



2ND
PLACE

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AS THE LAW IS WRITTEN

They arrive an hour late for their 10 o'clock appointment, but I can see them in 15 minutes so I tell them to wait.

They are an interracial couple: he black, she white. Back in my office, I glance at their file. Jim Thomas and Anna Keane. Hers is not an obviously Jewish name but then neither is mine: Philip Harshbarger. Yet I am a Jew, a very old Jew, one of the last in Detroit. Even my son has long since fled to a house in the suburbs, a house at which I alone will join his family for Shabbos that night, my wife Edith of 56 years having died last year of a heart attack. Who would have thought I would outlive her, my being 10 years older?

I finish with the other matter and look at the file again to remind myself of why Mr. Thomas and Ms. Keane are here. They live in an apartment in a decaying suburb and want to buy an abandoned house for \$100 in the Glenview neighborhood, the trendy new haven for artists in the city. My task is to determine whether they qualify to do so. The sale of abandoned homes for virtually nothing is an effort to save the few remaining viable Detroit neighborhoods by bringing in new residents to fix up abandoned houses. If a potential new resident has a firm desire to live in Detroit and the necessary financial and other resources to repair and maintain the house, then I approve the sale. That's the law.

The file says they are in their early 20s, but when I call them into my office they look like they are in their teens. The girl is pretty in a masculine way with pale skin, a firm chin, and a shock of unruly black hair that reaches her eyebrows in front and her neck in back. She could be Jewish, but I am not allowed to ask, of course, and it doesn't matter to my decision.

The boy has finer, almost feminine, features, deep brown skin, and shoulder-length cornrows of black hair. They are both so painfully thin that I call one of the associates and send him in search of leftover breakfast bagels. He doesn't find any.

His pupils are dilated when they meet mine. He is high on something. I don't know enough about drugs to guess which one because I never had to learn about drugs in any detail. That scourge of black Detroit has never touched my family.

"What brings you here?" I want to hear them talk in order to learn what type of people they are. I have talked enough in my life for three people.

"Mr. Harshbarger, the woman at the house told us that you have to approve of us getting it before we can get it," she says. I like her because she knows my name, speaks in a clear, strong voice, and looks me directly in the eye unlike so many young people who seemed to believe that I—or maybe they—would vanish if they looked directly at me.

"Yes, we want to make sure that you can fix the hole in the roof and then maintain it. If you don't maintain it, then in six months the city can take it back." I look her steadily in the eye to emphasize the important last point. Most buyers seem to forget it until it is too late.

"We can do it." She says it confidently, as if no one could doubt her. She is still young enough to realize she doesn't know much, but what she thinks she knows, she is certain of. I, on the other hand, think I know much that she doesn't know, but think all of what I know is a matter of argument.

"Why do you think that?"

"I've been a carpenter's apprentice for two years." It fell to my daughter, the lawyer, to teach me about women's rights. Until she did I had been the benevolent *pater familias* whose job was to provide for the family and be a success. I had made it home for dinner every night, however, and we had vacationed on Lake Michigan every summer for a month. Still, Edith had set out my clothes each morning, raised the children, maintained the house, organized the requisite firm dinner parties, and supported me every step of my career. Edith had never complained so I had believed she was happy. But our daughter shocked me by telling me that her mother, my wife, had found her life unfulfilling for some time and blamed me for it. I asked Edith if this were true. She said that since the kids had grown up she wanted to travel and try new things.

What could I say but yes? We hired a maid to take care of all the housework. We no longer held firm parties at our house. She became more active at the synagogue. She took long vacations with her friends and children. When she was home, however, she still laid out my clothes for the day even though I said she no longer had to. She cooked my dinner even though I offered to hire a cook when she said it was too expensive to eat out every night. She told me she was happy when I asked, only that she wished I were home more. As I grew older, I worked less and took longer and more vacations, and we seemed to reach a kind of equilibrium. I tell myself that she led a good and largely happy life. I would hate to think otherwise.



"Did you work on any roofs?"

It seems a natural question but it catches her by surprise. "No," she says and then rallies. "I take that back. I worked on an addition that we roofed. It's hard work."

"Are you still a carpenter's apprentice?"

"No, I lost that job two years ago when the boom went out of the housing market. I've had odd jobs here and there since then. Right now, I'm doing checkout at a grocery store."

"Full time?"

"No. Up to 20 hours as needed, but they say a full-time position is opening up soon. I hope to get it." Then at least they would have benefits and insurance. They could go to a doctor if they were sick.

"If you are approved to buy the house, how do you intend to get to your job?"

"Oh, there's a bus route. I already checked." This is the right answer.

"Do you work, Mr. Thomas?" They don't wear any wedding rings, I bet because they don't care about a bourgeois—no, for them, it would be an out-of-date—institution such as marriage. But marriage is a sign of stability and of commitment, two qualities that Detroit needs if it is to make its way back and two qualities that owning a house requires. These are the reasons why I look for wedding rings and not because I'm prejudiced against unmarried couples.

"I'm a painter. I'm building on Pollock's early work. There aren't that many of us doing so now, but there are a few in the Glenview area. We'd be together. It would be synergistic, like we would all learn and grow from one another." It's a big word for him so he thinks it is a big word for me, or maybe he thinks old age has taken away my mental powers.

“Are you an artist too?” I ask Anna. I want her to be an artist, too, and not just supporting him. It’s fairer. What I really want to tell her, however, is that if she is planning any children, she should find a different man, one who does not come drugged to important meetings. I say nothing, of course.

“I’m trying to be. I take photographs. I write some poems to go with the photographs. Sing a little.”

“Do you have enough money to pay for the house?”

“Yes. I have it on me.” Here she begins to slip her hand inside a small patchwork purse she has brought.

“No, I don’t take the money,” I say hurriedly, but she pulls out the money anyway and gives it to me. I count it to give her the pleasure of seeing me count to a hundred, and then give it back to her. I pause and then ask, “How are you going to pay for the materials—the wood, the insulation, the shingles, the paint, the tools—needed to repair the roof?”

“We brought some things to show you.” Her voice is eager and vulnerable and so young. She reaches into a tattered leather portfolio that she has probably rummaged from someone’s trash bin, and Thomas hands me a rolled canvas that he has kept under his arm.

To my disappointment, she lets him show his paintings first. There are two of them. They are covered with swirling lines of many different paint colors that reason refuses to order. I smile.

“See, Pollock only went as far as his time and society allowed him. It’s like they were just finding out about the collective unconscious then and didn’t know how to paint it. I mean, he was really revolutionary for his time, but he could take it only so far.” He continues on enthusiastically for 10 minutes without my taking much of an interest. The collective unconscious? Christian superstition that Jung got from his preacher father. Give me Freud. He knew more about the unconscious and the power of reason to subdue it than

Jung ever knew. Nevertheless, I examine the paintings with seeming interest. It serves no purpose to discourage the boy. Someday he might be a great painter. Maybe he already is. I am a lawyer, after all, not an art critic. My only concern should be whether someone might buy his paintings and give him the money necessary to repair the house he wants to buy. I don’t think so.

Next, she shows me a dozen of her photographs of derelicts and bums, mostly old men like me. The pictures are good. There is truth rather than argument in them, but the pictures will never sell, of course. Since the ’30s every photographer has shot pictures of derelicts and bums. There are enough pictures of derelicts and bums to go around the world a dozen times. I buy them anyway and give her the check. Maybe she can keep it away from him and his drugs. He briefly looks disappointed, whether at my giving the check to her instead of him or at my refusal to buy his paintings, I don’t know. Either way I do not want to encourage him in his pretensions. He is meshuga—crazy. He needs to get a job, stop doing drugs, and take care of Anna, but I am being old fashioned when I think like this. What do I know of artists and their lives? My life has been reason and the law. What do I know of young people and their lives anymore? The world was very different when I was young. We were never so wealthy or so free. What do I know of a black man and his life? I have never been a black man, or a woman for that matter. I stop. If I continue like this, I’ll soon be asking my son to tell me when to pee because I’ve never been old before. They are human. I am human. I want to help Detroit, where I have lived nearly my entire life. Someone has to decide. It is enough.

“You want to move into Detroit to be artists, then?”

“Yes,” they both say.

“And you aren’t worried about all the crime and violence in Detroit?”





“We’ll be in Glenview.” She is still innocent. She believes there is a safe place on this earth. I was innocent once. My parents and I lived in an immigrant Jewish neighborhood that sheltered me from the harsh realities of anti-Semitic Detroit. I even dreamed of being the next Henry Ford, but then I learned the unwritten laws of Detroit. No Jews in the Grosse Pointe Yacht Club. No Jews in Grosse Pointe period. No top Jewish automobile executives. We could be lawyers and doctors and accountants but not the next Henry Ford.

I knew the blacks were worse off than we Jews were, but my father said we had enough to take care of with our own problems without taking on someone else’s. The idea of a nice Jewish girl marrying a black man would have horrified my parents, but they never joined the haters.

The war and the Holocaust took what was left of my innocence—I would never speak of the horrors I saw in Europe, even to Edith—and I vaguely connected those horrors with segregation in Washington, where I worked for the Department of Justice for two years after law school, but I did nothing to help. I was too busy chasing a partnership in my firm, serving in my community and B’nai B’rith, and raising a family.

The ‘67 riot proved that the old way of keeping separate would not work, and I volunteered for the New Detroit Committee that worked for racial reconciliation and justice. Not much useful came from the committee because it dealt with the black nationalists who wanted a new country instead of with the moderate blacks who wanted to work with us, but I had begun to see my civic duty more broadly than before and have stayed involved with all of Detroit for the rest of my life. Soon after the ‘67 riot, the firm, whose first 43 partners were Jewish men, hired its first black associate and eight years later elected him as a partner. The first women followed a few years after the black associate was hired, and then we began to hire gentiles as well as Jews. All this was

good for business I admit, but I reject as anti-Semitic the slur that we did it because it was good for business. We did it because we thought it was right.

“We’re cool,” he said. “We know how to take care of ourselves.” Two starry-eyed artists know how to take care of themselves in gang-ridden Detroit? I don’t think so. Is it because he is black that I don’t like him? I’ve never had that problem before, I tell myself, and move on.

We talk for another 15 minutes about how much Anna is making at the grocery store, what their budget for food is, how much paints and photographs cost, where they came from, and where they hope to be in five years, but I have already made up my mind. The arguments against approving the sale are strong. Mr. Thomas and Ms. Keane are young and desperately poor. He has a drug problem and if he has one, then probably she has one too. They were late to the appointment. The arguments for approving the sale are fewer in number: She is young and enthusiastic. She has some useful carpentry skills. She holds down a job.

As the law is written, they do not qualify, but Detroit has 10,000 abandoned houses within its boundaries. Everyone who wants to buy an abandoned house in Detroit for \$100 is desperately poor. They are young, but only the young would undertake a task as daunting as restoring a neighborhood. He is probably unreliable, but I hope she is made of sterner stuff.

I tell them they are approved. They kiss each other joyously, and I like him for the first time. For a moment I think anything is possible. ■

Todd B. Adams graduated from the University of Michigan Law School in 1984. Since then, he has practiced in a variety of areas including election law, public labor law, and anti-discrimination law. Most recently he practiced Native American law with the Michigan Department of Attorney General.