

Evil Makes Us Human  
(An Exercise in magic realism)

The trial was held in a small municipal building. The man they brought in had been caught just as he delivered the final blow. He was young, pallid, drenched in a sweat of terror. Blood was streaming from his lips, split open by the butt of a rifle; and he was smearing it over his face with gore-spattered hands, the fingernails of which were torn. He was a hideous sight. His body shook; he was filthy and obviously miserable, but still recognizably human.

The presiding judge questioned him. The man did not respond, not even give his name. He merely cast his eyes about wildly, in a frenzy of anguish and hostility. Then some policemen testified, loudly, with vindictive enthusiasm. The charge was clear: the man had killed a soldier on his way to Afghanistan and had taken his watch and wallet. There were no further questions. The judge stared at the man and raised his gavel for sentencing. Movement in the courtroom stopped. As the gavel struck the desk, the eye of a reporter caught sight of the judge's manicured fingers and a flash of his gold cufflinks.

"In accordance with criminal law," the judge said, "I sentence this man to death. Take him away." The man did not grasp a word said. He let himself be led away, snuffing and wiping his lips with blood-stained hands. The trial was over.

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The judge picks up his pipe and goes outside to smoke. It is just getting dark. When the moon comes up, its marbled light makes everything look ossified. A white road, ghostly trees, pale meadows stretches as far as the eye can see. A translucent whiteness, a crystallized longing, an endless, frozen tension. As far as the eye can see. A pale silence as far as the ear can hear. A lifeless, icy, peaceful night. No starlight to give its approval; there is nothing but a cold and intense glare.

Yet there was to it all, it seems to the judge, an infinite but unexplainable meaning. He looks up. Directly above the neck of Pegasus, swirls Andromeda, the galaxy of 200 billion suns. The judge thinks: we can only stand and admire it from across an unimaginable distance. But it lies, unbounded, beyond the reach of any truth or certainty.

Then, at home, the judge sleeps with his wife. He hears something stir. He hears a sound as of bedclothes, and what seems like a faint sigh; and somewhere in that darkness he hears something that sounds like, “love.” He can hear breathing next to him and along his side he can feel, like a faint exhalation, something like her nearby side, so close that his arm hairs bristles.

In the station house the policemen are snoring. With these hearty snores, the night protests the beauty of the moonlit night. On the other side of the street, in the cell where the condemned man is confined, it is dark and quiet; there the terrifying moonlight only has a slit to work its way through.

The prisoner sweats. Beads of sweat break out, run down his face. It’s as if his forehead is shedding tears. His shadow is untouchable. In a dream, the judge sees himself sentencing the man to death. The man’s mouth is open as if he is trying to yell for help. The judge never lowers his gaze from the face of the condemned man. Nothing is banal; nothing can ever be, under the chill light of the moon. No creature stirs anywhere, no mole squeezes its way through the grass; no bird sings as proof that it exists. Leaves, blocking light from the moon, turn something into nothing.

Are all things nothing but inexplicable ghosts? Is there nothing but this unearthly negating moonlight and the condemned man, shivering in his cell? Suddenly, a Voice, as if uttered by an endless universe, breaks the silence: “There is no center or circumference.” The judge, waking from his sleep, replies to the Voice: “How can anyone say there is no center and no circumference. They were designed, according to law, by nature and God.” The Voice replies: “There is no law.” The judge responds: “We are surrounded by the law like the sky and horizon around us. How could we do anything unless we are compelled by it to act a certain way? How could I hold the citizens in line without the law? There would be no justice without the law.”

The Voice, speaking calmly through the moonlight, says: “There is no justice.” The judge replies: “No one should say that. I condemned the man because he killed a soldier; I acted in the name of the law. If there was no law, I would have acted according to the dictates of my conscience and killed him on the spot—and my conscience would have been clear. I would have done the right thing.”

To this the Voice replies: "There is no conscience." The judge puts on his shoes and robe and walks outside to confront the Voice. "Out of conscience and justice, we cry and rage...we strike out with fury and with compassion. If you were God himself, you could not do otherwise."

The Voice, speaking through the moonlight, does not reply. The condemned man in the cell turns his face toward the sky. What he can just make out through the slit in the roof looks like a milky dome infused with petrified light. He feels it must be possible, if only he had a long, long ladder to climb up and into it. But the further he penetrates, raising himself on this gaze, the further the dome recedes. And still it is as though in time it can be reached, as though by sheer gazing he might be able to stop it and hold it. The desire to do this became agonizingly intense.

Then the Voice repeats the message: "There is no justice because there is no love or conscience." Surely, the judge thinks, the white stones, the blood of all the murdered people, will rise up against the Voice and cry out in protest; they will defend God, the source of all love; they will passionately bear Him witness. Deadly silence. No sound but the snores of the policemen in the station house.

It is midnight. The judge breaks his reverie; puts on his clothes and drives past the station house. There is a policeman standing outside the door. The moonlight shrouds him with a strange, unearthly, indifference. There is nothing unusual to see; there is nothing odd to hear; there is nothing; there is only the usual silent universe.

The municipal building is dark. The judge lights a candle, and makes his way into his court where he sits in judgment. He lowers himself into his chair and sets the candle on the edge of the desk. The yellow flame wavers, droops, lighting and warming only itself.

The judge holds the flame in his steady gaze until his eyes fill with tears.