



## How Groucho Marx fell prey to elder abuse

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I have a confession to make. My initial inspiration to go into medicine was to someday take a patient's pulse and declare, "Either this patient is dead, or my watch has stopped!" — just as the great Groucho Marx did when playing Dr. Hugo Z. Hackenbush in the 1937 MGM film "A Day at the Races."

I still haven't had the pluck to ever say such a thing in my clinic, but not a day goes by that I don't think of something funny uttered by Julius Henry Marx, better known as Groucho. With his zany brothers Harpo, Chico, and sometimes Zeppo, he conquered American vaudeville, the Broadway stage, motion pictures, radio and television. (There was a fifth brother, Gummo, who was not a performer preferring, instead, to earn his daily bread in the dress business and, after Zeppo opened a lucrative talent agency in Hollywood, representing movie stars for 10 percent of their earnings).

By the time Groucho was an old man, however, he experienced significant problems in his daily activities, medical decision-making and the management of his estate. He suffered from elements of dementia, a heart attack and congestive heart failure, falls resulting in a broken hip, and after that hip was repaired, another fall and broken hip, urinary tract infections, strokes and hypertension.

Groucho died 42 years ago today, on Aug. 19, 1977, at age 86 of pneumonia, which is known as "the old man's friend." The turmoil of his last few years are all too familiar to adult children everywhere who are concerned with the welfare of their elderly parents and other relatives.

Groucho's "girlfriend" and consort, Erin Fleming, was accused of elder abuse and, to make matters worse, his relationships with his son Arthur and daughter Miriam (children from his first marriage, to Ruth Johnson, a dancer in the Marx Brothers' vaudeville act) were strained for various reasons. Arthur wrote several works based on life in the Marx family; at one point, Groucho threatened to sue his son over his depiction in one of Arthur's memoirs.

Groucho also had a complicated relationship with Melinda, his third daughter from his second marriage to Kay Mavis Gorcey. Melinda often performed on her father's television show, "You Bet Your Life," and famously inspired a Groucho quip when he was told that she was forbidden from swimming in a country club pool because the family was Jewish. Groucho wrote the country club president, between puffs of his famous cigar: "She's only half Jewish. How about if she only goes in up to her waist?"

After he divorced Eden Hartford — his third wife who was about 40 years younger than him — in 1969, Groucho met Erin Fleming in 1971. She played some minor roles in films, including Woody Allen's "Everything You Wanted to Know About Sex But Were Afraid to Ask" (1972).

Her most famous role, however, was as Groucho's secretary-manager and she was responsible for his popular comeback in the early 1970s. He played various colleges and eventually Carnegie Hall, a performance that resulted in the hit album, "An Evening With Groucho" (1972). That same year, there were revivals of his films at movie houses and libraries across the nation.

The problem was that many of Groucho's friends felt Fleming was pushing him too hard to perform, evidenced by his advanced age and an inability to remember all of his lines. On the other hand, it was Fleming who waged a successful campaign for Groucho and his brothers to receive a special Academy Award in 1974. In his acceptance speech, after thanking Harpo and Chico, the actress Margaret Dumont, his long suffering foil who never understood his jokes, and his mother, Minnie, "because without her we never would have been anything," Groucho thanked "Erin Fleming, who makes my life worth living and who understands all my jokes."

That same year, Fleming was appointed his guardian and temporary conservator of an estate worth between \$2 million and \$4 million. In 1975, Groucho even tried to adopt her, until a psychologist declared he was not mentally competent to do so.

Groucho's son, Arthur, took Fleming to court and accused her of having a harmful and destructive influence on his father, including threatening his well-being and being abusive. Arthur further alleged that Fleming pushed Groucho to perform, whether he was able or not, for her own financial gain. Groucho's nurses claimed Erin overdosed the comedian on tranquilizers and called him nasty names like "pig" and "crazy old man." According to court testimony, there were other occasions when Fleming **reportedly walked about** Groucho's home naked to taunt him. Melinda Marx, too, testified that Fleming terrorized her father, yelled at him, and tried to alienate him from his family. Others, such as the comedian George Burns and actor Carroll O'Connor, disagreed and felt that her presence made an elderly and ill Groucho want to live.

During Groucho's final days, a judge appointed the 72-year-old Nat Perrin, a close pal of Groucho's and who co-wrote the Marx Brothers' most anarchically funny 1933 film, "Duck Soup," as temporary conservator of Groucho's well-being and estate. Later, his 27-year-old grandson, Andrew, was named permanent conservator.

The legal battles over Groucho's money and possessions carried on long after he died and into the early 1980s. Although he left most of his estate to his three children, Groucho left administrative control of his name, image and movie rights to Fleming. This, too, was a source of legal contretemps. Not only were such rights valuable, but they also carried the potential to encroach upon the income of the heirs to Chico and Harpo's estates. The lawsuits were ultimately resolved in favor of Groucho's children. A judge ordered Fleming to pay \$472,000, which she bilked from Groucho's bank accounts while she worked for him. Fleming spent much of the 1990s in and out of mental health facilities, suffering from a variety of psychiatric illnesses, and was often homeless. She died by suicide in 2003 at the age of 61.

Back in the late 1970s, the term "elder abuse" had not even been coined. Even though it clearly existed, it was rarely recognized until it was too late. Today, public health agencies, including the World Health Organization, have declared elder abuse to be a growing problem around the world and have detailed a long list of harmful activities, including physical, sexual, emotional and psychological forms of abuse and neglect, as well as the theft or withholding of financial assets needed to survive.

The precise prevalence of elder abuse in various countries is difficult to assess, given it often occurs outside of the view of others, typically in one's home. This does not even begin to account for elder abuse in institutional settings, such as assisted living communities.

In a 2016 "scoping review" of elder abuse published in *The Gerontologist*, the journal of the Gerontological Society of America, the estimated, aggregate worldwide prevalence ranged between 2.2 percent to 36.2 percent, with a mean of 14.3 percent. The highest incidence of elder abuse may be in China (36.2 percent) and Nigeria (30 percent), followed by Israel (18.4 percent), India (14.0 percent), Europe (10.8 percent), Mexico (10.3 percent), the United States (9.5 percent), and Canada (4.0 percent). These numbers are likely to underestimate the problem since older adults and family members tend to underreport such issues when they occur.

Risk factors include functional dependence or disability, poor physical health, cognitive impairment and dementia, low income, financial dependence, race or ethnicity, gender and age. Risk factors for perpetrators include mental illness, substance abuse, relationship status (spouse/partners are often the most common perpetrators of emotional and physical elder abuse), and the abuser's potential dependency on their victims for emotional support, financial help, housing, and other forms of assistance. On the other hand, strong social support and "greater embeddedness in a social network lower the risk of elder abuse."

Today, public health prevention campaigns are in place to alert adult children to the problem and make sure that intervention advice and programs are available to caregivers, that money management programs exist to prevent financial exploitation of the elderly, the creation of telephone and internet helplines for advice and assistance, emergency shelters in case of unsafe living situations for the elderly, and multidisciplinary teams of geriatric physicians, nurses, psychologists, social workers and other professionals involved in geriatric care.

In the 1932 Marx Brothers film "Horse Feathers," Groucho played Professor Quincy Adams Wagstaff, the president of the fictional Huxley College. In the opening number, he famously sang out: "Whatever it is, I'm against it."

But it is highly doubtful that Groucho Marx would be against the campaign to protect the health and welfare of our senior citizens. We need to know more and do more about this growing problem. A good place to start is expert legal and medical advice on estate planning and the creation of a living will so that your wishes regarding not only your assets but also what you desire in terms of end-of-life issues can be honored.

*By* – **Dr. Howard Markel**

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