

ASH

IT HAD BEGUN with a jade flower. He had spent two weeks last year in Japan and had brought back a small jade flower for his desk and later he transferred it to his bench. He found solace in the flower as he listened to the lawyers' arguments. He used it as a secret worry stone, holding its smooth jade petals between his thumb and forefinger under the bench. It was as if the jade flower had become a kind of touchstone for him, and touching it brought him relief from all the fury swirling around him.

He had been a giant in Japan, a tall African-American man striding down the street. People would stare at him and then turn around. Often they would bow in solemn greeting as he passed. He'd gone to a tea house and the geisha who served him had slowly touched his hand, brushing it with her fingers to see if his color would come off. He had also touched her face with his finger and traced the configuration of her eyebrows and the red slash of her lips. It was then that she reached into her kimono and had given him the jade flower as a gift.

He was a judge in the Domestic Relations Division of the Circuit Court of Cook County. His name was Arthur Williams, Jr. He was a tall man, with the athletic grace of the runner he'd been in college. He had the handsome face of an ancient tribe of African warriors, with angry, dark eyes that made him seem remote or detached, as if he had an inner secret life, that, like the flower, was kept from you but secretly sustained him. He had high angular cheekbones and his hair, at 50, was slightly balding and had gone gray along his temples. Apart from the remoteness, he came at you as a very strong self-assured man, but always there seemed to be a touch of repressed anger.

It was rumored for the last two years that he was about to be selected for the Appellate Court and then picked for the next vacancy in the U. S. District Court, but the nomination hadn't come, and he wasn't certain any more that it would ever come. He was tired of thinking about it. The politics of the appointment were very intricate. There were a lot of people to please. He'd spent most of his life pleasing these people.

He'd begun his career twenty-five years ago in Traffic Court, and then been moved to 11th and State to Gun Court. He'd never erased the memory of the gray light of the morning call in Gun Court, the men, almost always black, in cuffs as they were brought out of the holding cell, blinking at the light, quickly searching for relatives in the courtroom, the stench of the place, the shuffling lines of defendants. Then he was a Public Defender at 26th and California for four years, working his way up on felony cases to the defense of murder cases. He was transferred to the Appellate Division of the Defender's office and he became a good brief writer. The First Assistant soon named him "The Scholar."

Then, he was transferred back to the prosecutor's office and he prosecuted armed robbery and rapes, and finally murder cases. After four years of that he became Chief of a prosecutor team and then he was slated for judge.

After he was appointed judge, he went back on almost the same circuit. First he was sent to Traffic Court, then to 11th and State, then Juvenile, and for three years he heard personal injury cases in the Law Division and then sat in the Criminal Court for several years. Now for three years he'd been in the Divorce Division. He seldom complained. He had a good reputation and he was a tough judge. He always tried to avoid the job requests and the thousand favors that he was asked. They were viewed as just small favors, and none of them had ever stuck to him because he was talented at avoiding most of them. He learned to make people feel that he had helped them when he hadn't done anything to help them. The people passed through the seine of his courtroom like tiny silver fish and he never became involved with them. He remained detached and aloof. He kept his skills as a scholar. He tried to stay abreast of the law and he was active in the Bar Associations. He attended seminars. He always worked hard.

His only real failure had been his marriage. He was divorced when he was in his mid-30's and never remarried. There were no children, and although he now had one special woman friend, from what he learned from the pain of his own divorce and had seen in the Divorce Court, he had no desire to remarry. He'd been married to a lawyer he'd met when she was in the Public Defender's office. She was now working for a firm in Los Angeles, the only black woman in their firm. Their marriage had been a mistake, they were too competitive and it lasted two years. He liked the freedom of being single, the opportunity to travel, to meet new people.

On the trip to Japan last year, he met John Wakefield. Wakefield was a partner in one of Chicago's largest firms. He met John Wakefield and his wife on the JAL flight going over and they saw each other several times during the trip. Since his return he received invitations from the Wakefields for dinner and had occasionally met John Wakefield at John's club.

He had always been cautious of white men and their clubs. He felt he never really was welcome. It also made him feel uncomfortable to be served by black waiters and usually he was the only black person seated as a guest in the room. Over the years he'd also learned to be distrustful of the big law firms.

He was raised as an only child in Alabama where his father had a small farm and later, after he died, his mother lost it. They came to live with his aunt in Chicago and his mother worked as a domestic. In high

school he'd stayed out of the street gangs and won a partial scholarship to Howard University. When he went back south to college, his mother died. She never lived to see him become a lawyer. He returned to Chicago with a grant to John Marshall Law School and got a part time day job as a guard in an office building and a night job at the post office. Even with this work schedule he was in the top ten per cent of his class.

After graduation there were no jobs for him or any other black graduates of John Marshall at any of Chicago's large law firms, so with the help of his alderman, now the ward committeeman, he was offered a job with the States Attorney's office. Time and again, Chicago's large law firms turned him down, many of them refusing even an interview. He knew that things hadn't changed that much since his graduation. Of the seven black men who had been in the law school only two were practicing law. One had become a crack head, one had become a real estate broker, two were working for Internal Revenue. One man had disappeared. The one black woman graduate had become an administrator with the Board of Education.

Recently some of these firms had begun to move into divorce and establish divorce departments, like they'd begun bankruptcy departments. Divorce and bankruptcy were now considered lucrative new profit centers. The fees were often very large. Lawyers from the firms had begun to appear in his courtroom, usually representing executives and their wives, the male lawyers in neat grey suits, the young women lawyers in black stockings and dark suits. Then soon following them came their fee petitions. "Courtesy copies" of the Petitions were always sent to him in advance of the hearings. It was all very corporate and orderly, all hours accounted for, Lexis and Westlaw expenses tabulated. Partners were billed at \$150 to \$250 per hour and associates at \$95 to \$150. Apparently dissolution of the marriages of corporate managers was just another cost of doing business, like moving expenses. He presided over these proceedings, usually in his chambers, very seldom in open court.

He lived alone in a one-bedroom apartment in a glass high-rise building on Randolph Street near the Lake, and each morning he'd walk to his courtroom. Most days he'd be out of his building at six and he'd jog in Grant Park, sometimes with his friend, a lovely divorced African-American woman in her 30's who was in advertising and who lived two blocks from him. She had become his special friend. Often they jogged together through the park to Michigan Avenue and then past the Art Institute to Jackson, and across to Buckingham Fountain and cut across the park and back to their apartments. He with a Michael Jordan headband, she in a purple jogging outfit. In the springtime, before their run, they did stretching exercises near the bed of spring flowers that had

been planted, and in the summer they'd stop and watch the early tennis players. After running, he'd shower, shave, have coffee and a roll and his first cigarette and walk briskly to his courtroom. If she stayed over they'd walk to Michigan Avenue together. Usually he'd stop for no one, nodding to lawyers who recognized him, always pleasant but reserved. He wasn't a handshaker, a backslapper. He wasn't a pol. He was a serious man of high purpose and carried himself that way, eyes straight ahead, not lingering with ward politicians who tried to approach him in the lobby of the Daley Center. When he got to his floor he'd quickly cut through the crowd of people standing in the corridor or sitting on the radiators, young women and their husbands sitting far apart from each other, children, grandmothers, witnesses, lawyers arguing in the hall, bored clerks with armloads of files. He'd push through them into the sanctuary of the coated glass Judge's entrance that led to his chambers.

Recently, though, in the early days of spring, he'd become transfixed with the beggars he passed on his walk to the Daley Center each morning. Now that winter was over, like grey birds returning, the beggars had suddenly appeared again. They were on the edge of the park and at the intersections. Most of them were black men. One man on crutches under Marshall Field's clock had only stubs for hands, a face that had been severely scarred and seared by burns, a puckered mouth like a paralyzed clown with purple lips. This man would look up at him and mutter. He would drop a dollar into the man's hat at his feet. There was an older black man with a sweet smile and stumps for teeth who carried a trumpet in an open case and often sat in the sunlight on a metal box at Michigan and Randolph. Another black man always stood under an awning at Wabash. He danced in spasms. He was blind and sang and writhed and shook his cup. Another man was paralyzed from a stroke and could barely stand. This man was usually slumped up against the wall of the library holding his cup. "Thank you, man," he always said to the judge. "Thank you, man." Once he'd said, "Pull up my pants, man." His trousers were falling and with his paralyzed hands he couldn't pull them up, so he helped him. He had immediately washed his hands as soon as he got to his chambers.

He tried to avoid them, all the black hands reaching up to him, their wounded eyes like dying animals. Occasionally there was a white beggar, a muttering, angry, thin, little woman in a tattered cloth coat in front of St. Peter's, or a wild drunk defecating in his trousers, lurching on Madison Street, but the beggars were mostly black. The rattle of their cups and their moaning had become a sad threnody that stayed with him now and wouldn't leave him even as his morning call began. He would hear that strange syncopation of the sounds of the coins rattling in the cups and the moans and chants. The sounds began as soon as the

lawyers approached his bench with the call of the first case. He'd imperceptively shake his head to get the sad music out of his mind and secretly reach for the jade flower.

These last weeks he'd taken the bus to work and the sounds of the beggars had diminished. He was hearing a case involving millions of dollars in property and he wanted to try to discipline himself and become interested in it. Chicago had become a kind of Calcutta of street people, and he knew his daily dollars weren't going to make the difference.

John Wakefield's firm was trying the case of Mithun vs. Mithun in his courtroom. Richard Mithun was the president of one of Chicago's largest corporations and was Wakefield's personal client. Mithun wanted to leave his wife of ten years to marry a younger woman. His wife had signed a premarital agreement and had agreed to a settlement in the event of a divorce. Her lawyers argued that the prenuptial agreement was invalid because Mithun had failed to disclose ownership of certain stock options which would have tripled his net worth. Mithun had exercised the options during the marriage. They argued that the non-disclosure of the stock options made the prenuptial agreement invalid.

He knew that the prenuptial agreement was invalid and Mithun's failure to disclose the stock options was a fraud on the wife.

Two weeks ago he and his friend had been invited to dinner at the Wakefield's apartment. He thought of cancelling the dinner because the Mithun case was coming up for trial. He even thought of recusing himself from Mithun because of his friendship with Wakefield but if he recused himself from every case when he knew a lawyer, he'd have to strip himself of most of his cases. He felt that Wakefield would be sensitive to his position and wouldn't bring up Mithun. Also he liked to play mind games with these powerful white lawyers. He liked to match himself against them. After dinner in the elegant dining room overlooking Lake Michigan the women excused themselves and the two men had cognac together and then stood watching the traffic.

Wakefield had a lean, patrician face. His only nervous mannerism was a tic at the corner of his mouth that made him seem to occasionally grimace. He was raised in Winnetka and had gone to the University of Chicago Law School. He was a strange combination of ivory tower elitist and rainmaker. His wife was petulant and neurotic and this evening wore a lavender sari and drank excessively.

"Art, I understand Cam Smith will be up before you in two weeks on Mithun. How's he doing on the case?"

"Cam Smith is a good trial lawyer. He always handles himself well."

“Apparently the woman signed a perfectly valid prenuptial agreement.” Wakefield cradled his cognac and stirred it and smiled, a slight smile. He didn’t answer him. He wouldn’t give him the satisfaction of an answer. Wakefield hunched his shoulders and put his glass down. “Enough said. I know you can’t talk about pending matters and I would never want to put you on the spot, Arthur, particularly with all this Greylord thing that’s hanging over the courts. You know Arthur, I consider you an old friend after the good times we had together in Japan. I think both of us trust each other.” His eyes flashed. He touched the judge on the back and they walked toward the stairway together and nothing more was said.

THIS MORNING after two days of trial he would rule on Mithun. After he got off the bus and took the elevator up to his chambers he could smell cigar smoke in his office. Bill Simpkins was sitting there, the wily old man who had been the boss of Arthur Williams’ ward for thirty years. As alderman, Bill Simpkins had gotten Arthur Williams his appointment as State’s Attorney and finally the appointment as judge. Simpkins had suffered a stroke and his face was now yellow and seamed, heavy lidded, his thin hair white. He wore dark glasses and looked very frail. Simpkins had never visited Arthur Williams in chambers. This was the first time.

The judge closed his door and Simpkins’ face broke into a jagged smile and he shook his head as if he was reaffirming their old friendship.

“Arthur, how are you?”

“Bill, I’m fine.”

The old man nodded his head again and squinted at a spot of sunlight that came through the blinds. The judge went over and closed them. “No, don’t bother, Arthur. I like the sun on my face.”

“I haven’t seen you in a year, Bill. Not since the ward dinner at the Hilton.”

“That was a great fundraiser, Arthur.” The old committeeman looked at him carefully but didn’t change expression. He cleared his throat, spit into a handkerchief, sighed and tapped the ash from his cigar.

“You’ve always been your own man, Arthur. I’m not a man to put one of my judges on the spot. But it’s not illegal for a judge to accept a campaign contribution so long as it’s only a thousand dollars per person, is it? You know a lawyer named Wakefield? He says he’s a good friend of yours. I’ve known him for years. His firm does a lot of condemnation work. I’ve worked with them before. Wakefield’s law office has asked me to deliver a contribution to the Arthur Williams Campaign Fund for Appellate Court Judge.” He smiled over his glasses. “Yes, that’s right,

Arthur Williams, Appellate Court Judge. You heard me. You've finally been slated, Arthur, just this week. So, this fellow Wakefield wants to make a contribution. It's still a free country, even with all these FBI men crawlin' all over the courts like cockroaches. They don't scare me. I'm too old to be scared. Law firms always are contactin' me with contributions, zoning changes, state contracts. You think things have changed? Some things never change."

"I can't accept it, Bill. They have a case in front of me. I'm going to rule on it this morning. Did they tell you that?"

"You don't have to take it. I'll take it. No one's saying anything about your taking anything or asking any favors of you. They didn't say anything about any case. I'm talkin' simply a campaign contribution made to me. It doesn't do any good to buck these powerful lawyers. I learned that long ago. They can help you or they can break you bad. They can bury you in the Divorce Division for the rest of your life. So don't be too quick about this, Arthur."

"Bill, I'm a dead man here. I'm losing my grip as a lawyer, as a person. I'm just a servant to these crazy rich people. I can't stand listening to them any more. Arguing about silverware, paintings, clothes, winter homes, summer homes, boats. Do you think I give a shit about any of this any more after three years of listening to this crap? But let me tell you, Bill, I'm not going to take their money. I never have, and I never will. If you can't understand that, then after all these years, even you don't really know me. You've been like a father to me, but Bill you have to understand me. These men are just using you."

"Arthur, your next step after the Appellate Court is Federal court. You think of me as a father? I think of you like a son. I don't want a son of mine to lose an appointment he's been waiting on all his life. You cross these men once and you're through. This is still Chicago. Remember, I won't always be around to protect you. I'm old and I'm sick and now I'm spitting blood. I can't hear you talkin' to me like this. Not a son of mine. I don't even hear you. You put those robes on and remember where you came from and who you are. You got an obligation to all your people to go on the Federal court. Once you get there, you can be as high and mighty as you want. But until you're there, you play the game the way it's always been played, or else you could be sitting in Divorce the rest of your life. I'm not goin' to fight with you, Arthur. I said my piece."

The old man stood up and took both of the judge's hands.

He looked for his cane. "See, Arthur? I'm usin' a cane now and I forgot where I put it. I'm an old man now and I forget. Time passes so quickly you don't even hear it."

The old ward committeeman slowly left the judge's office and tossed the Wakefield firm's envelope on the desk. The judge locked his door and

sat back and slit open the envelope. There were twenty-five \$1,000 checks neatly made out to The Judge Arthur Williams, Jr. Campaign Fund from twenty-five separate lawyers, each of them with the name of the individual attorney's limited partnership. There were also two \$1,000 bills with yellow "Post-It" stickers on them. Each had the legend "Anonymous." There was \$27,000 in the envelope, \$25,000 in checks and \$2,000 in cash.

He took the two \$1,000 notes out. He couldn't remember ever having seen a \$1,000 bill. He had his opinion ready. He could just tear up the opinion, cash the bills, break them into \$100s, walk the city streets and hand them out to all the beggars.

It was all so neat and corporate, so dignified. The perfectly typed, perforated checks, even the typography on the labels was perfect, yet it was so arrogant. Did they really think they could make a campaign contribution to him. It was ludicrous to send Simpkins to him on the day of his ruling as their messenger. It wasn't even ludicrous, it was unbelievable and showed the depth of their contempt for him and his Court. Did they think they were so powerful that they were immune? How did they know he wouldn't report them? Some of the Greylord defendants had been indicted for the same kind of thing. Why didn't they just stuff his pockets with money or leave it in his desk drawer or pay off his bank loan. "Anonymous" was such a strange word. What did it mean? That the person using the word didn't exist? That the hand behind the word wasn't a human hand? It was a person's hand, though, that he knew, and he took his hand and held one of the bills up, picked up his desk lighter and lit a cigarette. He should stop smoking. He also knew that. His hand was trembling. He took the first \$1,000 bill and stared at it and then touched at its corner with the flame of his lighter and held it up and watched it crumble into flame and disappear into a fine charred grey ash on his ashtray. Now the hand that had sent the money was no longer anonymous. The money didn't exist, so the hand didn't exist. Was it a violation of Federal law to burn a thousand dollar bill? If so, who would bring the charge?

He took the second bill, held it up to the flame and watched it burn into ash. He did the same thing with all the checks. He put them in a stack and held them over his large circular glass ashtray touched them with the flame and let them burn until they crumbled into a pile of ash.

He slowly put on his robes and sat down in his judge's chair, a high brass-studded leather chair, and swivelled to the mirror in back of him. He was still a dignified looking man, wasn't he? He had a very dark face in the mirror and now his finger touched at it with some of the grey ash. First his eyes. He touched his eyelids grey. Now the broad forehead. He daubed it with the charred ash, streaked it with grey ash. He looked like

a Masai chieftain, his face covered in ash before a ceremony of battle. A few traces along his cheek. He took the rest of the ash and swept it back into Wakefield's envelope and sealed it.

Then he walked out of his chambers into the corridor. His secretary heard him but didn't look up and sounded a buzzer in the courtroom. He stood for a moment and composed himself. His hands were still trembling. He walked into the courtroom. The bailiff immediately rapped. The clerk read the morning call from a piece of cardboard. "Everyone rise . . . hear ye, hear ye, hear ye, this Honorable Court of the Circuit Court of Cook County, is now in session, the Honorable Arthur Williams, Jr. presiding. Please be seated and remain quiet." The bailiff sounded the gavel.

He sat down behind the bench and smiled briefly at the lawyers.

"Good morning, ladies and gentlemen . . ."

"Mithun vs. Mithun," the clerk called out.

Two groups of lawyers came forward to the bench. They were immaculately dressed. They all looked alike to him. "Like little squirrels," someone had once said. "They look like very expensive grey squirrels." Fresh faces, pleasant smiles. It was as if they were in a church and he was their pastor. He could place his hands over them and absolve them all, himself, the court, all with a simple gesture. The courtroom wall bore the legend, "In God We Trust." That was what it was all about, wasn't it. Absolution. That's all they asked of him. He heard the sad music coming up at him again. If they had noticed the streaks of grey ash on his face, no one dared say anything.

He cleared his throat and slowly put on his glasses, hooking one frame at a time over his ears. He was very angry and yet he controlled his voice. He spoke quietly. "In Mithun vs. Mithun, I've ruled on this issue of the stock options in a written opinion. My clerk will have copies for all of you. Let me just say that I've ruled in favor of Mrs. Mithun. I'm going to grant her petition to set aside the prenuptial agreement as fraudulent because of the failure of Mr. Mithun to disclose the stock options."

He stared at the lawyers.

Mrs. Mithun's lawyers began congratulating themselves. Wakefield's team was grim, particularly the lead attorney, Cameron Smith, who was shaking his head.

"Mr. Smith, if you'll see me in chambers for a minute, I think I still have one of your exhibits." The judge stood and walked back to his chambers. The bailiff sounded his gavel again and Smith followed the judge.

He closed the door and glanced at himself in the mirror again. He did look like a Masai chieftain. He smiled. Smith stood in front of him.

The lawyer's mouth was set in a thin line and he didn't speak. He looked down at the remnant of ash on the desk.

"I have an envelope for you, Mr. Smith. I received it from your Mr. Wakefield. So I'm returning it to both of you." He handed Smith the sealed envelope. The lawyer stared at him, began to say something and then didn't, and turned and quickly left.

He looked at his face in the mirror again and rubbed some of the ash into his forehead with the heel of his hand. He didn't need them. His pension was vested. He'd spent twenty-five years in the system trying to please them and now he would leave before he became just another fool. A geisha. His face was almost grey with ash, but he could still wash it off. He wasn't going to clean toilets for them at a Federal penitentiary. His mother had done enough of that. Maybe he would volunteer for the Peace Corps and go to Africa and become a teacher. Maybe they would back off now. These were dangerous times to be putting heat on a judge. Maybe they would back off. He doubted it.