

JUSTICE

“I must understand.”

That was the mild rebuff political theorist Hannah Arendt gave when interviewer Günter Gaus asked what effect she wanted her work to have. Gaus was referring to the books she had written on the rise of totalitarianism and the institutionalization of evil. Those books, she dismissed, were of secondary importance, quickly written after her primary work – understanding the phenomenon – had been completed. The actual work was the thought process she applied to penetrate and comprehend her subjects. Writing served as an integral tool of that process. However, the books Gaus alluded to were dispatched as swiftly as Arendt could type, serving merely to record and share the results of her analysis. One of Arendt’s greatest rewards nonetheless, she said, was to find that readers, students, colleagues understood matters as she did. It was a feeling akin to coming home, she told Gaus.

While I, too, must understand, my subject is not the global cataclysmic occurrences Arendt tackled. It is something more difficult insofar as it concerns the affairs of individuals whose private transactions I have no right to breach. I speak specifically of the affairs of a family.

In the first place, understanding complex personal interactions requires access to the actors’ innermost thoughts, perspectives, motivations, which I do not have. In the second place, even if those actors were willing, honest, and confided such intimacies, I would be unable to receive them. It is not possible. Truth is too sensitive to cross the mind barrier. If truth is spoken, it shifts the moment it comes to lodge on sands of shores of other minds, with certain knowledge of what the speaker meant as out of reach as ever. Third, a mind seldom knows what it means, intends, or wants and certainly not why and therefore cannot convey it. The root of motivation is impenetrable to the conscious mind. Fourth, no conscious mind is willing to admit that it doesn’t know why it is acting as it does. To conceal that embarrassment, it provides – often compulsively – a reason, which the mind then adopts, thus altering the mind’s conceptual framework in the same moment, further frustrating any attempt to understand. Fifth, most conscious minds think they know what’s going on, believe the reasons they manufacture for their actions, and provide those, although false, with a clear conscience.

The final obstacle is familial treachery, most wretched because it can be passed off as innocuous family eccentricity. Questionable behavior is readily obscured within the intensely personal, uniquely intricate tapestry family relations create. Amidst that bewildering substrate, exploitative relations may persist and gain acceptance to the point that the victim abets the practice rather than admit an injury. Any hostility or resentment in play can easily go unnoticed.

So the inquiry before me was daunting.

It involved the relationship between an aged father and two of his grown sons who held him in the highest esteem, something that normally would not merit close attention. Primo and Modi, the oldest and youngest of Thor's four children, lived in closest proximity to their father during the last years of his life. Modi and his family lived in Thor's home at Thor's expense. Primo lived in a neighboring state and visited frequently. Yet on Thor's death, a peculiar lethargy overwhelmed them when it came to settling Thor's affairs that was not grief.

Designated trustee, Primo manifested a curious mix of torpor and incompetence in managing Thor's last will and testament too exaggerated and too consistent to be mere indifference. After weeks of downplaying its importance, he finally admitted he did not know where Thor's will was. On the other hand, he delighted in writing checks drawn on his dead father's account and had soon so bungled those finances that he angrily deflected all questions about what check had been written to whom for what because he just didn't know. A year after his death, Thor's estate remained unsettled.

Meanwhile, Modi refused to give up the lion's share of the inheritance, the house, with Primo's tacit approval. Modi's sullen intent was to take care of the structure exactly as he had all the years he had shared it with Thor: just by being there.

If left to perform their work uninterrupted, the two would soon have Thor's estate frittered away in late fees, bank charges, erroneous payments, lawyer fees, uncollected insurance premiums, unclaimed tax returns, bloated inheritance taxes, and orphaned pension and social security payments, while the value of the house tanked as it fell into a state of ruin under Modi's indifferent stewardship.

It was this peculiar behavior – this gnawing away at what the old man left behind – that threw the entire relationship into question, justifying a closer look. Such excessive unconcern could not be

happenstance. A certain studiousness in the sons' inaction hinted at something specific at work, something destructive, a vengeance underlying the apathy, which was curious. Desire for vengeance does not spring up against a father on the occasion of his death. It would have roots from seeds most likely sown in the home the father had provided. Primo betrayed his opinion of that home by condoning Modi's exploitative behavior during Thor's last years as justice of a kind. Evidently, Primo did not think so highly of Thor after all. He judged the man to have come up short as a father and that Modi's callous treatment of him, which had not gone unnoticed by the primogenit, as only what the old man deserved. For his part, Modi's partaking of his father's generosity during those years smacked of predation, as if his unstinting consumption of his father's dwindling resources were only repayment of a debt too long overdue.

Or it could have been elder abuse.

If individuals are mysteries we cannot penetrate, it abandons us to the harsh reality that justice is beyond human endeavor. We must accept that the values by which an individual lives are subject solely to the discretion of that individual. If an actor states he committed no offense, then he committed none. If a victim states he is wronged, he must be content to be wronged with no recourse to equity or mercy.

As justice, therefore, is beyond the scope of this history, it must resort to describing rather than explaining. Forswearing speculation, it records only those snatches of conversation and acts seen and heard in order to shed light on the interactions that constituted the last years of Thor's life. In contrast to Arendt, whose books were tossed off to record her conclusions, this document serves as evidence for conclusions yet to be drawn. The hope is to determine that no ill will ever existed, that there was no victim in that home.

MODI AND THE SEA CHEST

Miles beneath the surface of the sea, far beneath the sunlight zone, beneath the twilight zone, beneath the midnight zone, lies the abyss. No sunlight penetrates here. There is no heat. No season marks the progress of the years. No arc of light betrays the passage of day. No weather, foul or fair, ruffles these depths. All is calm, dark, freezing.

Yet, greater depths lurk. From the abyssal plain, the seabed simply drops off, slipping miles more down to the hadal zone. The descent is a terrifying experience. Life forms change. Bodies flatten. Cellular

structure requires reinforcement. Harsh principles expose life's ghastly rudiments in hideous shapes. You don't want to be down here.

But someone was down here. Someone could withstand the cold, the dark, the pressure, the claustrophobia, the despair these lightless depths cast over those trapped within. It was Modi, the third son of Thor, tightly curled in his sea chest, wedged into the silty-clay sediment of the seafloor. There he lay, a membrane away from the vast depths, dimensions beyond sunlight, oxygen, color. He never knew how he got down here or why he went down when he did. He just knew that from time to time he found himself at the bottom of the ocean in his sea chest, that he felt well here, safe, that he liked it here.

At some point, he never knew how or why, he would find himself back in the warmth, light, ambience of his natural environment. It was there that he could speak, move, live if he chose, but he buckled, undone by the velocity of life that flashed around him. Luckily, every so often, he found himself tucked back in his chest, sunk in the pitchy black, freezing waters of the hadal benthos where he could rest, listen, and ponder.

THE HADAL PASTURE

It was awesome. It was real. It was brutal. It was simple. It was true. In the dark, freezing, hyper-pressurized hadal waters, it happened slowly. For long periods of time, nothing happened at all. But Modi had time. He was down here to listen. He wanted to listen. He needed to listen. He did listen. The longer he listened, the more happened, and Modi heard and understood. No phototrophic magic invested these hadal transformations with the cordial ease evident in the sunlit-driven processes miles overhead. Every morsel down here required cunning and conquest. Down here the fight was slow, steady, uncompromising. Down here Modi understood. It was clear. Life ate life.

But something else was going on. Something puzzling. Something that explained something. Something that had been missing. A mysterious activity burbled in the sediment around Modi's sea chest, it burbled deep underneath the seafloor, it burbled in every particle dropping from the ocean's sunlight zone to reach this icy black abyss. A steady shower of particles passed through these blind waters to

collect on the seafloor, because where else was there for them to go? Discarded by all marine fauna as too scant, too rough a source of nutrition, they gathered in the eternal graveyard of marine life in the hadal trench as deep-sea sediment. All marine life would end up here were it not for that concentrated, sedulous fizz working away at this refuse, this detritus.

Modi heard the power of stars at work in that fizz. From clay quicksilver emerged. Trivializing the Christian charm of resurrecting life from death, the alchemy of the burble transformed rock into pasture molecule by molecule. From these pastures emerged grazers, filter feeders, scavengers, predators. The burble pierced the inorganic monolith to bring life to the sea, the sea to life.

The deep-sea cycle initiated by the burbling prized not longevity, but change; not hegemony, but variety. As one unlikely life form consumed another Modi did not flinch. Down here there was no evil, no anger, no passion, no loss of life. One form of life merely assumed the form of the life that consumed it. There were flashes and flutters, leaps and scampers, but no whimpering. And no escape. Escape to where? Were they not all part of the selfsame infinitely linked food chain? Were they not, in the shuffle, moving ever upward? As if to reassure, the source of the burble, the source of the fizz, the microbe, gave itself up first of all, for that alchemist was the pasture.

GOD IS GOOD

The creatures of the hadal deep did not know they were at the bottom of anything, not at the bottom of the ocean, certainly not at the bottom of the food chain. Innocent of God's grace, they were also spared the anguish of having to choose between their existential attachments and salvation. God's favored creature was not so spared. But neither had God put it down here where existential attachments were nonnegotiable. No, the human had been elevated to the very top where all attachment was in fact negotiable, pious living possible, and therefore salvation attainable, whence the source of that creature's anguish.

Granted sufficient faculties to name all members in God's kingdom, the human went on to name the grisly process that bound them together. It called it the food chain because it could see what it was. Granted the privilege of occupying the top of that system introduced a troubling consideration: Who wanted to be at the top of

that? If God was good, and humankind believed God was, why would He submit all creatures great and small – outside itself – to the hideous imperative of running all their short lives long with violent capture and voracious consumption the only outcome? A particularly gruesome twist was all those lower creatures were forced to eat whatever they caught until the time came for them to serve as the feast themselves. Could God conceive no other use for life than as a meal? According to this abhorrent model, no.

With so appalling a scheme before its eyes, humankind had to wonder if maybe the divine author was not good in the sense the human cherished. But that would be wrong. God provided the Ten Commandments. They reflected the values of human virtue exactly. Clearly, God was on its wavelength when it came to that. And, after all, in giving humankind jurisdiction over all the other creatures God had exempted it from the horrid cycle. On the other hand, that meant it was to eat what was left.

Proud of being the top of God's deadly food chain, the big cheese, so to speak, humankind remained unaware that it was also the chain's faulty link, its aneurysm. The appetite of all other members in the writhing sequence of survival was regulated by physical limits in chase, conquest, and consumption, all of which were soon reached. Along with a capacity for naming things, God, however, had endowed humans with supra-corporal appetites and the means to indulge them, hence, the blowout, the aneurysm. Unconstrained by physical limits, the perverse appetites of such creatures are not satiated by feeding, but whetted.

And yet God is good. In felling trees, burning acreage, ravaging countrysides, blighting crops, fouling air, poisoning rivers, contaminating groundwater, humankind may annihilate individuals but cannot end life. At some point, the human, too, is returned to the humble microbe as detritus for dissolution and renewal. Through the constancy of the microbe and its magical burble God bestows His mercy.

Tightly curled in his sea chest, Modi pondered all these things: the burble, the shower of marine particles returning ever again to submit themselves to the alchemist microbe to begin the process yet again, life eating life. It made Modi sad because it was happening up there, too, except up there was different. He couldn't figure it out. He savored the moments he was granted down here in the cold and the

dark. Maybe if he listened long enough, he would figure out what he should do up there.