

7. In Gun We Trust

After the Fort Hood shooting in 2009 in which 14 people were killed and 32 injured, there was the usual call for gun control and its opponents' cry for the protection of the 2nd Amendment of the US constitution that states the right to bear arms for all citizens. People, including students, all over America protested in the streets demanding that the 2nd Amendment be abolished, or at least that "something be done."

The President of Schumaker University acted immediately and peremptorily. He announced to the press that the University's renowned School of Criminal Justice would respond to these student protests by scheduling a special seminar that would examine the 2nd Amendment in detail and consider whether or not it really did express the right for all citizens to carry or own assault weapons, and even consider whether it should be abolished all together. The obvious professor to teach such a seminar was, of course, the only lawyer on the Criminal Justice faculty, Professor Theodore Garcia (aka Ted the Red), currently demonstrating with the students, though also the most feared professor on campus.

This was a most remarkable and brash step of the university, especially as it garnered broad attention from the media. However, the edict came directly from the President's office, bypassing the faculty. That is, Provost Dolittle was not consulted, or if she was, she said she was not. You may remember that our university President was a former prison governor, so we should not be all that surprised that he would respond in this way. He had even once confided in Colmes (so Colmes once told me in one of his few lighter moments) that he had a collection of guns, and loved to go deer hunting every season. There was yet another concerning fact about this measure. The Dean of Criminal Justice was not consulted either. Or more precisely, the Dean was informed by the President that he had asked Professor Garcia to teach the seminar on the 2nd Amendment. At the time, however, the President had not yet made contact with Ted the Red who was somewhere downtown demonstrating with students demanding

more gun control.

Now, while one might understand the annoyance of the Dean of Criminal Justice for having this laid on her, the nuisance of having to adjust the class schedules to cope for this special class, there was a further issue that worried her. She was concerned that Ted the Red would not be able to teach such a small class, and further, he was so feared by the students that she doubted that anyone would sign up for a small class conducted by Ted the Red. It was one thing to sit in a class of maybe eighty or more students with Ted the Red haranguing them and calling on students to answer a question. In a large class there was a reasonable chance that one would not be called upon. But in a seminar of maybe a dozen students, the situation was, to say the least, frightening.

One might add that the Dean of Justice was a formidable force in her own right. She was a tall, upright woman in her late fifties, a copious head of gray hair, coifed in a way that a shock of hair hung down over her slightly drooping left eyelid. People joked that she could be Lady Justice, if given a set of scales to hold. And she would need to be formidable to cope with the likes of Ted the Red. In fact, the way that she dealt with this submerged possibility of some kind of abrasion between them, was to avoid him. So the President had, maybe by accident or maybe through cunning, communicated directly with Ted the Red to teach the seminar on the 2nd Amendment, thus saving the Dean from having to speak with Ted the Red herself. She was much relieved at this, so was almost happy to put up with the nuisance of rearranging the class schedules, though she knew that Ted the Red would demand a price for taking on the course. Probably, he would ask for a semester off teaching, which she would refuse, and he would then go directly to the President.

But Ted the Red had his own concerns.

*

According to Colmes's prodigious memory, Professor Theodore Garcia, aka Ted the Red, was born somewhere in Washington Heights, NYC, not far from the Dominican enclave that extended all the way uptown where it merged with Harlem. His biological parents, though, were unknown, because he was apparently abandoned and found wandering around the Holyrood Episcopal Church and was taken in by a Dominican Republic

couple. To his adoptive parents' surprise, Ted grew at a rapid rate and by the time he was finishing high school he was well over six feet tall, lean and thin, surely a budding professional basketball player, which was of course his dream. The theory was, actually I think it was the Colmes theory, that Ted's aggressive persona that glowed from every point of his stringy body originated and was even encouraged by his high school basketball coach. All of this his Dominican parents watched in awe and consternation. Neither of them was tall, though they were not short either. Yet they felt small every time they found themselves near him or talking to him, because he did, as do many who are naturally very tall, look down at others, I mean lowered his eyes, while others, of course, had to look up to him.

A few headhunters sniffed around and watched Theodore play for his local high school, but eventually shrugged, and said that while he was obviously very tall, he could not play pro basketball because he was too thin and could not hold his own against the better built and musclebound opponents from Harlem and elsewhere. But Ted refused to give up on his dream and, thanks again to his parents' hard work and string-pulling (he was white after all, and they were not), received a basketball scholarship to enter college at NYU. Maybe College basketball was the place for him, said his parents.

So Ted's story was that he would have been a pro basketball player, if only his parents had encouraged him and fed him more so that he could muscle up. But his parents, although they could not afford it from the income they made in their tiny restaurant, fed him enormous amounts, but he remained skinny. And when his well-meaning parents saw that he was not going to get any bigger, and likely never would be a pro basketball player, they began to harp on him that he must study more and go to graduate school. Then as luck would have it (or bad luck however one chooses to look at it), when he was a senior in the final game of the College playoffs, he fell as he came down from the highest leap he had ever managed, and his left leg crumpled beneath him. He had thrown the winning goal, but his knee was severely damaged, and his ankle broken in several places. He would never play competitive basketball again.

His parents were greatly relieved and gave thanks to Jesus and Mary in their favorite Church of the Incarnation. And Ted

reluctantly agreed that he would apply to law school. Again, his parents pulled out all the stops, and managed to get him accepted into NYU law school on a disability scholarship, the argument being that he was handicapped by having non-white parents. Though, as the admissions director pointed out to him, because he was born in Washington Heights there was a good chance that he was actually Jewish. “And what did that have to do with it?” Ted asked belligerently, though in retrospect, he realized (I am guessing here), that he was really asking that question of himself.

I needed to tell you all of this because what happened next could not have been anticipated. Ted did not especially excel at law school though he did well enough. There were many reasons for this. First, he felt out of place at the law school. He came from the Dominican Republic (the NYC version that is) and just did not fit in with the mostly all white students, even though he was white himself. The majority of his class mates were focused on one thing: graduating into a top law firm and making lots of money. And most of them would need to, of course, given the debts they ran up to pay for their law school fees. But more importantly, because of his outsider complex, it slowly dawned on him what his parents had done for him. Against all odds, they had so many hurdles to overcome to get him through high school and then to college. They had sacrificed a large portion of their lives. All for him. And they continued to slave away in their little restaurant, dealing with rude government officials, cops who would expect a free lunch and the rest.

Please understand that I am only speculating here. Maybe there was some other reason. In any case, out of the blue as his last year in law school was coming to an end, and he had put up with the awful periods as an intern at various law firms, and had concluded, telling his parents, “I love the law, but I hate law firms,” he received an offer from the Dean of the new School of Criminal Justice at upstate Schumaker University. As a professor in this great new experiment in higher education, he would be the only lawyer in the new school, the other professors would be from various kinds of social sciences and public administration.

*

Theodore Garcia accepted the generous offer for a position as Associate Professor with tenure, not realizing how incredibly unusual this was. Every beginning professor would traditionally

in the American system receive a three year term as an assistant professor, then go up for renewal, then go up for tenure in their fifth or sixth year. Whether Professor Garcia knew how amazing this was, or whether he simply accepted it as his due, one cannot tell. I am inclined toward the latter for reasons that will become clear shortly. In any case, this matter of his teaching a special seminar on the 2nd amendment coincided with his having just received promotion to full professor. This, mind you, after barely five years as an associate. But during those five years he had established a reputation of being fiercely stern, a severe disciplinarian, and demanding of very high standards. I can attest to one case, which if we have space, I will recount in a later case, of the student whom he failed in a final exam outright with no possibility of appeal, because, Professor Garcia said, his handwriting was illegible.

So, bypassing the Dean, the President sent an emissary to Professor Garcia who was, as was his proud custom, demonstrating his solidarity with a small bunch of students, in front of the Capitol building in downtown Albany, demanding the re-hiring of a university gardener whom the President of the university had fired because he trimmed the hedge in front of his university residence too low.

When he felt the tug on his arm, Ted the Red raised that arm ready to slap whoever it was, assuming it was some kind of government official, maybe even a cop. It was, however, a very pretty young woman, might even have been a graduate student.

“May I have a word?” she asked, “the President sent me to give you this.” She held out a brown New York State envelope.

“Can’t you see I’m busy?” answered Ted curtly. Of course, like most of his professorial colleagues, he derided administration officials, regardless of rank.

“I am the President’s secretary,” she shouted trying to overcome the noise of the protesters.

“What, then?” called Ted, pulling up straight, reaching his full height, looking down on this puny but beautiful secretary.

“He wants you to teach a select seminar on the second amendment, starting next week. Twelve students, mixed graduate and undergraduate,” she instructed with great satisfaction.

“Fuck off!” shouted Ted.

The plucky secretary held her own. She pushed the official

memo from the President into Ted's hand and left hurriedly. Professor Garcia didn't scare her, but she was frightened that she may get scooped up by riot police and end up in jail with Ted the Red, a horrible thought!

*

Over severe protestations by Ted the Red at having to drop everything and teach a special seminar to just twelve students, the seminar was inserted into the official calendar of the School of Criminal Justice and twelve students, six seniors and six graduate students signed up for it, after some cajoling from the Dean but also the agreement that the seminar would be for six credits, and would be free. Professor Garcia could hardly have refused to teach the seminar. After all he had been downtown on several occasions protesting with students demanding that the 2nd amendment be abolished.

However Ted the Red had other concerns, in retrospect quite understandable, and had shared these concerns with none other than my mentor, Professor Colmes. I had heard Ted's gravelly rolling voice come through the wall from Colmes's office. So was none too surprised that I received the familiar bang on the wall and cry of "Hobson!"

I entered Colmes's office and found Professor Garcia sitting back in the old overstuffed leather chair in the corner, his long legs protruding well into the rest of the office. I took up my place on the wicker chair across from my mentor.

"The two of you have met?" asked Colmes directing the question to me. Ted showed no inclination to respond.

"We have, though maybe the professor does not remember. I took his constitutional law class some years ago," I said looking across at the professor.

"I expect that you have heard of the seminar on the 2nd amendment that Professor Garcia has kindly offered to teach," said Colmes with a wry smile.

"Sure. But what is the problem? I take it there is a problem or we would not be meeting like this," I said trying to convey a confidence of my own.

"The professor here is concerned that there may be some, shall we say, potential for violence, in the class," observed Colmes.

"With only a class of twelve? Surely that can be controlled

easily enough,” I said grandly, forgetting who was sitting, steaming, in the corner. I looked sideways and saw Ted cross and uncross his long legs.

“What we say stays in this room, right?” demanded Professor Garcia.

“Indeed. Indeed,” assured Colmes. “Is that not right Hobson?”

“Of course, Colmes. Of course.” I said assuming that the more I repeated myself the more likely I was to be believed.

Garcia sat forward on the edge of the old leather chair, doubling up his legs. “The fact is, that if I was teaching it in a regular class of my usual seventy or eighty students, that is easier to control than a small group that sits in a small room, where we are all on the same level, within touching distance of each other,” explained the professor.

“How so?” I asked cheekily. I admit that I have never much likely this pompous bully. A typical lawyer.

“Since you have taken my course, you know that I use the Socratic method,” he informed me as though he were beginning a lecture.

Of course, I was well acquainted with it. It was the bastardization of the Socratic method as used in all law school teaching. The professor has a seat plan and every student is assigned a seat where they must sit in every lecture. This meant that the professor could call on someone at random by name and demand an answer in response to his question. It meant that in fact, the professor would rarely get to know anyone in his large class, never really relate to any of them person to person, even though it looked like that on the surface. The real Socrates engaged his students man-to-man, so to speak. “I do,” I replied, biting my tongue.

Colmes intervened. “The professor is concerned that in any discussion on such a heated topic, a fight might break out in the seminar, since people are basically sitting on top of one another, and ever so close to the professor, whom,—correct me if I am wrong about this, Professor — they may resent anyway, and maybe even direct their aggression towards whoever they see as the aggressor which may well be him, the professor.”

“You mean,” I offered, turning to face Garcia, “that up close in a small group you are not as scary, as you are facing a large

faceless crowd?" I asked a little cheekily.

"I would say so," answered Garcia, bristling a little.

"Isn't the answer, then," I said confidently, "to offer a series of lectures to a large crowd rather than to a small seminar?"

Colmes leaned forward. "I agree. But both the Provost and the President, neither of whom have much experience as teachers, will accept it. In their view they are doing Professor Garcia a favor. Much less preparation they point out, no long lectures to prepare. Simply assigned reading and serious discussion in an intimate setting. A highly personal experience for the students."

Garcia stood and looked down on us. "What really pisses me off is that if I were teaching in a law school, I would be paid twice the money I'm getting here," he said, to us, plaintively and pathetically, and obviously a totally irrelevant observation.

I was about to say something that would be insulting, but Colmes intervened. "Indeed. Indeed. But I think that it is a different matter that you should take up with the Provost. For now, let me suggest that my excellent colleague here, Hobson, sit in on your seminar and act as a kind of rudder, should the discussion get out of hand."

"But you will not attend?" pleaded Garcia. "That is precisely why I came to you."

"For me to remain available to intervene when necessary, all my work must be behind the scenes. Besides I will appear like some intruder or something, as I am too old to be a student. Hobson here actually is technically still a student," insisted Colmes.

Ted the Red looked down to each of us in turn. He walked towards the door, then returned. "You understand, that it will be on you if something happens," he warned.

"Indeed. Indeed," repeated Colmes.

*

The seminar was scheduled in a small meeting room that sported rows of empty bookshelves around the walls, a small window at one end, the entire space of the room filled with one long polished rosewood table with lean-back chairs that seated twelve people comfortably. Rather like a small boardroom, as I imagined it to be, since I had never been in one. I purposely arrived a little late, planning to seat myself away from the table, but as it happened, I ended up sitting at one end, facing Garcia

who, as he was unable to think otherwise, took up what he thought was his natural place at the head of the table.

Now, as an observer of the classroom of considerable experience, mostly as a full time student, but also on and off as a teaching assistant to various professors, I could see that by placing himself at the head of the table, Garcia assumed that he would be the natural supreme authority. He was, after all, a bully, and thought that it was his natural right to “lay down the law.” As far as I could tell, the students were self-selected on a first come first served basis. There were half a dozen undergraduates who had no idea what to expect, cowed by the presence of half a dozen graduate students, all of them as far as I could see, doing their doctorate, except for one older male. One is tempted to characterize this class as a kind of academic version of the movie “Twelve Angry Men.” There was in fact just one female student and she was black. The rest were an assortment of young students, except for one male who I guessed was one of the NYPD cops having a great time with a year off with pay to attend grad school and get his Masters. All the students leaned forward in their chairs expectantly. The cop pushed back in his seat as did I, to survey the scene before him.

Ted the Red, as he handed out a sheet of paper that contained a half dozen questions, introduced himself and the seminar. “Welcome to this our first seminar on the 2nd Amendment of the Constitution concerning citizen right to bear arms. Let us get to know each other. Starting on my left, please tell us who you are and a little of why you are here...”

I need not go into the niceties of the start of a class. But I can say that I already saw that the black female and the cop were both equally aggressive and I’m guessing opinionated. They would dominate the discussion.

Ted continued, “in case you have not read it, there is a brief summary of the 2nd amendment on the back of the question sheet. Let us begin with the first question. What are arms?”

Silence.

To a professor who is used to lecturing in class, or calling on a petrified student from a seating plan, silence is the most feared non-event in the classroom, like “dead air” in a radio broadcast. There is the assumption that nothing is happening. This may be so on the radio. But in the classroom there is a lot

going on, especially during uncalled-for silence. I watched the cop, whose name was Ben, and the black female who told everyone to call her Peggy, the slave name of her grandmother. For only a few seconds, that I am sure seemed to Ted like many minutes, all students squirmed and shifted in their seats. Who would be first to break the silence?

The professor could not wait. The silence already informed him that he was not in control. Students were resisting his request. He wanted to call on someone as he would do in a class of fifty with a seating plan. He had no idea who these students were and had already forgotten their names. And so he broke the silence.

“Let’s begin with the collective rights theory,” he pronounced with his usual lawyerly authority.

The cop, Ben, immediately responded, tapping himself on a place near his left breast.

“I knew it. This is bullshit. Why not start with the individual right theory? You’re biased like all the rest of the commie students and faculty at this place!”

“Please mind your language,” growled Ted, staring down at the table, unable to believe that a student spoke like this, to a professor no less.

“Apologies. It’s just that I’m sick of the obvious bias against guns without any understanding of why we must have them,” responded Ben with an air of considerable confidence.

Ted was tempted to take up the argument, but managed not to get caught. Instead he continued with his professorial lawyerly style, and addressing Ben directly saying, “if you turn over the question sheet you will see the exact language of the 2nd amendment. Read it out for us, if you would please... Ben, is it?”

Ben’s face went a little red. He was not going to do it. He sat looking sullenly at the table. Another dreaded silence descended on the room. It was more than Professor Garcia could stand, so, without thinking, he stood up and started to walk about the small room, reverting to his usual lecturing manner, reading the text of the 2nd Amendment. “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be....”

Suddenly, Ben again tapped the bulge near his left breast and said, “I’m a cop and packing a gun right now. So what? Are you going to disarm me?”

“You racist son-of-a-bitch,” blurted Peggy, the granddaughter of a slave.

“Decorum please,” pleaded Ted, who now had returned to his seat. The rest of the class looked down and shuffled nervously. “I hope this is just talk, Ben. Guns are not allowed on campus,” lectured Ted. The necessity of the moment that he address students by their first name irked him. He preferred the formal last name, even though there was some difficulty these days concerning gender and marital status.

Ben was not going to let it go. “Who says? Where’s the rule? Off-duty cops are allowed to carry their gun in New York.”

Peggy would not remain quiet either. “You racist pigs are all the same. You think that shooting someone solves every problem!” she exclaimed, looking around the room trying to catch the eyes of everyone, but all were looking down at the table, the most useful piece of furniture in a seminar room.

“Please refrain from ad hominem dialogue,” lectured Ted.

“Ad who?” mocked Peggy, “why not ad feminem?” Peggy grinned broadly. She had at least provoked a small titter from the other students, especially the women. Except for Ben, the male students in the room sat quiet, sullen.

Another dreaded silence descended.

Ben slowly and carefully reached for his gun and placed it carefully on the table in front of him. He looked around the room. All stared at it, shocked. Ted stared at it too. He was very tempted to reach out with his long arms and take it. Instead, he sat back and crossed his arms, as would a teacher who was about to make a wise and serious comment about his students’ behavior.

At this point, I chose to excuse myself making certain movements to convey the fact that I needed to go to the bathroom. A few students looked sideways at me, but most kept their heads down, waiting for the next potentially explosive event. I had decided that things had already gone too far. I planned to find a phone and call Colmes who had asked me to keep him informed. However as soon as I exited, I almost tripped over Colmes’s protruding leg where he sat just outside the door, cross legged.

“Trouble?” asked Colmes.

“You wouldn’t believe it,” I muttered. “One of the students who is a cop has produced his gun and placed it on the table.”

“Was he provoked?” Colmes asked calmly.

“Maybe. The only black student in the class called him a racist pig.”

“Indeed! Indeed!” exclaimed Colmes. Get back in there and tell Professor Garcia to dismiss the class. This is dangerous!”

“OK!” I turned to go back in.

“On second thoughts, I had better do it,” said Colmes.

“OK again.”

I went to open the door when it was suddenly thrust open and Peggy rushed out followed by all the other students who then dispersed in different directions, chattering loudly to each other.

“What happened?” I asked Peggy, as I hurried to keep up with her.

“Ask the asshole cop. I’m going home,” she growled.

Colmes had already entered the seminar room and was quizzing Professor Garcia. Ben the cop sat, his gun no longer on the table, presumably he had put it away.

“I tried to inform them,” said Ted, “that in a university differences are resolved by civilized discussion, that the presence of a gun undermines rational thought and action. That is why if they are not banned on campus, they should be.”

Colmes turned to Ben. “I am Colmes,” he announced quietly, “one of the university’s security officers.” He reached for his ID, but Ben immediately got up to leave.

“No need. I know who you are. I’m leaving,” said Ben. “I can see that cops are unwelcome on a university campus. They will learn their lesson next time there is a campus mass shooting.” He stalked out of the room, in a great hurry.

Colmes bowed ever so slightly in eastern style to Ted, and extended his hand.

“Sorry this has fallen on your shoulders,” said Colmes.

“Does this mean that the seminar is off?” asked Ted, with an expectant grin.

“Who knows?” quipped Colmes. “We faculty are always the last to be consulted.

Ted eyed Colmes with a mixture of amusement and puzzlement. “Oh, I didn’t realize you were one of us,” by which he meant that he thought Colmes was not a professor but one of the diffuse administration.

“I teach every day,” pronounced Colmes, “it never stops, does it Hobson?”

Taken by surprise, I quickly replied, “Oh right!” and then added, “you know, I think we should follow up on this disaster.”

“There has been a disaster?” asked Colmes, “I was under the impression that it was just a fiery disagreement between a couple of students.”

Ted looked down at Colmes and growled, “true, but there was a gun involved.”

Colmes appeared to ignore Ted and asked me, “follow up where or when?”

“The carpark. They both walked towards the carpark.”

“Indeed! Indeed! Why did you not mention this before? Cars are just as dangerous as guns!” cried Colmes. “Hurry, there’s no time to waste.”

We both ran off, leaving Ted, who could not join us because of his knee injury. We arrived just in time to see Ben walking slowly to his car, preoccupied no doubt and wondering what the consequences of his confrontation with the African American woman in class would be. He had foolishly produced a gun in class. All the other cops who attended class carried their concealed weapons on campus. Now there would be an inquiry. And he would be blamed.

He looked across the car park and saw me and Colmes running towards him. Then he looked behind him and saw an old blue 1980s Dodge K-car bearing down on him. Peggy screamed “take this you fucking pig,” as she drove straight at him. His head told him “pull out your gun! Your gun!” But his body had already responded and he reflexively jumped sideways enough for the K-car to just graze his backside and send him sprawling away from the speeding car.

“Racist shit! That will teach you!” yelled Peggy as she turned out of the car park and looking in her rear vision mirror, drove away, singing, “Go Down! Moses!” at the top of her voice.

I was about to wave to Peggy, but Colmes grabbed my arm. “Now, now! Dear boy! Don’t reveal your colors,” whatever that meant. “Let us tend to our policeman and make sure he is not harmed. It is a good idea to be on the right — I emphasize right — side of the law, don’t you think Hobson?”

