Drug-Making Topples Eminent Anthropologist

An anthropology professor turned in the chairman of his department at NYU, who claims he's been framed

In the late evening on 17 May 1979, six federal narcotics agents entered a scientific laboratory on the fourth floor of New York University's (NYU) anthropology building. Aided in their search by a professor and a graduate student, the agents discovered amidst a jumble of equipment five plastic bottles and two dishes containing methaqualone, a depressant widely known as Quaalude, popular on the illicit drug market. They also found a flask containing residues of lysergic acid hydrazide, a precursor of LSD.

The investigation that began that night culminated last July in the conviction of John Buettner-Janusch, chairman of NYU's anthropology department and a well-known scientist. Buettner-Janusch was convicted of conspiring with others to make and sell Quaaludes, LSD, and a third drug, synthetic cocaine, using the laboratory. He was also convicted of lying to federal authorities, and faces up to 20 years in prison when he is sentenced on 28 October.

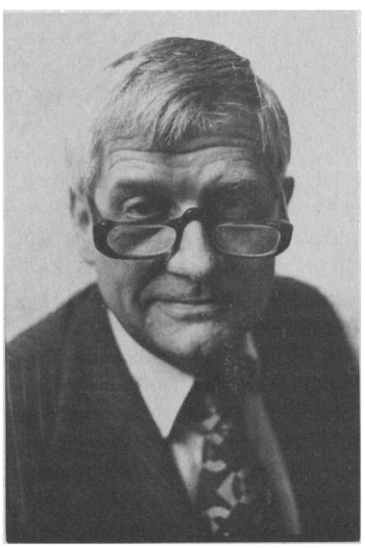
This startling turn of events has seriously injured an otherwise distinguished career. Buettner-Janusch, 55, is a leading physical anthropologist, one of several who have pushed the profession beyond the traditional study of bone structure into the frontiers of biochemical genetics as a means of charting evolution. He is the author of a basic college text, *Origins of Man*, and has extensively studied the blood chemistry of baboons, macaques, and lemurs, the small monkey-like creatures native to Madagascar. A colorful, assertive figure who enjoyed one of the highest salaries at NYU, Buettner-Janusch is conspicuous on the NYU campus and in broader academic circles for his personality as well as his professional achievement.

Remarkably, he was turned in by a professor in the department who is also a well-known anthropologist, Clifford Jolly, and was convicted on the strength of incriminating testimony by several graduate students. A quiet, respected researcher, Jolly cooperated with Buettner-Janusch for several years on a federally funded study of genetic markers in primate blood, and was the only professor to share Buettner-Janusch's lab. Given Jolly's reserved manner, it is difficult even for close associates to discern how he felt about the colleague he accused of criminal behavior.

It is not that the NYU department was short on traditional academic rivalry, factionalism, tensions, suspicions, and complicated personal relationships. But the extent to which any or all of these played a role remains unclear. Because faculty members were frequently away on research during the period in which drugs were made in the lab, few have a good understanding of what went on.

Throughout the entire affair, Buettner-Janusch has claimed that he is innocent, averring that the drugs unearthed in his lab were manufactured for benign and not criminal purpose. The stimulants and hallucinogens were intended, he says, not for administration to the denizens of Greenwich Village but to the lemurs in a colony he established some years earlier at Duke University in North Carolina. The purpose was an experiment he says the jury could not comprehend: to see if he could alter typical lemur behavior by manipulating the supply of various neurochemicals. If so, Buettner-Janusch reasoned, the behavior might be chemically, or genetically, imprinted and not learned. His attorney explained the project's significance to the jury with a clever bit of hyperbole. If behavior is part chemistry and not learned, the attorney said, "we could cure wrongdoing, we could take care of people who are recidivists, repeated criminals, and make them kindly. In one shot, we could wipe out crime."

Many of Buettner-Janusch's professional colleagues accept his explanation for the presence of the drugs, even though the project was never brought close to fruition. Several testified at the trial that the project was scientifically reasonable, and that Buettner-Janusch had mentioned it at one time or another. Others simply refuse to believe that a man of Buettner-Janusch's stature would make drugs for illegal distribution. A group of professors at Yale, where he taught for 7 years, has created a defense fund to enlist contributions toward the costs of his defense. Buettner-Janusch himself has mailed donation requests to several hundred academic scientists and acquaintances. More than 120 have contributed about $10,000 ("anthropologists are not noted for wealth," one explained). Among the contributors are some prominent figures, including Evelyn Hutchinson, a professor emeritus at Yale, David Pilbeam at Yale, James Griffin at the University of Michigan, Marvin Harris at the University of Florida, Bruce Trigger at McGill University, Sherwood Washburn at UC-Berkeley, David Robertson at Duke, and William Pollitzer at the University of North Carolina.



Buettner-Janusch

A colorful, assertive figure in anthropology circles.

Deborah Feingold Photo

Buettner-Janusch has pitched the case to them as one of "ridiculous persecution," invoking images of Nazi Germany and the Jews. He has castigated officials of New York University for permitting federal agents to search the laboratory without a warrant, and he has cast aspersion on Jolly, his initial accuser. He has also attacked the judge, the prosecutor, and the jury (this last because of how it was selected and because some of its members apparently dozed a bit during the

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week-long trial, a not uncommon occurrence). "Anybody who says that that jury knew what it was doing is wrong," he says.

The jury apparently had little doubt that what it was doing was right. Its members deliberated only 4½ hours before accepting the prosecutor's argument that, while the professor might have had a legitimate research idea, it was crafted largely as a cover for the drug-making scheme. The jury found that Buettner-Janusch decided in mid-1977 to make illicit drugs in his laboratory, that he carefully researched Quaalude and LSD recipes through the open scientific literature, and that he then enlisted student assistance. The department secretary obtained the necessary chemicals from a supply house, and the lab director and a graduate student produced the drugs.

There was also testimony that once the federal investigation began, Buettner-Janusch attempted to hide the scheme by telling students to deny conversations, and by offering his collaborators protection so long as they refused to cooperate with the authorities. It was alleged that he became involved in the scheme to replenish research funds lost when the National Science Foundation (NSF) canceled his grants.

Buettner-Janusch declined to testify at the trial. His case was doubtless hurt when the department secretary, Richard Dorfman, testified that the professor told him directly that Quaaludes, LSD, and a synthetic cocaine (made of sodium barbital and a dental anesthetic widely known as Xylocaine) would be made in the laboratory for profit. Dorfman testified that Buettner-Janusch told him, "If you were ever caught, you would go to jail . . . but do it anyway, money is money, so who cares." Dorfman also testified that the professor gave him samples of the cocaine for testing on his friends, directed that later batches be sold for $50 a gram, and discussed his intention to manufacture a kilogram for sale at $1500. Profits from the sales were to be laundered through a corporation formed by the professor and two students, Dorfman said one of the students told him. The corporation was smirkingly entitled, "Simian Expansions."

Buettner-Janusch was wounded by the testimony of the lab director, Danny Cornyetz, who said the professor told him, "you are as amoral as the rest of the United States and therefore I can tell you we are going to be making Quaalude in the laboratory." Cornyetz says the professor offered him a cut of the profits to participate. He also said the professor had a vial in his drawer labeled "synthetic snow" (snow is a street term for cocaine).

The professor was also wounded by the testimony of a graduate student, Richard Macris, who said he had made the drugs at Buettner-Janusch's direction, using sophisticated lab equipment such as a lyophilizer (which freeze-dries liquids) and a nuclear magnetic resonance spectrometer. Macris claimed he was unaware of his chemical creations' intended use until after he had been at it for some time, because Buettner-Janusch had told him that they were making "neurotoxins" for lemur research at Duke. The professor explained that commercial preparations are not pure enough.

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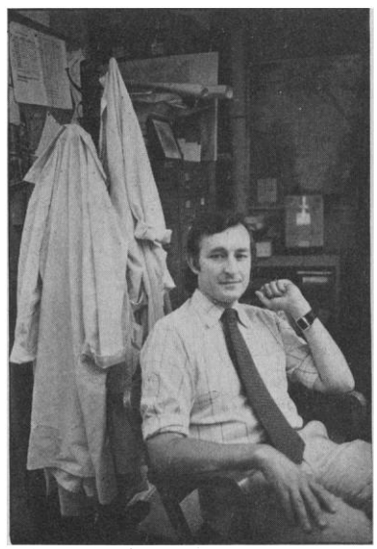
Finally, Buettner-Janusch was hurt by the testimony of his colleague, Jolly. Jolly said Buettner-Janusch told him that suspicious-looking chemicals were substances related to LSD intended for research on lemurs, and that experiments would begin in May 1979 at Duke (they did not). "Perhaps we should be making LSD and make a lot more money," Buettner-Janusch told him. "But nobody does this anymore, do they?" Buettner-Janusch admitted making methaqualone, Jolly says, but claimed it was a mistake and was not the chemical's final form. A witness from the Drug Enforcement Administration (DEA) challenged this claim later, testifying, "There is no way this methaqualone could have been produced accidentally," because of its purity and the production method used.



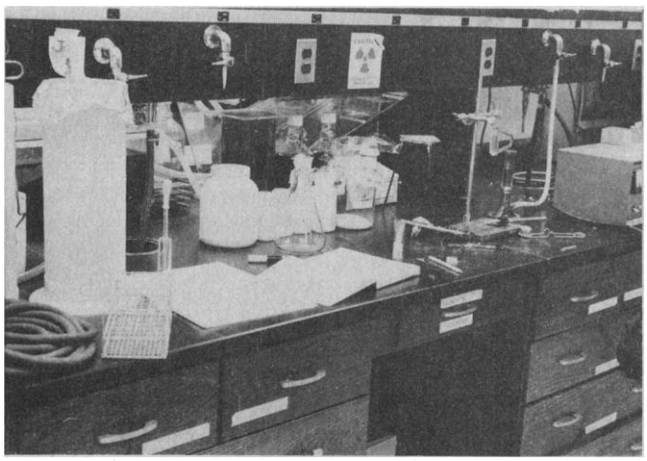
Clifford Jolly

A quiet scholar who became the government's informer.

Jody Caravaglia Photo

Professional colleagues who attended the trial and heard the incriminating testimony are bewildered as to why Buettner-Janusch might have done what was claimed; there is apparently little in his background that might explain it. Friends say he does not use drugs himself, and that on occasion he has spoken out against those who did. His résumé displays an untroubled academic career, ascending smoothly from Wayne University to Yale to founder and principal investigator at the renowned Primate Center at Duke to department chairman at NYU. He is reputedly a lavish entertainer, a flamboyant character who dresses in Edwardian fashion. Friends describe him as clever, brilliant, refreshing, dynamic, and outspoken, traits that have endeared him to some. Michael Coe at Yale says "BJ [as he is generally known] often came out and said the things we were all thinking." Even the professor's treatment of laboratory animals receives high praise, and students regard him as a witty and stimulating lecturer.

Others are less enamored with Buettner-Janusch's flair for the dramatic, however, and find an explanation for this affair in the fact that he often does things that startle, as one friend admits. There are stories about him—many apocryphal, some true—that appear as ripples on the gleaming surface of his résumé. Typically, they involve difficulties arising from his strong personality, which has earned him some enemies at the schools where he taught. What some see as refreshing and dynamic, others see as sarcastic, imperious, opinionated, and boastful. "BJ endears himself to his seniors and to his students, but is a bastard to his peers," explains an old friend. He simply rubs a lot of people the wrong way.



A photo taken secretly by Jolly

It allegedly shows several bottles of methaqualone on the lab bench and a notebook in which the results of tests for purity were recorded.

One such person may have been his colleague, Jolly, who looms large in the sequence of events leading up to Buettner-Janusch's indictment. Widely known for his work with baboons, Jolly is the co-author of a basic college text, and served on the panel responsible for Buettner-Janusch's selection as chairman. He could not be more different from Buettner-Janusch in personality. An Englishman, Jolly is quiet, serious, and precise, a man known for playing his cards close to his chest.

This is how he behaved when Macris, his graduate student, told him in February 1979 of suspicious activities in the lab. For 3 months, Jolly discussed this revelation with no one else, embarking instead on an extraordinary personal investigation. Every 2 weeks, he took samples from chemical flasks and vials in the lab and stored them on a bookcase in his home. He rummaged through wastebaskets almost every day, and took photos of suspicious containers and of Buettner-Janusch's notebook pages, photos that Macris developed at home.

Eventually, he anonymously submitted the chemical samples to the Drug Enforcement Administration, which determined that several contained highly purified methaqualone. On 16 May, Jolly took this evidence to the president of NYU, John Sawhill (currently the deputy secretary of energy). Sawhill, together with NYU's lawyer, immediately alerted the U.S. attorney in Manhattan. He also gave permission for DEA to search the laboratory the next evening and seize evidence, using Jolly's key instead of a search warrant. Buettner-Janusch has made much of this decision in his appeals for donations, claiming his academic freedom was violated with NYU acquiescence and that evidence was illegally seized. The judge, Charles Brieant, rejected these claims at the trial, accepting the university's argument that it retained control over the lab, even though it was rarely if ever exercised. In any event, Jolly and Macris first determined that Buettner-Janusch would be at a dinner party that night; then, at about 10 p.m., they led narcotics agents on a tour of the lab, pointing to suspicious substances. The agents collected equipment and containers, and on their way out, took a crowbar to the doorframe, making it appear as if the lab had been robbed.

Buettner-Janusch was not long misled by this pretense, as he shortly received a subpoena to appear before a grand jury. But Jolly went on gathering evidence against Buettner-Janusch anyway, apparently without prodding by the authorities. He continued snapping photos, and surreptitiously taped two conversations with Buettner-Janusch, one conducted in person and one over the telephone. In one, Buettner-Janusch is recorded asking that Jolly supply a character reference to the prosecutor. "There's an enemy here somewhere," Buettner-Janusch goes on to say, with little clue as to whom the informer was.

Finally, when Buettner-Janusch ordered a new lock for his basement locker after the break-in, Jolly memorized the serial number on the lock, obtained a duplicate key, inspected the locker on his own, and turned the key over to DEA. Unlike the drugs seized from the lab, evidence obtained from the locker (a quantity of gelatin capsules and a chemical ingredient of methaqualone) was not admitted at the trial.

Attorneys for Buettner-Janusch raised questions about Jolly's unusual conduct in their summation for the jury. They argued that Jolly's reluctance to confront their client with the rumors of drug-making betrayed ill will that could only be interpreted as professional jealousy. The attorneys told the jury that Jolly was unhappy in his present post, that he was jealous of Buettner-Janusch's professional success, even that he vied for Buettner-Janusch's lemur project. The jealousy was intense enough, the attorneys suggested, for Jolly to have planted some of the drugs in the lab. They said that Macris, Jolly's graduate student, was pulled into the plot in exchange for high marks and a salary as a lab technician. Although the attorneys never denied that drugs were indeed made in the lab at Buettner-Janusch's direction, they sought by this argument to explain the presence of quantities greater than might reasonably be used for research.

Jolly gives several explanations for what he did. Had he confronted Buettner-Janusch, he says, the drug-making would not have stopped. "I did ask what was going on, and was given a story I didn't believe. Buettner-Janusch is not the sort of person to admit fault easily—he has such confidence in himself that he believes what he says is right, and often convinces others. I knew I would have to have a firm case."

Buettner-Janusch might have accused Jolly or Macris of making the drugs, Jolly says. "He had more direct access to the administration than I." After Jolly learned from DEA that

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drugs were indeed being made, witholding that information from NYU and the authorities would have made him an accessory to the crime. This is presumably why NYU President Sawhill also went directly to the authorities, instead of attempting to handle the matter internally.

Bert Salwen, acting chairman of the NYU anthropology department, scoffs at the charge that Jolly acted out of professional jealousy, as do some other anthropologists. "He has no reason," Salwen says. "He is professionally successful, does important work, has written several books—he even had more doctoral candidates than BJ." Salwen ascribes Jolly's actions to moral righteousness, acknowledging that he might have approached the situation differently. Allison Richard, a professor at Yale who has been active in raising funds for Buettner-Janusch, says "BJ has some chance of winning on appeal, but Jolly loses either way. He was a good friend of all of BJ's

friends, but has generated tremendously bad feelings by his actions."

One reason the jury did not accept the notion that Buettner-Janusch was framed by Jolly and Macris is that Cornyetz and Dorfman corroborated their story. Buettner-Janusch's attorneys charged that the testimony had been fabricated in exchange for lenient treatment by federal authorities (Dorfman is awaiting sentence for his role in the affair, and Cornyetz received probation). The jury was apparently unimpressed because of the presence of tape-recorded conversations between the two and Buettner-Janusch that were played at the trial.

None of the tapes contained a smoking pistol, an open admission of guilt by Buettner-Janusch. But the cumulative impression they impart undoubtedly weighed heavily in the jury's verdict. Throughout the period of the investigation, after Cornyetz and Dorfman had turned state's evidence, Buettner-Janusch was confident that he would never come to trial. "My lawyers have told me they can beat any charges on my reputation alone," he said on tape. Professional colleagues were writing to the prosecutor; both the Harvard Medical School dean and the former dean of the NYU law school had promised assistance. He assures the students that he will protect them throughout, and urges them not to volunteer any information to the authorities.

The most damaging portion of the tapes may have been when he spun out "a hypothetical situation, a scenario for a TV drama" for Macris in June 1979: "Suppose someone comes and says to a person of impeccable reputation, 'you know we can make an awful lot of money doing such-and-such, and why don't we try making such-and-such,' and the person of impeccable reputation thinks to himself, 'well, students have fantasies and so forth, let's see what this is all about,' and at the same time—the person of impeccable reputation is beginning to develop, ah, the notion of trying a certain kind of behavior modification to see if a certain kind of research with animals will work, and the two jibe a bit. And occasionally the student makes some increasingly intriguing remarks about it and the person of impeccable reputation decides to make a test." Buettner-Janusch concludes by suggesting the purpose of the test was to ensure that the drugs being made would be doctored so as to be unsalable; suggesting, in other words, that he was playing along so as to foul things up at the last minute.

The possibility that a student or students talked Buettner-Janusch into making the drugs was made more credible by testimony at the trial that he had developed close relationships with several. At one point on the tapes, Cornyetz asks, "Why did we get involved in this in the first place . . . is it Bruce's fault?" Bruce Greenfield, one of the students listed on the incorporation papers for Simian Expansions, was identified at the trial as one who took part in the drug scheme from the start (he has not been formally charged and is at present a graduate student in NYU's biology department). Buettner-Janusch answered Cornyetz's question, "Yes, yes it is." Cornyetz went on: "Why the ---- did he ever talk you into doing this?" Buettner-Janusch: "Why the ---- am I so stupid?" Cornyetz: "Yeah." Buettner-Janusch: "The problem is, the point is, there is a legitimate research project buried in all of this, too"—"a project that was slightly kookie but had a validity."

Given a reportedly authoritarian relationship between Buettner-Janusch and his students, it seems hard to believe that a student might have talked him into the drug-making scheme. But the prosecutor suggests that the professor had the additional incentive of a shortage of cash for legitimate research, because the National Science Foundation terminated its continuing grant support for his lab in 1976. Since 1973, NSF had provided about $60,000 to $70,000 annually for specific research and operating expenses. Once the support was terminated, the budget dropped to about $30,000, some of which Buettner-Janusch contributed from his own pocket (he is independently wealthy, having inherited nearly half a million dollars from his wife's family).

Jolly and Dorfman both believe it was the professor's ego that suffered more than his work after the NSF funds were terminated. "Buettner-Janusch measures prestige in buying power, in having the money to run an expensive operation," says Jolly. Faculty members at Duke recall his repeated disputes with the administration over what he considered to be inadequate funding of the primate center.

Buettner-Janusch's friends and attorneys attack this theory on the grounds that he was wealthy enough to contribute more of his own money to the lab if necessary; he had already given

A lemur

The intended recipient of the drugs?

Jessie Cohen Photo

$22,000. They point to his past service on the NSF anthropology advisory board, and suggest the experience would have taught him that such cuts in funding might often be reversed.

But the circumstances indicate that Buettner-Janusch did not behave as one who thought his fortunes with NSF might soon revive. He shortly formed Simian Expansions for the avowed purpose of supporting research on lemurs. Buettner-Janusch began meeting with a private fund raiser from Chicago, Patricia Pronger, who assembled a prospectus seeking $750,000 for hemoglobin research ($375,000 annual expenses, plus funds for lab renovation) and $70,000 for the research on lemur behavior. How much of a dent in this budget the sale of drugs would have made was never clarified at the trial. But the methaqualone seized by federal agents—enough for around 2000 doses—had a street value of only $12,000.

Finally, there is a theory that the professor's current predicament is somehow linked to the death of his wife, who assisted him in the lab. She died from cancer after a brief illness in 1977. Buettner-Janusch's friends and attorneys suggest that his grief blinded him to the skullduggery of his present accusers. But whether it was this or an event that might have skewed his judgment is unclear.

At the opening of the trial, Buettner-Janusch's attorney asked the jury a vexing question: what is there to cause a prominent physical anthropologist "to risk reputation, career, prison, the loss of everything he has worked for by performing a criminal act?" Buettner-Janusch has so far refused to provide a detailed account of the activities in the lab in his own words. The professor is recorded on tape with Macris, suggesting there may be more to tell. "At some particular time, when I feel freer to talk," he says, "I will perhaps tell you a few things you all—you now deserve to know which you do not, which you don't need to know . . . I will tell you sometime, but not now." Given the uncertainties and conflicting stories in this case, it seems that the real jury must remain out until Buettner-Janusch has decided that that moment has arrived.—R. JEFFREY SMITH