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Finding Power, Fighting Power (or The Perpetual Motion Machine)

*Mae C. Quinn**

They found him on the sidewalk; no fight left in him at all. EMS transported him from the street in front of where he lived to the emergency room. When I arrived, technicians were still climbing over his body, shocking his system, and shouting at me to move away. Their heroic efforts somehow brought him back from the other side. But still my father remained in a deep, unreachable state, relying on a machine to sustain his life. A few days later, still very connected to the machine, he gave in for good. He died again, relieving us of any hard decisions. He was only fifty-six.

That place where my father lived during the final weeks and months of his life was a tiny room in the dank basement of a run-down brick building not far from the Staten Island Ferry Terminal. To get to it, you had to open a huge locked gate, pass down a tiny alleyway, and enter a back door to a strange subterranean world where several others, hiding from the outside, laid their heads each night. When we cleared out my father's space after his death, we found that he'd been sleeping on a single dirty mattress that sat on the cold ground. My father paid \$420 each month in cash for a cubicle that was dark, dirty, and demoralizing. Take-out food containers spilled from the corners, bills and disability check stubs covered the floor. Fresh air was nowhere to be found under the seven-foot ceiling.

Near the front of the room sat a small card table where my father spent most of his time, day in and day out, chain-smoking cheap cigarettes, listening to worn country-and-western music cassette tapes, and tinkering under the light of a single desk lamp on his "invention." He left it still a work-in-progress: His perpetual motion "machine."

This small, fragile contraption — to which he devoted countless hours, thoughts, and expense and which currently lives in a milk crate in my basement — is very hard to describe physically. Its intention, however, was as

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its name suggests: to explore the possibility of endless, continual energy; to pull perpetual power from a mysterious source without any being lost in the process; to create the perfect system. Through research I have learned my father was one in a long line of men who since the twelfth century have tried to demonstrate this phenomenon. None of them succeeded. Most were eccentrics. Many were believed mad.

* * *

My father hadn't always been an obsessed recluse living on the very edge of civilization. He had been a gifted high school student, a Navy veteran who spent time abroad, a city employee with benefits and a pension, a skilled mechanic and hobbyist, a proud homeowner, a loving husband, a doting father. At some point, however, the issues under which he labored throughout his life eclipsed his ability to fight them off. Alcoholism, abuse of prescription drugs, and serious mental illness (unclear in which order or in what combination) ultimately got the best of him. All the systems supposedly in place to help — medical, communal, familial — lacked the power and wherewithal to prevent the implosion.

One of my first recollections of my father was of a ritual we had when he returned home from work each day. As he walked in the door of our apartment, I would greet him with a giant running embrace, catching him somewhere not much higher than his knees. He would look down at me with a smile of joy and pride. Then, despite my weight tethered to his leg — and with what seemed to me at the time to be incredible strength — he would continue down the hall towards my mother, carrying me forward with each of his labored strides. Arriving at his destination he would reach over me to embrace my mother, whom he loved with what seemed a most uncommon intensity, and plant an awkward kiss on her lips.

I also remember glistening broken glass shining in the morning sunlight on the hallway floor. These remnants from a night of confusion, crying, and crashing objects marked the first time my father crossed the line, wielding his power in a way that was tyrannical, scary, and out of control.

At some point in my formative years, my father turned from hero to abuser. It began with sporadic explosions, quickly escalating to violent assaults. As a child I never quite understood what precipitated these incidents. Torn clothes, black eyes, and broken fingers were often followed by a loving and peaceful time where he tried to make it up to all of us — me, my sister, and my mother — for the violence. My parents tried counseling. My father started to see a psychiatrist. The abuse continued. Over the years there was less love and honeymooning and much more unrest. The fights were more frequent and his anger more unpredictable.

As my father turned to drinking on a regular basis he lost control more and more, and things intensified. My younger sister soon became a victim of his physical violence, too. As the verbal one who often threatened to

call police or take other action, I was miraculously spared from his hands. Instead, I got the words — bitter, cutting, hateful words — which he used to intimidate, paralyze, and oppress. To survive, I learned to steel myself against his tirades, choke back my tears, and zealously return the barbs in my defense.

By the time I started high school, life in my home had become dark and chaotic. Overgrown lawn, broken out windows, days with no heat or hot water. School was my refuge from the madness. Coming home, I often heard shouting from inside our house. So did the neighbors. Although we lived in a working-class section of New York City with two-car garages and backyard pools, our day-to-day existence was very different from those we knew. My father's behavior marginalized my family, rendering all of us outsiders in our own world. Even as a teenager, it seemed clear there was little I could do to change the way things were. I didn't have the power. So I did all that I could to distance myself from it, and from him: staying at school as late as I could, participating in every possible extracurricular activity, and working hard to save money and find a way out.

* * *

When I finally packed my things and left home at seventeen, three days after I graduated from high school, I didn't know what exactly I was going to do to support myself. I did know, however, that I never wanted to live under the threat of violence again. I rented a room in the home of an elderly woman, and then I worked full-time as a waitress and did other odd jobs to pay my rent and way through school — starting at a community college and later moving onto State University of New York, Albany. I pushed forward, seldom looking back. Most of my encounters with my father in the years that immediately followed occurred when I returned home to intervene on my sister or mother's behalf. To my father, I became the enemy. My visits frequently degenerated into the verbal attacks I knew so well — insults and assurances that my attempts to move on, rise up, and achieve success — would amount to nothing.

In some ways, by the time I moved to Texas four years later, living on a cattle ranch in a tiny town with a population of 600 people, I did all I could to detach myself from my past. In other ways I carried my earlier experiences closely and heavily, allowing them to fuel my ambition, contribute to my strengths, and shape my goals. Spending a year working at a group home for emotionally disturbed teenagers, most of them abused or neglected as children, helped crystallize my professional aspirations. I applied to law school with the singular intention of becoming an advocate for victims of domestic violence. As I began my first year of law school, I believed with every fiber of my being that I was meant to use the law to protect others, to stand up for the vulnerable, and to work to empower the powerless.

Quickly, however, I discovered that the first year of law school focused little on social justice concerns. It seemed designed instead to dull my sense of conscience and confidence. I couldn't understand how extended discussions of antiquated English cases were going to prepare me for the real world problems I had come to law school to take on. I also felt like the methods used in the classroom (akin to a game of Russian roulette followed by joust) had a tendency to publicly embarrass and intimidate more often than teach or inspire. So, I took my energy and motivation elsewhere.

Outside of class I did everything I could to prepare myself and pursue my goals, while still trying to pay the bills. At the start of my second semester, I took a job at night running a children's program at a local battered women's shelter. Each day after class I would leave the law behind to facilitate support groups for child victims of domestic violence and train volunteers to do the same. My first summer, I received a fellowship to work with the lawyers at the Legal Aid Society of Central Texas, with lawyers who represented abused women in divorce and child custody cases. During my second and third years of law school, I worked as a clerk in the family justice division of the district attorney's office, handling civil child abuse matters.

When I reached the second semester of my second year, I was finally eligible to enroll in our clinical program. Working with real clients and developing skills to represent victims in court was something I had looked forward to with great anticipation. But at the time, our school did not have a domestic violence clinic, so I made a calculated decision: I gritted my teeth and signed up for our Criminal Defense Clinic. I figured participating in the program would help me to become a better victim's advocate by seeing how things were done on the "other side." I didn't realize that my careful calculations were going to throw my plans into complete disarray, ultimately changing my life's course.

My very first case assignment involved assault charges; my client was accused of battering his spouse. I don't remember his name, her name, or any of the specifics of the allegations. But I do remember the sinking feeling that I had when I received that case file, deeply troubled by having to handle such a matter. I thought I was somehow promoting a batterer's abusive ways. But I also remember that after I met my client, my world turned upside down. Things, suddenly, were not as black and white as I once believed.

As bad as his acts may have been, he was more than his actions alone. As a fellow human being, he was extremely complicated and highly imperfect — like most of us are. And in getting to know both of the parties involved and their circumstances, I came to realize that their situation — and the situation of many others who find their way to our criminal court system — was far more complex than I had ever accounted for. In the end, I found that I had no problem at all representing my client, a batterer. He,

too, needed someone willing to defend him, to speak on his behalf, and to tell his story. I found out that I was able to stand with him without necessarily condoning his behaviors.

Showing compassion for a client in this way was perhaps the closest I could come to doing the same for my father. It was the way in which I began to make peace with him even if I didn't realize it at the time.

Ultimately, the charges against my client were dismissed — at my request and at the request of his victim. In the cases I was assigned thereafter, I continued to see shades of gray, to feel textures, and to notice nuances I never before perceived. That alleged perpetrators very often were victims themselves, then or at other points in their lives. That many people accused of crimes are kind and gentle. That not everyone reacts the same way to adversity. That while adversity had spurred ambition in me, it had the potential to profoundly stigmatize, degenerate, and fundamentally alter an individual's understanding of what is "right."

With my Criminal Defense Clinic experience I went from feeling entirely disconnected from my legal education to becoming awake, alive, and engaged. My new observations and discoveries fed me. I could not get enough learning in a setting that used real-life, complicated experiences to teach and inspire, that nurtured my public interest leanings and sense of worth by doing important work.

I also felt newly empowered: no more wondering why in the world we were talking about problems that arose centuries before, no more hoping I wouldn't be called on to talk about the facts of the "case," no more cringing when I tripped up trying to satisfy the seemingly indecipherable wants of my professors during the "Socratic Two-Step." Now I *wanted* to speak publicly — but on behalf of my clients. I used my law school training, my savvy, and my heart-felt passion to stand up for those who were less powerful or had been rejected by others.

In my last year of law school, I participated in our school's Capital Punishment Clinic, practiced as a defender in our Juvenile Justice Clinic, and used my law school loan money to help my mother finally leave my father.

Having found a path that felt natural to me, I continued down it after graduation. First I became an E. Barrett Prettyman Fellow at Georgetown University Law Center's Criminal Defense Clinic. The lawyers I encountered during that two-year period were, like me, intuitively drawn to the work and deeply connected with the clients, although each for their own unique reasons.

Following my fellowship, I had the privilege to clerk for the Honorable Jack B. Weinstein of the Eastern District of New York. Allowing me to focus on criminal matters on his docket, Judge Weinstein continued my education: modeling humanity, dispensing mercy each day, and helping me to develop as a writer and thinker. Thereafter, following a one-year detour,

I returned to my prior course of indigent defense work and spent the next six years as a New York City public defender.

I began as a trial attorney at The Bronx Defenders, an office that continues to provide holistic representation to indigent accused persons. I later moved to Appellate Advocates in Manhattan where I primarily handled appeals for prison inmates. My work as a public defender, while often stressful and sometimes overwhelming, always seemed right to me. I never questioned my chosen path. The highs and lows were extreme and addictive, and I felt at home among the defense community — a community of outsiders. Something in me continued to propel me to stand by indigent clients against the enormity of the state; to challenge police bullying and brutality; to use sharp words and zeal — along with the United States Constitution — to level the playing field. In fighting power, I found my power. Through my career of defense lawyering, little by little, I continued to make peace with my past.

This is not to say that all of my clients were like my father — mentally impaired, addicted, or otherwise disabled. But all have been fathers or mothers, brothers or sisters, sons or daughters. They all have had stories to tell and needed someone to stand with them — and up for them — even though they might hurt those around them, and especially when it seemed that no one else would.

* * *

I swore I would never return to New York. When I left for Texas, I planned to stay there, far from my past, my problems, and my family. But things had changed by the time I returned six years later. My father was no longer the force he once was. No doubt, he could still be bitter, cutting, and hateful — attacking me, my choices, and my success at nearly every opportunity he had. But he no longer intimidated or frightened me. After my mother left, he lost his already loose grip on life and all hope for himself and a future. He withdrew, devolved, and mostly fell beneath society's radar.

The details of the last few years of his life are somewhat of a blur: involuntary commitments followed by his threats against those who were trying to help; an adult group home placement that he ultimately rejected; intensive social work programming terminated because of his refusal of services and angry invectives.

One day stands out clearly: The day I got off the train at the World Trade Center, September 10, 2001, en route to my Manhattan office only three blocks away. I saw a homeless man splayed on the sidewalk very near the base of one of the towers. Pausing to inspect the familiar looking body defensively curled into the fetal position, I hoped no one would notice my stopping to wonder if it was the man who used to carry me clinging to his leg. Satisfying myself that it wasn't him, I stopped at the farmer's market at the base of the Towers and bought a peace lily. It remained in my

office window for several weeks, covered in dust, until we were cleared to return to the building wearing breathing masks. But the image of the man at the base of the Towers haunted me in my confusion and grief in the days, weeks, and months that followed.

Because transportation out of the city was nearly impossible in the days after tragedy, I urged my best friend to leave my father a note for me. On the gate of his hideaway, my friend placed a card with my phone number, asking him to call me to let me know that he was okay. This was the first time in years (he had a history of harassing me over the telephone) that I'd given him my number. As it turned out, he was as okay as he could be, still toiling away, him against the machine.

Our last time together was in January at a New Year's Day brunch that I threw at my Brooklyn apartment, a few months after the Towers fell. I had invited all of my family, including my father, in an attempt to reconnect in the face of tragedy and crisis. It was the first time in all my years back in New York that he had been to my home. Apparently overwhelmed by the social event, the sentiment, and the fancy-to-him spread of standard New York lawyer fare, he just about never left my tiny kitchen. Each time I saw him as I bustled in to fill another mimosa glass for my guests, he asked if there were any more frozen Park's sausages. I finally heated all that remained in the microwave and saw that rare smile come over his face. I hugged him in the doorway before he left with his siblings — those most familiar with the root of his problems because of their shared abuse as children. They were to drive him from my world back to his own dark place. It was the closest I had let myself get to him since my youth, and it was the first time I had stood with him as an adult. It was one of our first embraces since my childhood, and it was the last embrace we shared during his life, which ended three weeks later.

* * *

In my father's coffin I placed a copy of one of the first articles I ever wrote about the criminal justice system. He never knew much about my work in life, but I hope he might be looking proudly upon it from where he is now.

Since my father's death, I have had additional losses, deep and profound. Yet there has been tremendous growth and opportunity, too. I left New York again and returned to the South. I continue to fight against injustice as a clinical law professor and attempt to do so, as this essay suggests, with greater reflection than I did in the beginning of my career. Working with students as they represent the indigent accused, I watch them embrace the ambiguities and complexities of lawyering and of life. I bear witness as they find their inner voice and vision. I have the privilege to stand with them — and their clients — with my own smile of joy and pride as they try to perfect the system and take on the machine.