

# JUSTICE

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## JUSTICE

Dear Ted,

You ask me why I want to refuse a second printing of my book *Justice*, and to withdraw what few copies remain of the first printing. I realize that I have no rights in this matter. Even so, I must insist on making the request.

I do appreciate the commitment that you personally and your firm have made to the book and to me. But I no longer believe that what I say in the book is true. To put it most trivially, I have changed my mind. But that, I recognize, is hardly a satisfactory explanation.

As you know, the book tour you arranged for me involved a number of faculty lectures, including one at Prairie State University in North Dakota.

I was just into the question-and-answer period when a faculty member at the university got up and asked me whether I believed in ghosts.

"Of course not," I said. "Do you?"

There was some giggling, but the faculty member, a Dr. Hamilton Mildridge, was undeterred.

"Yes," he said. "I do. Ghosts are the ultimate refutation of your argument."

"In what way?" I asked, genuinely curious.

"You argue that revenge has no place in the justice system of a civilized country. That the three

criteria for imposing a sentence on any criminal are isolation, deterrence, and rehabilitation, and that since isolation is temporary and deterrence minimal, rehabilitation ought to be the system's primary goal."

"Yes, that is an excellent summary of what I have to say."

"But ghosts demand vengeance, Dr. Binder. They cannot rest until they get it."

"I haven't conceded that they exist," I reminded him.

"They are disturbances in the ether," he went on, ignoring me, "echoes of an injustice that must be righted if they are ever to have any peace. We owe it to them, Dr. Binder, to make the punishment equal to the crime, to balance suffering with suffering. Otherwise the imbalance will ripple through eternity like a cry unheard."

With that he sat down, and the question-and-answer period resumed along more rational lines.

But at the reception after the lecture, Dr. Mildridge came up to me and invited me to meet a ghost.

I smiled politely and pointed out that I had a ride to the airport within the hour.

"Rides can be canceled," he said. "Flights can be rearranged."

Perhaps you remember, it was in late October, near Halloween, actually, that I called Robin and asked him to rearrange my schedule. Which, with your concurrence, he very graciously did.

Why I humored what seemed to me at the time

was a madman is beyond my capacity to explain. Suffice it to say that the ghost as a metaphor intrigued me, and that somewhere in the gut I was struck by the notion that the desire for revenge had perhaps more dignity than I had been willing to concede to it.

Dr. Mildridge picked me up at my motel at around 9:30 PM, explaining that the particular ghost he was going to introduce me to haunted a nearby wheat field each night at precisely 10:15.

On the way to the wheat field, Dr. Mildridge filled me in on the details. The ghost was that of a 16-year-old girl, Holly Hinton, who had been brought to a barn by a 16-year-old friend, Patrick Dent, for what she thought would be some adolescent kissing and petting.

But Patrick had other ideas. He confessed to planning to rape and murder Holly because he "wanted to know what it would feel like" (his words), and so he brought a small hatchet with him to the barn.

Threatening her with the hatchet, he stripped her naked and raped her (his first sexual intercourse – both were virgins), and then proceeded to chop up her naked body like an animal on a butcher's block – first her legs below the knees, then her arms below the elbows, then, as she stared unbelievably into his eyes, too shocked to scream, the rest of her legs and arms, and finally, mercifully, her head.

He then bathed in a nearby stream, changed his clothes, and, leaving both clothes and hatchet in

the barn with the dismembered body, set the barn on fire.

His mistake was the hatchet, the head of which was still identifiable and, through the local hardware store, was traced to his father. In a deal with the prosecutor, Patrick pled guilty and got 15 years, of which he served 10.

Now in his late thirties, he is living in Montana with a clean record, a job managing a string of donut shops, and a wife and two kids.

So here's a case, the denouement of which I should have approved – prisoner rehabilitated, justice done. But Dr. Mildridge had something different to show me.

It was a moonlit night, and when we got to the wheat field I could see fairly well. I was, as I had guessed, where the barn had stood some 22 years earlier.

The winter wheat had been recently planted, so that where we stood afforded a long view of bare, slightly undulating fields. It was crisp in the moonlight, and I shivered in my woolen overcoat.

Exactly at 10:15 the ghost appeared. I have no other word for it – one second there was nothing in my line of sight, the next second she was there.

She was naked, and looked as though she had been sewn back together, still bleeding at the seams – around her knees and elbows, around her shoulders and thighs, around her neck. Her eyes were still wide with disbelief.

Dr. Mildridge put his hand on my arm as she

approached me moaning a savage, high-pitched moan of pain. She dragged her disjointed body closer and closer, moaning this unearthly moan. Without Dr. Mildridge's hand gripping me, I would have turned and ran. As it was, I could not control the violent shiver of my body, and the poor creature brought me to dry, unbearable tears.

She came right up to me, white in the moonlight, but as though she didn't see either Dr. Mildridge or me, as though she saw nothing around her, still frozen in the moment of her horror, still reliving it, and as I looked into the depths of her eyes what I saw was anger, unrequited anger trapped forever inside an agony I could see but not imagine.

"Oh, God!" I moaned, "Oh, my Lord!", my moans in counterpoint to hers. She veered away from us and continued across the field in her strange, not-quite stumble, and then, when she was about fifty feet from us, disappeared.

I was shaking, weeping, barely aware of who or where I was. It was a while before I realized that Dr. Mildridge was holding me up.

"Come back to the car," he said gently. "Here. Come."

As he guided me towards the road, I looked back at the empty field where the barn had once stood, where the ghost had just walked, where the unspeakable had taken place, and, believe it or not, for the first time in my life knew – really knew – the meaning of the word, "justice."

Here I was, the expert of the moment on

justice, the author of a best-selling book by that name, and I knew nothing of the thing itself. Something ancient and true had been touched in me, and I began to understand that the desire for revenge is as human as the desire for love, and as necessary and consuming.

Spirits stalk the earth, Ted, and we forget them at our peril. For they will haunt us, whether or not we are willing to admit it.

Something is not right about that boy Patrick enjoying his life. Something is not fair. He fits precisely my description of what should happen, and now I know that it shouldn't.

What I want to say in my new book is that justice is orderly vengeance, the state taking it out of the hands of the clan, providing the symmetry the heart demands, allowing the angry, aggrieved spirit to rest in peace.

The other elements of justice – the need to deter criminal behavior, to isolate criminals and to rehabilitate them – remain, but are secondary to the need to provide, for the sake of the victim, a punishment commensurate to the gravity of the crime.

But that is my new book. My old book I wish to crumple up and throw into the wastebasket, like a draft in which I see not one word worth saving.

The eyes, Ted! The girl's eyes! They won't let me sleep until I do!

With noontime hope and midnight  
desperation, I remain as ever,

Yours,

Emlin Binder