CHAPTER ONE

1988

Small trees had attacked my parents’ house at the foundation. They were just seedlings with one or two rigid, healthy leaves. Nevertheless, the stalky shoots had managed to squeeze through knife cracks in the decorative brown shingles covering the cement blocks. They had grown into the unseen wall and it was difficult to pry them loose. My father wiped his palm across his forehead and damned their toughness. I was using a rusted old dandelion fork with a splintered handle; he wielded a long, slim iron fireplace poker that was probably doing more harm than good. As my father prodded away blindly at the places where he sensed roots might have penetrated, he was surely making convenient holes in the mortar for next year’s seedlings.

Whenever I succeeded in working loose a tiny tree, I placed it like a trophy beside me on the narrow sidewalk that surrounded the house. There were ash shoots, elm, maple, box elder, even a good-sized catalpa, which my father placed in an ice cream bucket and watered, thinking that he might find a place to replant it. I thought it was a wonder the treelets had persisted through a North Dakota winter. They’d had water perhaps, but only feeble light and a few crumbs of earth. Yet
each seed had managed to sink the hasp of a root deep and a probing tendril outward.

My father stood, stretching his sore back. That’s enough, he said, though he was usually a perfectionist.

I was unwilling to stop, however, and after he went into the house to phone my mother, who had gone to her office to pick up a file, I continued to pry at the hidden rootlings. He did not come back out and I thought he must have lain down for a nap, as he did now sometimes. You would think then that I would have stopped, a thirteen-year-old boy with better things to do, but on the contrary. As the afternoon passed and everything on the reservation grew quiet and hushed, it seemed increasingly important to me that each one of these invaders be removed down to the very tip of the root, where all the vital growth was concentrated. And it seemed important as well that I do a meticulous job, as opposed to so many of my shoddily completed chores. Even now, I wonder at the steepness of my focus. I wedged my iron fork close as I could along the length of the twiglike sprout. Each little tree required its own singular strategy. It was almost impossible not to break off the plant before its roots could be drawn intact from their stubborn hiding place.

I quit at last, sneaked inside, and slipped into my father’s study. I took out the law book my father called The Bible. Felix S. Cohen’s *Handbook of Federal Indian Law*. It had been given to my father by his father; the rust-red binding was scraped, the long spine cracked, and every page bore handwritten comments. I was trying to get used to the old-fashioned language and constant footnotes. Either my father or my grandfather had placed an exclamation point on page 38, beside the italicized case, which had naturally interested me also: *United States v. Forty-three Gallons of Whiskey*. I suppose one of them had thought that title was ridiculous, as I did. Nevertheless, I was parsing out the idea, established in other cases and reinforced
in this one, that our treaties with the government were like treaties with foreign nations. That the grandeur and power my Mooshum talked about wasn’t entirely lost, as it was, at least to some degree I meant to know, still protected by the law.

I was reading and drinking a glass of cool water in the kitchen when my father came out of his nap and entered, disoriented and yawning. For all its importance Cohen’s Handbook was not a heavy book and when he appeared I drew it quickly onto my lap, under the table. My father licked his dry lips and cast about, searching for the smell of food perhaps, the sound of pots or the clinking of glasses, or footsteps. What he said then surprised me, although on the face of it his words seem slight.

Where is your mother?

His voice was hoarse and dry. I slid the book on to another chair, rose, and handed him my glass of water. He gulped it down. He didn’t say those words again, but the two of us stared at each other in a way that struck me somehow as adult, as though he knew that by reading his law book I had inserted myself into his world. His look persisted until I dropped my eyes. I had actually just turned thirteen. Two weeks ago, I’d been twelve.

At work? I said, to break his gaze. I had assumed that he knew where she was, that he’d got the information when he phoned. I knew she was not really at work. She had answered a telephone call and then told me that she was going in to her office to pick up a folder or two. A tribal enrollment specialist, she was probably mulling over some petition she’d been handed. She was the head of a department of one. It was a Sunday—thus the hush. The Sunday afternoon suspension. Even if she’d gone to her sister Clemence’s house to visit afterward, Mom would have returned by now to start dinner. We both knew that. Women don’t realize how much store men set on the regularity of their habits. We absorb their comings and goings into our bodies, their rhythms into our bones. Our pulse is set to theirs,
and as always on a weekend afternoon we were waiting for my mother to start us ticking away on the evening.

And so, you see, her absence stopped time.

What should we do, we both said at once, which was again upsetting. But at least my father, seeing me unnerved, took charge.

Let’s go find her, he said. And even then as I threw on my jacket, I was glad that he was so definite—find her, not just look for her, not search. We would go out and find her.

The car’s had a flat, he declared. She probably drove someone home and the car’s had a flat. These damn roads. We’ll walk down and borrow your uncle’s car and go find her.

Find her, again. I strode along beside him. He was quick and still powerful once he got going.

He had become a lawyer, then a judge, and also married late in life. I was a surprise to my mother, too. My old Mooshum called me Oops; that was his nickname for me, and unfortunately others in the family found it funny. So I am sometimes called Oops to this very day. We went down the hill to my aunt and uncle’s house—a pale green HUD house sheltered by cottonwood and gentrified by three small blue spruce trees. Mooshum lived there too, in a timeless fog. We were all proud of his superlongevity. He was ancient, but still active in the upkeep of the yard. Each day, after his exertions outside, he lay by the window on a cot to rest, a pile of sticks, lightly dozing, sometimes emitting a dry, sputtering sound that was probably laughter.

When my father told Clemence and Edward that my mother had had a flat and we needed their car, as if he actually had knowledge of this mythical flat tire, I almost laughed. He seemed to have convinced himself of the truth of his speculation.

We backed down the gravel drive in my uncle’s Chevrolet and drove to the tribal offices. Circled the parking lot. Empty.
Windows dark. As we came back out the entrance, we turned right.

She went to Hoopdance, I’ll bet, said my father. Needed something for dinner. Maybe she was going to surprise us, Joe.

I am the second Antone Bazil Coutts, but I’d fight anyone who put a junior in back of my name. Or a number. Or called me Bazil. I’d decided I was Joe when I was six. When I was eight, I realized that I’d chosen the name of my great-grandfather, Joseph. I knew him mainly as the author of inscriptions in books with amber pages and dry leather bindings. He’d passed down several shelves of these antiquities. I resented the fact that I didn’t have a brand-new name to distinguish me from the tedious Coutts line—responsible, upright, even offhandedly Heroic men who drank quietly, smoked an occasional cigar, drove a sensible car, and only showed their mettle by marrying smarter women. I saw myself as different, though I didn’t know how yet. Even then, tamping down my anxiety as we went looking for my mother, who had gone to the grocery store—just that, surely, a little errand—I was aware that what was happening was in the nature of something unusual. A missing mother. A thing that didn’t happen to the son of a judge, even one who lived on a reservation. In a vague way, I hoped something was going to happen.

I was the sort of kid who spent a Sunday afternoon prying little trees out of the foundation of his parents’ house. I should have given in to the inevitable truth that this was the sort of person I would become, in the end, but I kept fighting it. Yet when I say that I wanted there to be something, I mean nothing bad, but something. A rare occurrence. A sighting. A bingo win, though Sunday was not a bingo day and it would have been completely out of character for my mother to play. That’s what I wanted, though, something out of the ordinary. Only that.

Halfway to Hoopdance, it occurred to me that the grocery store was closed on Sunday.
Of course it is! My father’s chin jutted, his hands tightened on the wheel. He had a profile that would look Indian on a movie poster, Roman on a coin. There was a classic stoicism in his heavy beak and jaw. He kept driving because, he said, she might have forgotten it was Sunday, too. Which was when we passed her. There! She whizzed by us in the other lane, riveted, driving over the speed limit, anxious to get back home to us. But here we were! We laughed at her set face as we did a U-turn there on the highway and followed her, eating her dust.

She’s mad, my father laughed, so relieved. See, I told you. She forgot. Went to the grocery and forgot it was closed. Mad now she wasted gas. Oh, Geraldine!

There was amusement, adoration, amazement in his voice when he said those words. Oh, Geraldine! Just from those two words, it was clear that he was and had always been in love with my mother. He had never stopped being grateful that she had married him and right afterward given him a son, when he’d come to believe he was the end of the line.

Oh, Geraldine.

He shook his head, smiling as we drove along, and everything was all right, more than all right. We could now admit we had been worried by my mother’s uncharacteristic absence. We could be jolted into a fresh awareness of how we valued the sanctity of small routine. Wild though I saw myself in the mirror, in my thoughts, I valued such ordinary pleasures.

So it was our turn, then, to worry her. Just a little, said my father, just to let her in for a taste of her own medicine. We took our time bringing the car back to Clemence’s house and walked up the hill, anticipating my mother’s indignant question, Where were you? I could just see her hands knuckled on her hips. Her smile twitching to jump from behind her frown. She’d laugh when she heard the story.

We walked up the dirt driveway. Alongside it in a strict
row, Mom had planted the pansy seedlings she’d grown in paper milk cartons. She’d put them out early. The only flower that could stand a frost. As we came up the drive we saw that she was still in the car. Sitting in the driver’s seat before the blank wall of the garage door. My father started running. I could see it too in the set of her body—something fixed, rigid, wrong. When he got to the car, he opened the driver’s side door. Her hands were clenched on the wheel and she was staring blindly ahead, as she had been when we passed her going the opposite way on the road to Hoopdance. We’d seen her intent stare and we’d laughed then. She’s mad at the wasted gas!

I was just behind my father. Careful even then to step over the scalloped pansy leaves and buds. He put his hands on hers and carefully pried her fingers off the steering wheel. Cradling her elbows, he lifted her from the car and supported her as she shifted toward him, still bent in the shape of the car seat. She slumped against him, stared past me. There was vomit down the front of her dress and, soaking her skirt and soaking the gray cloth of the car seat, her dark blood.

Go down to Clemence, said my father. Go down there and say I am taking your mother straight to the Hoopdance Emergency. Tell them to follow.

With one hand, he opened the door to the backseat and then, as though they were dancing in some awful way, he maneuvered Mom to the edge of the seat and very slowly laid her back. Helped her turn over on her side. She was silent, though now she moistened her cracked, bleeding lips with the tip of her tongue. I saw her blink, a little frown. Her face was beginning to swell. I went around to the other side and got in with her. I lifted her head and slid my leg underneath. I sat with her, holding my arm over her shoulder. She vibrated with a steady shudder, like a switch had been flipped inside. A strong smell rose from her, the vomit and something else, like gas or kerosene.
I’ll drop you off down there, my father said, backing out, the car tires screeching.

No, I’m coming too. I’ve got to hold on to her. We’ll call from the hospital.

I had almost never challenged my father in word or deed. But it didn’t even register between us. There had already been that look, odd, as if between two grown men, and I had not been ready. Which didn’t matter. I was holding my mother tightly now in the backseat of the car. Her blood was on me. I reached onto the back window ledge and pulled down the old plaid quilt we kept there. She was shaking so bad I was scared she would fly apart.

Hurry, Dad.

All right, he said.

And then we flew there. He had the car up past ninety. We just flew.

My father had a voice that could thunder out; it was said he had developed this. It was not a thing he’d had in his youth, but he’d had to use it in the courtroom. His voice did thunder out and fill the Emergency entrance. Once the attendants had my mother on a gurney, my father told me to call Clemence. Then wait. Now that his anger was the thing filling the air, crackling clean, I was better. Whatever had happened would be fixed. Because of his fury. Which was a rare thing and got results. He held my mother’s hand as they wheeled her into the emergency ward. The doors closed behind them.

I sat down in a chair of orange molded plastic. A skinny pregnant woman had walked past the open car door, eyeing my mother, taking it all in before she registered herself. She slumped down next to a quiet old woman, across from me, and picked up an old People magazine.

Don’t you Indians have your own hospital over there? Aren’t you building a new one?
The emergency room’s under construction, I told her.
Still, she said.
Still what? I made my voice grating and sarcastic. I was never like so many Indian boys, who’d look down quiet in their anger and say nothing. My mother had taught me different.
The pregnant woman pursed her lips and looked back at her magazine. The old woman was knitting the thumb of a mitten. I went over to the pay phone, but I didn’t have any money. I went to the nurse’s window, asked to use the phone. We were close enough for the call to be local, so the nurse let me use it. But there was no answer. So I knew my aunt had taken Edward up to adore the sacrament, which got them out of the house on Sunday nights. He said that while Clemence adored the sacrament, he meditated on how it could be possible that humans had evolved out of apes only to sit gaping at a round white cracker. Uncle Edward was a science teacher.
I sat back down in the waiting room, as far from the pregnant lady as I could get, but the room was very small, so that wasn’t far enough. She was thumbing through that magazine. Cher was on the cover. I could read the words beside Cher’s jaw: *She’s made Moonstruck a megahit, her lover is 23 and she’s tough enough to say “mess with me and I’ll kill you.”* But Cher did not look tough. She looked like a surprised plastic doll. The bony, bulgey woman peeked around Cher and spoke to the knitting lady.
Looked like that poor woman had a miscarriage or maybe—her voice went sly—a rape.
The woman’s lip lifted up off her rabbit teeth as she looked at me. Her ratty yellow hair quivered. I looked right back, into her lashless hazel eyes. Then I did something odd by instinct. I went over and took the magazine out of her hands. Still staring at her, I tore off the cover and dropped the rest of the magazine. I ripped again. Cher’s identical eyebrows parted. The lady who was knitting pursed her lips, counting stitches.
gave the cover back and the woman accepted the pieces. Then suddenly I felt bad about Cher. What had she done to me? I got up and walked out the door.

I stood outside. I could hear the woman’s voice, raised, triumphant, complaining to the nurse. The sun was almost down. The air had gone cold, and with the darkness a stealthy chill entered me. I hopped up and down and swung my arms. I didn’t care what. I was not going back in until that woman was gone, or until my father came out and told me that my mother was all right. I could not stop thinking about what that woman had said. Those two words stabbed my thoughts, as she had meant them to do. Miscarriage. A word I didn’t altogether understand but knew had to do with babies. Which I knew were impossible. My mother had told me, six years before, when I’d pestered her for a brother, that the doctor had made sure that after me she could not get pregnant. It just could not happen. So that left the other word.

After a while, I saw a nurse take the pregnant lady back in through the emergency doors. I hoped they would not put her anywhere near my mother. I went in and again called my aunt, who said that she’d leave Edward to watch Mooshum and drive right over. She also asked me what had happened, what was wrong.

Mom’s bleeding, I said. My throat shut and I couldn’t say more.

She’s hurt? Was there an accident?

I got it out that I didn’t know and Clemence hung up. A poker-faced nurse came out and told me to go back to my mother. The nurse disapproved that my mother had asked for me. Insisted, she said. I wanted to run ahead, but I followed the nurse down a bright-lit hall, into a windowless room lined with green glass-fronted metal cabinets. The room had been dimmed and my mother was wearing a flimsy hospital gown. A sheet was tucked
around her legs. There was no blood, anywhere. My father was standing at the head of her bed, his hand on the metal rail of the headboard. At first I didn’t look at him, just at her. My mother was a beautiful woman—that’s something I always knew. A given among family, among strangers. She and Clemence had coffee-cream skin and hot black glossy curls. Slim even after their children. Calm and direct, with take-charge eyes and movie-star lips. When overcome with laughter, they lost all dignity, however, and choked, snorted, burped, wheezed, even farted, which made them ever more hysterical. They usually sent each other into fits, but sometimes my father, too, could make them lose control. Even then, they were beautiful.

Now I saw my mother’s face puffed with welts and distorted to an ugly shape. She peered through slits in the swollen flesh of her lids.

What happened? I asked stupidly.

She didn’t answer. Tears leaked from the corners of her eyes. She blotted them away with a gauze-wrapped fist. I’m all right, Joe. Look at me. See?

And I looked at her. But she was not all right. There were scrapes of blows and the awful lopsidedness. Her skin had lost its normal warm color. It was gray as ash. Her lips were seamed with dried blood. The nurse came in, raised the end of the bed with a crank. Laid another blanket over her. I hung my head and leaned toward her. I tried to stroke her wrapped wrist and cold, dry fingertips. With a cry, she snatched her hand away as though I’d hurt her. She went rigid and closed her eyes. This action devastated me. I looked up at my father and he gestured for me to come to him. He put his arm around me, walked me out of the room.

She’s not all right, I said.

He looked down at his watch and then back at me. His face registered the humming rage of a man who couldn’t think fast enough.
She’s not all right. I spoke as if to tell him an urgent truth. And for a moment I thought he’d break. I could see something rising in him, but he conquered it, breathed out, and gathered himself.

Joe. He was looking strangely at his watch again. Joe, he said. Your mother was attacked.

We stood in the hallway together under patchy, buzzing, fluorescent lights. I said the first thing I thought of.

By who? Attacked by who?

Absurdly, we both realized that my father’s usual response would have been to correct my grammar. We looked at each other and he said nothing.

My father has the head, neck, and shoulders of a tall and powerful man, but the rest of him is perfectly average. Even a little clumsy and soft. If you think about it, this is a good physique to have as a judge. He looms impossibly seated at the bench, but when conferring in his chambers (a glorified broom closet) he is nonthreatening and people trust him. As well as thunderous, his voice is capable of every nuance, and sometimes very gentle. It was the gentleness in his voice now that scared me, and the softness. Almost a whisper.

She doesn’t know who the man was, Joe.

But will we find him? I asked in that same hushed voice.

We will find him, my father said.

And then what?

My father never shaved on Sundays, and a few tiny stubbles of gray beard showed. That thing in him was gathering again, ready to burst out. But instead he put his hands on my shoulders and spoke with that reedy softness that spooked me.

I can’t think that far ahead right now.

I put my hands on his hands and looked into his eyes. His leveling brown eyes. I wanted to know that whoever had attacked my mother would be found, punished, and killed. My father saw this. His fingers bit into my shoulders.
We’ll get him, I said quickly. I was fearful as I said this, dizzy.
Yes.
He took his hands away. Yes, he said again. He tapped his watch, bit down on his lip. Now if the police would come. They need to get a statement. They should have been here.
We turned to go back to the room.
Which police? I asked.
Exactly, he said.

The nurse didn’t want us back in the room yet, and as we stood waiting the police arrived. Three men came through the emergency ward doors and stood quietly in the hall. There was a state trooper, an officer local to the town of Hoopdance, and Vince Madwesin, from the tribal police. My father had insisted that they each take a statement from my mother because it wasn’t clear where the crime had been committed—on state or tribal land—or who had committed it—an Indian or a non-Indian. I already knew, in a rudimentary way, that these questions would swirl around the facts. I already knew, too, that these questions would not change the facts. But they would inevitably change the way we sought justice. My father touched my shoulder before he left me and approached them. I stood against the wall. They were all slightly taller than my father, but they knew him and leaned down close to hear his words. They listened to him intently, their eyes not leaving his face. As he spoke, he looked down at the floor occasionally and folded his hands behind his back. He looked at each of them in turn from under his brows, then cast his eyes down at the floor again.

Each police officer went into the room with a notebook and a pen, and came out again in about fifteen minutes, expressionless. Each shook my father’s hand and swiftly exited.
A young doctor named Egge was on duty that day. He was the one who had examined my mother. As my father and
I were going back to Mom’s room, we saw that Dr. Egge had returned.

I don’t suggest that the boy . . . , he began.

I thought it was funny that his domed, balding, shiny head was eggish, like his name. His oval face with the little round black eyeglasses looked familiar, and I realized it was the sort of face my mother used to draw on boiled eggs so that I would eat them.

My wife insisted on seeing Joe again, my father told Dr. Egge. She needs him to see that she is all right.

Dr. Egge was silent. He gave my father a prim little piercing look. My father stepped back from Egge and asked me to go out into the waiting room to see if Clemence had arrived yet.

I’d like to see Mom again.

I’ll come get you, said my father urgently. Go.

Dr. Egge was staring even harder at my father. I turned away from them with sick reluctance. As my father and Dr. Egge walked away from me, they spoke in low voices. I didn’t want to leave, so I turned and watched them before I went out into the waiting room. They stopped outside my mother’s room. Dr. Egge finished speaking and jabbed his eyeglasses up his nose with one finger. My father walked to the wall as if he were going through it. He pressed his forehead and hands against the wall and stood there with his eyes shut.

Dr. Egge turned and saw me frozen at the doors. He pointed toward the waiting room. My father’s emotion was something, his gesture implied, that I was too young to witness. But during the last few hours I had become increasingly resistant to authority. Instead of politely vanishing, I ran to my father, flailing Dr. Egge aside. I threw my arms around my father’s soft torso, held him under his jacket, and I fiercely clung to him, saying nothing, only breathing with him, taking great deep sobs of air.

*
Much later, after I had gone into law and gone back and examined every document I could find, every statement, relived every moment of that day and the days that followed, I understood that this was when my father had learned from Dr. Egge the details and extent of my mother's injuries. But that day, all I knew, after Clemence separated me from my father and led me away, was that the hallway was a steep incline. I went back through the doors and let Clemence talk to my father. After I'd sat for about half an hour in the waiting room, Clemence came in and told me that my mother was going into surgery. She held my hand. We sat together staring at a picture of a pioneer woman sitting on a hot hillside with her baby lying next to her, shaded beneath a black umbrella. We agreed that we had never really cared for the picture and now we were going to actively hate it, though this was not the picture's fault.

I should take you home, let you sleep in Joseph's room, said Clemence. You can go to school tomorrow from our house. I'll come back here and wait.

I was tired, my brain hurt, but I looked at her like she was crazy. Because she was crazy to think that I would go to school. Nothing would go on as normal. That steeply inclined hallway led to this place—the waiting room—where I would wait.

You could at least sleep, said Aunt Clemence. It wouldn’t hurt to sleep. The time would pass and you wouldn’t have to stare at that damn picture.

Was it rape? I asked her.

Yes, she said.

There was something else, I said.

My family doesn’t hedge about things. Though Catholic, my aunt was not one to let butter melt in her mouth. When she spoke, answering me, her voice was quick and cool.

Rape is forced sex. A man can force a woman to have sex. That’s what happened.

I nodded. But I wanted to know something else.
Will she die from it?
No, said Clemence immediately. She won’t die. But sometimes—
She bit down on her lips from the inside so they made a frowning line and she squinted at the picture.
— it’s more complicated, she said finally. You saw that she was hurt, real bad? Clemence touched her own cheek, sweetly rouged and powdered from going to church.
Yes, I saw.
Our eyes filled with tears and we looked away from each other, down at Clemence’s purse as she dug in it for Kleenex. We both let ourselves cry a bit as she got the Kleenex. It was a relief. Then we put the tissues to our faces and Clemence went on.
It can be more violent than other times.
Violently raped, I thought.
I knew those words fit together. Probably from some court case I’d read in my father’s books or from a newspaper article or the cherished paperback thrillers my uncle, Whitey, kept on his handmade bookshelf.
Gasoline, I said. I smelled it. Why did she smell like gas? Did she go to Whitey’s?
Clemence stared at me, the Kleenex frozen beside her nose, and her skin went the color of old snow. She bent over suddenly and put her head down on her knees.
I’m okay, she said through the Kleenex. Her voice sounded normal, even detached. Don’t worry, Joe. I thought I was going to faint, but I’m not.
Gathering herself, she sat up. She patted my hand. I didn’t ask her about the gasoline again.

I fell asleep on a plastic couch and someone put a hospital blanket over me. I sweated in my sleep and when I woke, my cheek and arm were stuck to the plastic. I peeled myself unpleasantly up on one elbow.
Dr. Egge was across the room talking to Clemence. I could tell right away that things were better, that my mother was better, that whatever had happened with the surgery was better, and in spite of how bad things were, at least for now the picture wasn’t getting any worse. So I put my face down on the sticky green plastic, which now felt good, and I fell back asleep.