

Off the Wall  
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“You don’t know shit,” Arty said. “It didn’t used to be this way.” Arty looked at me with watery red eyes, his bottom lip, too big for his face, hung low and dry.

“I’ve heard it all before, Arty.” He’d told me all about the “good old days”, before the fundamentalists took over, long before he and I met and formed our partnership with Lucien Smith. Lawyers were on television talk shows, and in commercials; they practiced in the open and ran for political office. I was sick of hearing about it. Being a lawyer was quite different now. “We do all right,” I said.

Arty shook his head and sipped his drink. I heard his nervous foot’s staccato tap under the table. We were hidden in the corner booth at the end of a bland little bar called the Advocate’s Advocate. Our table, which was just bare wood bolted to the wall, was too close to the bathrooms and my drink reflected the odor.

“Jesus.” Arty waved at someone he thought was our waitress. When it turned out to be another customer he shot her the finger. “One friggin’ public defender gets a terrorist off on a technicality and the system goes to pot.”

“Come on, Arty. You know it was more complicated—”

“You know we used to be called sharks? That’s what they called us.”

“Yeah. I know. Sharks.”

“Swimming with sharks. That’s what they used to say. Then that one public defender jerk gets a terrorist off and he blows up some school kids and they follow through on Shakespeare’s advice: get rid of the lawyers.”

“Well, not exactly. You know we still—”

Arty’s hand shot toward my face. I batted it away. He was so drunk he was like a sleepy puppy, uncoordinated and sloppy. “Not the same. We can’t be hired. We can represent ourselves, but we can’t represent anyone else. We sneak around. You know what we are now? We’re not sharks. We’re piranha. You know why?”

I’d heard this too many times. “Because they’re cannibalistic, Arty.”

He smiled. His large lip disappeared a moment, came back. He spit out a lemon seed I couldn’t explain. “Exactly. You do listen to me after all. We kill each other just to make sure we don’t get it in the neck ourselves. Sharks don’t do that.”

Arty had never gotten over it.

“Listen,” I said. I kept my voice low, even though I recognized other faces who were illegal “bar” members themselves. “Things haven’t changed that much. I mean, the law is a contract, right? If a guy breaks the law, he’s agreed to the consequence of getting caught. If he doesn’t get caught, no one’s the wiser. If he does- -” I leaned closer to Arty. “Now, you and me, we are in that position too. We break the law, and if we get caught, then we accept the consequences.” I smiled.

Arty put down his drink. His foot fell silent. “Bullshit,” he said. “I don’t accept the consequence of a lifetime in a work facility for practicing the law.” He licked his lip and glanced around cautiously. “And the law isn’t a friggin’ contract. It’s about covering your ass, or frying the other jerk’s. It’s about the cracks and gaps between the laws. It was true twenty years ago, and it’s even more true now. Now they fill in the cracks with us. Our bodies.”

His voice carried, and anyone could have been listening. “Quiet, man,” I hushed.

“You be quiet. You’ve seen the signs. The symbols on your wall. People fear someone talking, they shut him up. It’s about creating fucking silence,” he hissed. “About shutting people up and making those who use it the best the happiest. It’s about the silence it makes.”

He seemed finished, which was good because our waitress finally returned. After she took our orders and brought us each another Manhattan I ignored my impulse to let our discussion die silently while Arty stewed, and tried to tell Arty he was wrong.

“Arty, I have a case that proves my point. An old man slips in some water from a leaky pipe in the subway- -”

“Was he drunk?” Arty’s pouty lip hung expectantly as the drink rose to it.

“No, just old. Now he’s got a bad hip and he wants to sue. You see what I’m saying? The city broke its part of the deal, to keep people safe. Now this old man is calling them on it. The fact that he has to turn to an illegal attorney doesn’t change- -”

“What it is all about is shutting that old man up. They will shut him up on a technicality, or a gap in the code you haven’t heard of, or with money. It doesn’t matter how, just as long as they shut him up.” He finished his drink and stared across the room. His eyes were scarlet with watery bits of matter at the corners. “It will be that bastard who shuts him up.”

On the other side of the bar stood Jason Whitaker and several of his associates, the official district attorney’s office of the city. They laughed loudly and clinked their glasses together as their dinners were served. They were part of what Arty called the sell-outs. They defended the now one-sided justice system. The select few who retained the ability to quote legal codes and not fear who heard. They went into court. They prosecuted. They defended the system.

The rest of us went underground. No more suites in billion dollar office buildings. We hung out in bars and bus stations. We marked territory in graffiti,

icons for which the police hired specialists to decipher. I had a spot of my own, near the corner of Broadway and 131st, behind a hardware store. On the wall around a payphone were all my marks, my briefs on the cases I handled. It got layered on, one case over the other. My own law journal layered back through the fifteen years I had been at the spot, a part of the firm of Smith, Dunciter and Coling.

“What are they doing here?” I asked. The Advocate’s Advocate was a notorious hang out for former or illegal attorneys. Whitaker and his crew were like mongooses in the cobra den.

“He likes to slum.” Arty bitched as he waved for the waitress. “Fucking piranha.”

Two hours later I helped Arty to his car. He was too drunk to drive, and the thought of him barreling through the city in his shiny black BMW terrified me. I smelled a bit of jealousy coming off myself as I looked at the car. His connections to bigger clients gave him bigger perks. I was still working my way up.

“It’s brand new,” he reminded me. He slumped into the driver’s seat and looked at the leather wheel. “I shouldn’t drive,” he said. He tilted the seat back and passed out cold, his hands held loosely to the handle of the briefcase on his lap.

I left Arty, car doors locked and garage attendant tipped to keep an eye on him, and thought about how burnt out he was. At this point I wondered if it was too much of a liability. Too much alcohol and he might talk to someone he shouldn’t have, or leave papers behind. These papers were probably the most dangerous part of his deterioration. Legal briefs with his name and client information all over them. He’d been warned. I never carried papers on me. I had my wall. I headed home and considered talking to my other partners in the morning about Arty’s situation.

At home I waited for Gina until three a.m., but she didn't show. I called the warehouse she worked at and she answered. In the background I could hear shouts and machinery clang as her crew loaded or unloaded crates filled with machine parts or bananas or spools of electrical cable, whatever it was that night.

"Late night?" I asked.

"Don't get me started," she shouted over background crashes. "This truck pulls in four hours late and I got two guys out sick."

I imagined her in her light blue overalls, smelling of dust and cold air. "Be careful."

"See you tomorrow." She hung up and I went to bed.

Next day I went to the wall. There was something different in the smell in the alley. Everything looked the same, old and worn. The firm's mark was still there, near the back door of Haley's Hardware. Dunciter and I had stenciled it up there one horrid cold night at two in the morning. But I couldn't be sure if the odor- - always a steam- bath- hospital- cleaner smell- - was different, or if it was me.

Mr Holland was already there, leaning heavily on his cane. Written on the wall behind him in my icon shorthand were the details of his case. He wrote them all down in a spiral notebook as I read out previous case histories similar to his own. I tried to make him understand what they meant, decipher them, so that he could pass it off as his own work. Later he would pretend that he found the information through his own hard work, researched in a dusty library downtown. But he had trouble following what I said, and I repeated myself just to get him to hear me. It was like reading to a small child who speaks a different language, so all you can do is point to the pretty shapes and hope something has gotten through.

"I never thought I would need one of your type," he said. After he finished with his notes, he folded his papers up and stuffed them into his shirt pocket.

Then Mr Holland gave me a picture of his family. He had a daughter and granddaughter, both with blonde hair. In the picture the little one was saying

something and pointing to the camera. Their clothes were clean, but threadbare. They sat in a kitchen with pots on the stove in the background.

“They are why I’m doing this,” Mr Holland said.

“It’s a good reason,” I answered as I tried to hand the photo back. “Really, a good reason.”

“You keep it,” he said. “For inspiration. Now that I’ve hired you, you’re doing it for them too.”

“Thanks, yeah. That’s great.” I had no need for inspiration of that sort. Maybe I did. I couldn’t tell how I felt about it, but I put his photograph in my jacket pocket. For a minute I couldn’t help but think that the photo was of Gina. I imagined her in a picture with a child—*our* child. I tried to hear myself saying, “I do it for her.” Somehow the image of Arty’s BMW swept into the way and I saw myself inside that.

“Are you sure these briefs are accurate?” he asked. He played with his beard, tugged at the long whiskers like they hurt him.

“Mr Holland,” I said as I wrote last minute additions to another case brief with my black magic marker, “you just read what I’ve told you, and don’t settle for less than ten million, and they will be the ones hurting after you leave.”

He glanced up at the wall and lifted a shaky hand to point to the sign for the habeas corpus, “produce the body.” A horizontal man, a stick figure with the life gone out of him.

“I see that around sometimes. On bridges or on the sidewalk.”

“Yeah,” I nodded. “It’s pretty common in my work.” What I didn’t tell him was that it was the sign that lawyers would put up when we’d heard of one of our own disappearing, or getting arrested, or worse. Someone had killed a few attorneys in the past. Arty’s piranha theory in action.

Old Mr Holland shuffled off with the cane he would use for the rest of his life. If he had followed my instructions, we both would have been fine. It wasn't till two days later that I found out he hadn't.

I spent the evening with Arty at the Advocate again.

"There's no way it can fail," I said to Arty. We were sipping whiskey and waiting for our overly flirtatious waitress to ask for our dinner orders.

"There is no such thing as a sure thing, Coling," he said with his usual no-bullshit cockiness that was all-bullshit. He was a good enough lawyer, but he was also paranoid and jealous as all hell. "You've seen the habeas corpus signs around. You know that each of them thought they had a sure thing."

I thought, this is the guy with the rich clients and the BMW? This is the guy who's more successful than me? Always looking over his shoulder, so certain the net was about to scoop him up. I realized then that there might be more wrong with Arty than right. He might turn into a liability.

"We'll see," I said.

"Yeah, we'll see," he mimicked. He didn't talk to me much after that.

That night I got home and found Gina there. She was curled on her right side, half asleep in my bed, her long blonde hair curled in a loose bun behind her head. There were burning candles on the dresser and window sill, and the air had wisps of black smoke that burned my nose. I lay down and curled around her.

"You smell like you've been out with Arty again," she said quietly.

"Yeah. He's really losing it, Gina. You should have heard him yesterday. I'm afraid he's going to blow it for all of us."

"It's the stress. He can't live on the edge forever."

I could feel the conversation was drifting back to her dislike of my work. We'd gone through this too much, and it always ended when she called me a street punk. She always said it was about my inability to commit to her. She wanted a family, but I wasn't ready. I would lie and say it was because of too little money,

that once we had more saved, and a bigger apartment, things would change, but we both knew it wasn't that.

"I'm so tired." I ended the conversation there, thinking it was better than our usual argument. She silently took my hand and made room for me on the bed. It was several hours before I fell asleep. I saw line after line of habeas corpus figures dancing on my ceiling.

Gina let me take her out the next night to the movies. None of the state sponsored, fundamentalist ones. We always headed down to the Advocate for after hours parties, or the basement of the public library where this brave little lady with thick glasses would sneak people into the archives room and pull out the disks with the sex and violence we weren't supposed to be entertained by anymore. As we bounced along in the back of a cab heading to the main branch of the library Gina teased me. As usual I'd picked a gangster film. I'd dragged her to "Goodfellas," "Out of the Past," and "The Godfather." Anything noir, anything with thugs as the hero.

"What is it tonight, another mafia movie?"

I told her it was all just coincidence.

"No, it's you living out your fantasy life."

I would never admit it to her that she was right. I did see myself up there. These guys broke the law and lived by another, a higher one. They lived outside the law for specific, moral reasons that I could understand. For their family. For their friends. Sometimes people got hurt, but for specific reasons. They were justified.

"You just like to pretend you're the hero," she said.

"You mean I'm not?" Gina laughed and rested her head on my shoulder.

Over the next couple of days I thought everything was getting back to normal. Arty was more in control, and I didn't hear from Mr Holland about any problems. I continued to drop by my wall for the next two days, going back and

forth to the law library until everything fell apart. I stepped out of the subway at 120th, already late for an appointment at the wall, when a police cruiser pulled up alongside me. When it didn't move on, my heart pounded and I felt the color drain from my face. In a vain attempt to act casual I walked into the nearest store. Once inside I realized it was a woman's lingerie store. A mannequin in front of me wore see through panties and garters with a bra that came to tremendous, cone shaped points. A saleswoman, who apparently wore that very bra under her sweater, approached warmly and asked if she could show me anything.

Before I could answer, the police were behind me. One overweight officer gave me a resigned look as if he were surrendering to me.

"Is this going to be difficult?" he asked.

I shook my head no. They cuffed my hands behind my back. With all circulation cut from my left wrist my arm went numb to the elbow.

An hour later I was in a dark room which smelled like Gina's warehouse, dust and cold air. The last rays of daylight came through a sad little window and struck the southern wall. Jason Whitaker and the two officers stood opposite from me, on the far side of a tiny table centered in the room. The officers ignored me, but Whitaker stared at me with a toothy smile. He tapped a folder on the table.

"Mr Coling," he said, his voice like brittle glass. "You have been involved in some legal issues." He said "iss- youz" instead of "ish- youz" and that bothered me. "Iss- youz in which you had no personal stake. Iss- youz in which you performed a service for a fee."

He stood and moved to the window, stroked his paisley tie methodically from the tight, constrictive knot to the wide, pointed bottom. His grin never faltered.

"I don't know what you mean," I said. The two officers grunted to one another; they snickered and gave sidelong leers.

Whitaker stroked his tie continuously, but his grin disappeared for a moment. With a comment on the stale air he unlocked the window and raised it a few inches.

“That should be painted shut,” said the short officer.

“It should, but it’s not,” replied Whitaker. His hand ran the length of his tie. He looked down at me. “Mr Coling,” he reached to the folder with a long finger of the non-stroking hand. “Mr Holland arrived to a deposition with a paper full of legal histories, but no idea how they should be argued. It didn’t take long to know he’d hired a professional. He has even agreed to testify against you.”

I realized that they had me. There was nothing I could do.

“Why did you do it, Mr Coling?” Whitaker asked. “Money?”

I thought about the money I made, and the accounts I hid it in. I thought about how Gina didn’t know where it was, and how she might not find it. I thought about deaf Mr Holland, and his belief that we were a team. I said, “Look in my coat pocket.”

Whitaker pulled out the picture of Mr Holland’s daughter and granddaughter. He didn’t ask who they were, so I didn’t tell. After a minute, Whitaker gave a little nod.

The round officer said, “Who are your partners is all we need to know.” He leaned with fat hands onto the square table. It allowed a groan and I could smell too much coffee sweetener on his breath.

Whitaker stroked his tie and crossed the room until he was nose to nose with the officer. “I am in charge of this investigation!” he shouted. “I’ve said so before! Now get out!” His stroking had reached a frenzied pace, but remained even and rhythmical. Slowly the two uniformed men left. They both narrowed their eyes at me before stepping into the hallway.

“I am sorry,” Whitaker said as he shut the door. The corners of his mouth curved up and he gave his toothy smile. He stared at me a moment, his eyes

searched my face. At last he pulled a paper from deep in the folder, and handed it to me.

On it was typed: "I am a conductor on a railroad. The window is open."

I read it once, then again. After a third time I finally looked at him. He stroked his tie and said, "You have no idea how the cards are stacked against you. If you defend yourself, then you prove yourself to be a lawyer. If you feign ignorance, then you will be run over anyway." The stroking stopped. "If I had a heart, it would weep for you."

He took the paper from me and folded it and put it back at the bottom of the pile. He left me alone, in the middle of the small room with a table and a window and a warehouse odor. Through the window came a soft breeze.

He had no reason to help me. For a minute I couldn't do anything. I sat there, looked at the table, afraid to even look at that window. I feared that if I turned, it would snap shut. Finally I turned, and it stayed open. It stayed open as I stood and moved to it. I lifted the window as high as it would go, and leaned out.

There was barely a ledge to stand on, and I was on the third floor. Below was a back alley that ran both north and south. Ignoring the possibility of a trick, I climbed out and edged my way to the drainpipe at the corner of the building. If I had not fallen halfway down, I might have taken forever to reach the ground. As it was, I landed on my back with a thud and lost my breath. In moments I was on my feet and climbing the chainlink fence at the southern end of the alley. I was over the fence and was on 101st Street before I realized how much the fall hurt and that I had given myself a six inch gash on my right leg from the fence. I made for Broadway to get to Times Square.

I spent the evening walking around the city. I couldn't go home. Certainly police and court sanctioned lawyers with warrants on paper waited to greet me. Gina was sure to be picked up. She would be questioned, but wouldn't know anything. In a shocking moment I realized that I would never see her again. A

truck passed and spit out a cloud of thick black exhaust and I tried to imagine that it smelled like the smoke from her candles.

I also had to avoid every other member of my firm. If I was being tailed it would incriminate them. With a sudden jolt I realized that this bothered me more than losing Gina. I realized that underneath the urges to have her close there was more concern over what I was losing with my loss of position. When we'd gone to the movies and she'd teased me about living out my fantasy I'd been hesitant to recognize that my life was that fantasy. I was that hero breaking the law. I was that man taking risks for the sake of money. Not for the money, I thought. I'd scrapped together a bit but not enough. It was the risk itself. I was going to lose the risk because the risk had caught up to me. I'd thought of myself in such romantic ways that I didn't realize how dangerously close to the edge I was. People were being killed for this.

I was left wandering around Times Square. Along the curb were some symbols near a fire hydrant. At first I thought them to just be about a gas or water main. Something for repair crews. As I passed them I saw them from a different angle. They were legalese. References to a lawyer who specialized in import/export law. Exports, I realized, could be me. It was a sign from the railroad.

I passed all the clothing boutiques and art galleries. Years earlier the shops run by immigrants, the movie theaters, strip clubs, and bodegas had been rezoned. Now they are so far uptown that they might not be called in town. Stockbrokers met their husbands and wives. Rich or famous tourists were followed by hotel staff and paparazzi. Signs hung from the shop-fronts. My eyes drank up everything, hunting for more graffiti. The city had become so clean, so puritanically sanitized that the few spots of spray-paint stood out like electric signs. There was some on the back of a street sign referring to search and seizure. A subway entrance was framed by an interpretation of the fourth amendment.

Cross-examination techniques were dotted along the front steps to theaters and hotels.

I tried to fit in. My suit was muddy and there was a rip in the pant leg from my jump. A trickle of blood ran down my shin. My face felt like it might crack, but I kept it rigid and covered my limp enough to move down the street without attracting attention. What was going to happen I couldn't guess. All at once my world had gone from cocktails in restaurants to leaps from police station windows.

I headed uptown, deeper into an area where it was easier to hide. I had to ditch my suit. I bought some jeans at a second hand store with the few dollars I had and changed in an alley, but kept my suit jacket on. There were a couple of places up there that I could go to. Some ex-clients of mine lived just north of the city. One was a landlord, maybe I could hide there for a while. Until I could get out of the city.

Arty and Smith would need to know what happened. Both of them had escape plans set up for themselves. They had to know about my arrest. I headed toward the wall, where I could either leave my mark or use the phone. I didn't have my bag, or any paint, so I stole a black marker from a convenience store on my way.

At times like that, any sort of piece of a regular routine, no matter how small, can be a huge source of strength. Even if it is only getting a cup of coffee at your usual diner, or hearing the familiar rattle of an escalator you step on every day, those little things can make you feel like the world has sent you a message that you are still in control. So, when I got to the wall I knew so well, and heard the phone ringing, my eyes got a little wet with relief. It could have been Gina, or one of my partners.

Once I picked up the phone, however, I felt a little shaken. Some woman I didn't know launched into a long ramble about a doctor's visit. After several attempts, I finally interrupted. "Who did you want to speak with?" I asked.

“Dog, dammit. I want to talk to Dog,” she said.

“There isn’t any Dog here.”

“You just put him on the phone,” she said.

I repeated that he wasn’t there. “This is a payphone,” I said.

“I don’t have time for you. When you see Dog, tell him I’m pregnant.” I could hear crackles of static, like she was on a cellular phone.

Maybe, I thought, she didn’t want to talk to Dog, but about him. “I see,” I said. “You think he’s responsible?”

“Damn straight he is.”

“And you wish to get compensation for this situation.”

“What are you talking about? He’s my husband. He wants me pregnant. We want to be pregnant, I just need to tell him.”

I apologized and hung up.

This Dog was doing everything right, just through dumb luck. While I made excuses he made a family. I had placed myself in danger and patted myself on the back for it. Then I noticed the wall.

Where there should have been my icons for a case brief between rival computer hackers, there was nothing. The wall was blank, painted over completely in flat, white paint. Small round drops of white marked the ground beneath my feet. I knew that underneath that white were other briefs of older cases. They stood upon one another, in layers, like rows of words on a page. A history had been placed there, like in a book. But unlike a book, one couldn’t turn the pages back. Those older cases were lost in the paint, mixed in layers, cases melting together like chalk in rain. To me it looked like justice. Reward and punishment as decided by reason and argument. But nowhere in my life did I see that. Nowhere in my life was there a reason why I should be hunted through the city for being one who understood the histories of the law.

I left the phone. From my pocket I pulled the marker and wrote on the wall, in plain English, "Dog: she is pregnant." I put the marker back in my pocket and felt the photo Mr Holland had given me.

I pulled my collar up around my neck and headed around the corner. Parked about thirty feet away was a large, black BMW. Behind the wheel was Arty. In the back seat I saw two silhouettes. The engine started and the car began to roll forward. When it was next to me Arty lowered the passenger window and leaned across the seat to speak to me.

"Sorry, Coling," he said. His eyes had never looked so stern, but his bottom lip quivered a bit. "You know it's about damage control."

He straightened up and as the passenger window rose, the backseat window lowered, only a few inches, but just enough. The muzzle of the gun was barely visible before it went off. In the flash I caught the image of Whitaker's tie through the window.

It was odd. I did not hear a pop. I didn't hear the car pull away, or the people around me. After the flash from the muzzle, and the deafening pain lifted me from my feet, I smelled the gunpowder burn, and the rubber of the tires as they peeled away. I even smelled the sidewalk.