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Intellectual property lawyer unlocks the mystery of Cubs' curse

Last week we suffered the bitter disappointment of the Bulls loss to Philadelphia in the final seconds of Game 6 of the first round of the NBA playoffs. This was supposed to be the year for the Bulls to take down the Miami Heat on their way to the NBA title. Though this wound is still fresh, I can say the frustration is mild compared to the tribulations of any longtime Cub fan.

I grew up during the prime of Ernie Banks, a great shortstop and home run hitter mired with a dismally bad team. Then he was joined by Ron Santo, Billy Williams, Fergie Jenkins and other outstanding players. The euphoria of the summer of 1969 was followed by the dysphoria of September 1969, when the Cubs suffered one of the most cataclysmic declines in baseball history. Every decade or so after that, the Cubs would flirt with greatness, only to fail in miserable fashion. In 1984, Leon Durham's flubbed grounder against the Padres unraveled the Cubs' hopes for a World Series appearance. I won't even mention the infamous end to the 2003 season. For Cub fans, no matter what age you are, misery is a constant.

How, we constantly ask ourselves, can this organization so steadfastly defy the law of averages? After all, for most of the 104 years since the Cubs last won the World Series, there were only 16 teams in the major leagues.

Finally, we have the answer, thanks to Jerold A. Jacover. Jacover is a highly respected intellectual property lawyer in Chicago. He is a partner in Brinks, Hofer, Gilson & Lione and a past president of the Intellectual Property Law Association of Chicago. Somehow, despite the rigors of practicing patent law, Jacover

found the time to write a novel investigating and answering this enduring question. His book, "Merkle's Curse: Why the Chicago Cubs Have Not Won a World Series Since 1908" (Tate Publishing), is a fascinating panoramic view of events that led up to the mundane suffering of modern day Cub fans.

This book is no mere retelling of the billy goat curse, supposedly placed on the Cubs in 1945 when Billy Goat Tavern owner Billy Sianis was kicked out of Wrigley Field for bringing his goat to a World Series game against the Detroit Tigers. Any true Cub fan knows that the curse is older and more powerful than that. Jacover brings us back to the true and far more ancient origins of the curse.

The book begins with a prologue in which two fathers, Greg Tover and Shelly Barr, both born in 1946, and their sons have obtained tickets for an important Cubs game in the 2003 post-season. Any preconceived notion that this is just a novel about baseball is dispelled immediately after those first three pages. Upon turning the page, we are instantly transported away from Wrigley Field to the second century, as Trajan's Roman legionnaires have crossed the Carpathian Mountains into Transylvania. Yes, the origins of the curse go back long before the billy goat. From there we take a journey covering almost two millennia through many cultures and countries. We meet Vlad the Impaler, Constantine the Emperor of Rome, Sir Francis Drake and Babe Ruth. We read passages from the Torah and are informed of the theological disputes between Arius and Athanasius about the divine nature of Jesus Christ. The African slave trade and Civil War play a role in the story as well. We learn about the origins of the major leagues and of the Chicago Cubs. And, of

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course, Jacover relates the story of Merkle's Boner, the unforgivable base-running mistake made by the New York Giants' rookie Fred Merkle in 1908 — the gaffe that allowed the Cubs to get to the World Series that year. Though Merkle's blunder plays a role in the book, he is not to be confused with the Merkle family identified in the book's title.

Jacover is a true fan of baseball, but it is clear from this book that he is also a true fan of history, geography, genealogy and etymology, as well. He has brought all his interests, including inventions and

patent law, into this marvelous story. He weaves so much historical, cultural and baseball detail into his work that the reader loses sight of the fact that the book is a novel. Only the most knowledgeable historian/baseball fan will be able to sort out the fact from the fiction, which makes this an intriguing work. Jacover clearly had fun blurring these lines.

This book is a story about families. The primary focus is on three families in particular, the Tovers, the Barrs and the Merckles and their ancestors. But the stories of many other families are also told as the narrative unfolds from Transylvania, to New York, to Chicago, and ultimately, to Wrigley Field. The book deftly weaves together these families and their different cultures with historical events to explore the real story of the Cubs' curse.

Parts of the story take place in the 1950s on Chicago's North Side. Any lifelong Cub fan of a certain age will relish this part of the book. One suspects a hint of autobiographical detail from the author's youth has crept into the story.

Jacover has come up with the best, and by far most interesting, explanation to date of why the Cubs are jinxed. Most people don't believe in curses. But I will point out that in 2008, the year this book was published, the Cubs finished the regular season with 97 wins, tied for the best record in major league baseball that year. They then were promptly swept out of the first round of the post season series by the Los Angeles Dodgers and Manny Ramirez. The curse continued even as the book was published and obviously has continued into this season as the Cubs securely hold down last place in their division. I hope, for Jacover's sake, that the spell is broken soon.

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