If *that* door started to open, it would be a wonderful door.

"I think it's possible that I'll hang out my shingle again and practice law. At this particular moment, I don't feel ready to re-enter the — I don't know how to phrase this — to re-enter the kind of stressful occupation that I had known before in the law. I don't feel ready, but that doesn't mean I won't at some future time. But I am writing.

"This is a poem that I wrote during the horrible days after I had communicated to my immediate superiors and the commission the probability that I would resign. The 'almost certainty' that I would resign. I was waiting to go to Hazelden. There were several days of waiting to go and I was in incredible pain. The image that kept coming to me during those days was of the Phoenix, which, as you know, in mythology is burned to ashes and then rises again from its own ashes. It was a despairing hope of some sort that brought that mythological image into my mind, but I found myself writing a poem about it:

*Waiting for the Phoenix to rise
I stare at ashes. Plain ashes.
One would not surmise
The birth of life again
From such ignoble dust.
But life starts. Life comes.
Birth begins in subtle stuff.*

"It was a hope. It was an expression of some primitive lingering hope that I would rise from my own ashes and that somehow Hazelden would help me do that. And it did.

"Perhaps one day I'll write about my father in the same way.

"It was in the height of my clinical depression, in November of '81, shortly before I was diagnosed as having the clinical depression, I couldn't eat, I couldn't sleep, I had crying jags at all times and places. I had hyperventilation attacks, all sorts of horrible symptoms and, of course, I felt miserable, in intense pain and it all fell apart. I mean I became really non-functional at the point where my father entered the nursing home back in Michigan.

"It was a terribly traumatic decision for the family to make but my mother simply could not care for him at home anymore.

"So this was the first time — Thanksgiving — that I was to see him in more than a year. The first time ever that I would see him in this nursing home and I was an absolute mess. I could not stop crying.

"As we entered the nursing home and walked toward his wing of the building, I with my mother whom I should have been trying to comfort, and here I was, sobbing uncontrollably, despite some Valium the doctor had given me before I left.

"I went into the wing and saw my father in a wheelchair, in this sort of open space they had for patients, and I had to fight back the tears. By this time, I was under enough control for his sake and we went into his room, all three of us. I didn't know what to say because I didn't know how much he understood now. By that point, he couldn't form sentences and sometimes he couldn't form words. He spoke, when he spoke at all, in some sort of strange syllables, chatter, and you could tell he was very frustrated at not being able to communicate with you.

"He said nothing. I said nothing. My mother said nothing. We sort of looked at each other. I looked at my father. He looked at me. I felt him sizing me up, understanding exactly where I was — and he winked.

"It was the only form of communication that he had. He sort of smiled and winked. It was his way of saying: 'It's all right. It's going to be all right. I'm all right. You will be all right.'

"The courage that must have taken him.

"It must have taken him tremendous amounts of courage to continue his existence, and he was passing his courage along. Since that day, I see that wink a lot." ■