

The Many Murders of Oswald LaFarge / Matthew Pearl

At my initial meeting with Professor LaFarge, I slipped on the glasses and gave an overview of my practice, then asked how I might help him.

“I was murdered,” he said to me with a sad, confidential air. “I’ve been turned down by fifteen attorneys. I’m told you are *different*.”

“Please, go on, Professor.”

“‘Creative,’ was the word used. Are you creative?”

“You do know, Professor LaFarge, that to date ghostly testimony has not been allowed in criminal courts.”

“But it has been allowed in civil actions, those Hollywood cases. Should wrongful death be any different, when it happens to be a ghost that is bringing suit?”

“I cannot see why it should,” I admitted, though I felt my head throb at the complications. The legal system rested on timely action and the bottom line was this: Oswald LaFarge was showing up at my office two years after he died.

I had never represented a ghost before this. Laws regarding the paranormal had remained in dispute and up until then I had preferred avoiding unsettled legal arenas in my practice. LaFarge was not the first ghost who had the idea of bringing a civil suit against his alleged murderer, far from it, and dozens of law journals had written about the possibility. But I would soon be poised to become the first attorney to stick out my neck far enough to go for it. Why not? What could happen? That’s what I thought, what I always fell back on in the years to come during times of frustration and exhaustion and, ultimately, despair. All the other lawyers who’d turned him down must have sensed something I didn’t.

By the time Oswald LaFarge stepped foot into my office, more than ten years had passed since researchers revolutionized ghost communication. There had been many centuries of unnoticed growth in the field before that, with no more and no less stumbling around in the dark than had accompanied every other big invention or discovery—the steam engine, steel, electricity, flight, cloning. There had been charlatans, as with anything lucrative, and there had been innovation. The most important innovations in ghost communication had to do with sight and sound. First, there were the glasses (originally thick and

green-lensed but later, any color a person fancied to match their eye color or clothing) that allowed the living to see the paranormal; the next big innovation followed, radio waves emitted into the air in most developed parts of the world, piggybacking cellular signals, that permitted full and easy conversation between the dead and living.

What we had previously called “hauntings” were now seen as misunderstandings (“basically bad cell service,” explained the Nobel-prize winning CEO of the conglomerate that owned eighty percent of the new radio wave towers), and those quickly stopped, except for one class of ghosts known as “empties.” The mainstream dead began to share their lives with living friends and families. Many ghosts returned to their professions. Orphans had nightly dinners with their parents. Americans had not cured death, the Surgeon General wrote in an op-ed in the *Washington Post*, we had done better. We found a way around it. (In truth, only a modest portion of the advancements had been driven by American research, but Americans tend to be gifted at taking the credit, even naturalized ones like me).

The question of what legal rights should and should not be recognized as belonging to this new population appeared almost at once. For half a century, advertising agencies and movie producers already had been digitizing dead actors and actresses for new purposes—selling soda or vacuum cleaners, and later, when technology permitted, costarring in sequels to classic films, always with the claim that the project in question was, according to the movie studios' press releases, in the “true spirit” of the dead actor. Once the new regime of ghost communication had kicked in, the ghosts of those actors came forward in droves, starting unions and suing for millions while demanding bans on further profit-making activities without their consent. Other big-name celebrity ghosts, by contrast, were eager to lend their name to projects—this time at a price. Hollywood being the most powerful lobby in Washington, bills were soon passed allowing expanded rights for ghosts to be parties to contracts. Of course, skeptics and staunch anti-supernaturalites bemoaned the idea, warning such rights would eventually spiral out of control against the living.

That was exactly what they'd soon say happened regarding the case of the murder of Oswald LaFarge.

“You are *creative*,” LaFarge declared at the end of that first sitdown, when I presented a strategy, mostly cobbled together from what I remembered from law journal articles by legal thinkers far more

creative than myself. “Yes, I’ve come to the right place. Why do you think the other attorneys all rejected my case?”

I smiled. “You are a smart man, Professor LaFarge. You know why. They are scared.”

“Of me?” he said.

“Of course not!” There was really nothing scary about Oswald LaFarge once you had on your special glasses. “They are scared that the system will break down once ghosts are involved in it. Lawyers are trained to depend upon the system, Professor, they are risk averse.” As though I were exempt from the curse of my peers.

“Nah. That is not why they have refused this case. It is not because I want to go after the system. It is because I want to go after a lawyer.”

LaFarge described his death. He died on a rainy evening. He had been crossing the street to return to his car after picking up food for dinner. He did not see a car that was speeding toward him and he had to leap out of the crosswalk. LaFarge waved his apologies but the driver, a thick-faced, ruddy man with angry eyes, cursed and leaned on the horn. LaFarge had been taught as a child to turn the other cheek in all cases of conflict. He walked into the parking lot and considered the matter done. But when LaFarge drove onto the road, he found the same bright gold car waiting. The car dogged him and drove alongside, pinning LaFarge's sedan to the curves.

“I only wanted to get away. I never saw the drainage canal on the side of the road. I cannot describe how frightening it all was. Did you ever notice, the only part of a person inside another car you can see clearly, is his eyes? No matter how far away, no matter the tint of the windows. In those eyes nothing but malice. Pure rage. His car was everywhere, in front of me, to the side, behind me. The roads were deserted, but somehow I was boxed in. Do you know what? Somehow, I managed to memorize his license plate—thinking I would be able to go to the police when it was all over and have this driver cited. To think, after a lifetime of scholarship, this meaningless jumble of letters and numbers was the last thing I would ever read as a living man. Later—after my death, I mean—I discovered the license plate was registered to a lawyer named Aaron Max.”

I cocked an eyebrow.

“Yes. That Aaron Max! A well-mannered man, a pinnacle of the community. A prominent attorney, five children. Five children! I paid him several visits after I died but accomplished nothing.”

“Were you trying to intimidate him?”

“Intimidate!” He gave a friendly chuckle. “I’m an entomologist. I wouldn’t harm a fly. That’s a joke. You *can* laugh at me. Anyway, I was never in a fight in my life. As a boy, I was hit in the head with a rock once on my way to school, and do you know what I did? I kept the rock because it had an interesting fossil pattern on the bottom. Now, what would I have done to Mr. Max? Who will I intimidate? What was once called ‘haunting’ is just trespassing nowadays. I was civil in my visits but insistent. I wanted to demand—what? I do not know. Demand that he answer for himself. Apologize. Mr. Max took out a restraining order on me. Against me! The first restraining order against a ghost in the state of New Hampshire. This, your legal system granted all too eagerly!” LaFarge wheezed at the memory.

I felt very sorry for him.

“What now, Professor?” I asked.

“What do you mean?”

“What do you hope for if I do agree to bring this suit? What do you want?”

“What do I want? Justice! Justice! Justice! Justice! Justice! Justice! Justice!”

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How could I refuse such a plea? How had so many of my peers rejected this? Oswald LaFarge must have shown more passion and pathos to me than he had to the others. My demeanor had put him at ease somehow, as I had been told by former lovers as well as clients was one of my gifts. I formally accepted his case the next morning. I would represent LaFarge in his wrongful death suit against one of the region's most powerful attorneys, Aaron Max.

At first, news of the suit was local, but soon the national and even some international media had taken hold, and reported on it every day—though most days there was frankly little to report. The litigation was slow and layered. At first, the trial judge ruled that Professor LaFarge could not testify because it would put the defendant in criminal jeopardy, and ghost testimony was not admitted into the criminal

courts. Without LaFarge's testimony, the case was thrown out on summary judgment, as I warned LaFarge was likely. Our many appeals, over more than six months, coupled with *amicus* briefs from some of the greatest legal minds of the ghost community, finally brought things our way and we were sent back to the lower trial court. The appellate court had ruled that a ghost's testimony had become just as reliable—no more but no less—as testimony by any other individual recognized by the courts. The defense appealed all the way to the Supreme Court but the high court denied *cert*—this was their way of consenting to the lower court's ruling without getting involved.

We soldiered on. A criminal case was announced by the district attorney after pressure by the media and interest groups. Battle lines formed outside the courtroom. Civil rights leaders heralded the change in ghosts' legal status. On the other side, strange alliances against us sprouted between anti-supernaturalites and ghost advocates. Anti-supernaturalites were against any and all recognition of ghosts. They even wanted the glasses and the radio waves that allowed communication with ghosts criminalized.

Among ghosts'-rights advocates, there was an offshoot of leaders that felt that peace and understanding between the living and the dead was the most important goal, and that the LaFarge case would call down too much fear and hostility. Jason Randolph, a living man, was the lead voice on this side. He came to see me. He was about my age, with small, black eyes that were unreadable, and in their inaccessibility somewhat in conflict with his heartfelt activism.

"Think of it," Randolph said to me. "Think of the damage it will leave in its wake whether or not you win, but especially if you do."

"Mr. Randolph, my understanding was that you are an advocate for ghost causes."

"That is what I am."

"Do you not think ghosts have a right for their voices to be heard in court?"

"Of course *I* think so!—that's not the point," he said. "I believe in many things that the public is not willing to accept yet. Hundreds of years ago, people who had peaceful interactions with ghosts were either considered odd at best, or insane at worst by those who didn't believe them, and cursed and haunted by those who did believe them. I had been 'haunted' by my sister since I was seven, and was nearly put in an institution when I told my parents. We have made so much progress since ghosts were first trying to be

part of the public sphere. Do you remember those early days? When the technology was announced, and the glasses first came on the market? People were terrified. They wanted nothing to do with ghosts.”

“I confess I was nervous myself.”

“Remember what changed your mind?”

“Well,” I considered, not having really thought about it, “nothing *bad* seemed to happen, for starters. And now, I reckon, having come to know Professor LaFarge, I no longer think of ghosts as so different from myself. The same, only dead.”

Randolph lectured me as though I had no self-awareness. “Do you hear what you just said? Nothing bad happened. Nothing *bad*. Your words. You needed time to see that life would go on normally. You need to give other people time, too. Just now, people are beginning to feel comfortable with ghosts. They dine near them at restaurants. They watch films made by and starring ghosts. They work and teach and learn alongside of them. Don’t rock the boat. Please. Stay quiet. Stay—stay out of the way.”

“At risk to natural rights?” I asked, suddenly a little self righteous myself. “At risk to *justice*?” I stressed the word as I thought Oswald LaFarge would (LaFarge himself had declined to be part of the meeting—he said he had not liked Mr. Randolph’s looks on television).

“Justice!” Randolph lunged forward in the chair with his whole upper body and I could not help flinching. I felt foolish and resentful at my reaction, and I quickly straightened myself again. He continued:

“You dreamer! You are dreaming! Look around you, do you expect justice to protect the ghosts and their families who will be put at risk from the anti-supernaturalites? Is revenge against Aaron Max worth this?”

I stood tall and looked down at him. “You’re misinformed. Oswald LaFarge does not want revenge, Mr. Randolph.”

Then Randolph cleared a corner of my desk with the back of his hand, shattering one of my favorite mugs on the floor.

“How dare you!” I said.

“What will you do?” Randolph asked. “No, I thought not. You’ll remember this day now. You’ll regret it.”

I picked up the phone as though to call building security (we didn't have security, just a janitor), but he had already turned his back and exited.

Once criminal proceedings began, I put the civil action against Aaron Max on hold. The criminal case progressed swiftly. Despite his loud boasts of innocence and a vow to fight the wrongful prosecution, the evidence against Mr. Max mounted easily. Max was convicted of manslaughter on the basis of irrefutable evidence that had been found on a traffic camera. Not even a ghost hater could deny what he had done was vicious and wanton. He would be imprisoned for up to ten years. I asked LaFarge if he wished to continue with our civil suit now that he was victorious.

“Undoubtedly,” said LaFarge without hesitation. “It is only right that the world understand that murder can no longer be hidden.”

“Do you not feel justice has been rightly done already, professor?” I pressed him as gently as possible.

“The man is in jail, yes, that is important. But it is the principle of the matter, the spirit of it, you understand. My family lost their means of support when I died. I will never be the same scientist I was when living. I wouldn't admit that to anyone else, but it's true. I will never be respected like a living man. And I my mind will never be clear—not with my level of PMD.” In a ghost had had experienced a violent death, a psychological condition had been found prevalent. Called Post Murder Disorder by doctors, it meant that the experience of the murder would replay again and again in the ghost's mind involuntarily, and so a murder would become many murders, and keep multiplying. “What do you think? Shouldn't he be held financially—morally, I mean—responsible for that, too? Do you think we can win?”

Oswald LaFarge was deferential to my knowledge of the law, but paternal in that best possible of ways—encouraging me never to limit myself to what others thought I could do, but what I knew I could do. We even played backgammon once or twice a week.

“Would you ever have imagined playing backgammon with a ghost, before you took on this case?” LaFarge asked me during one of these games.

I laughed. “I didn't know how to play backgammon.”

“That's not what I meant. You never spent much time with many ghosts before me.”

“No. My family is alive. I have only been to two funerals in my life. I simply did not meet many... ghosts.”

“What stopped you from seeking them out?” he asked, almost with offense.

“I had not met you yet, I suppose.”

He laughed. At those times, I liked him more than I liked my father, who lived in Australia and whom I rarely saw and had no desire to see.

I suppose my bonds with LaFarge strengthened with the mutual experience of harassment we received through the two trials, the criminal and the civil, and especially during LaFarge's historic and widely-covered testimony. I saved some of the hate mail and death threats, in case I ever need them as evidence.

...You will be held personally responsible for human subordination at the spectral hands of paranormals. This is just the beginning of their conquest!

...Ghost Lover. Oswald Lafudge will go to hell with you.

...Watch yourself. You're the next... ghost.

That last one caused me to lose a night of sleep, though at daybreak I gave a grotesquely magnified smile into my shaving mirror that a few silly words could scare me. The second trial, our civil suit for damages, ended after four and a half months and LaFarge was awarded fifty million dollars from Aaron Max, though the pundits estimated that Max had drained most of his fortune on his defense, and that LaFarge would never see more than two or three million tops. At the end of the year, ten attorneys including myself who had taken on ghost clients in unconnected landmark cases around the country were featured on the cover of *Time* as the “Persons of the Year” (that it was us on the cover, rather than the ghosts, suggested to some people the strong public bias remaining against recognizing paranormals).

The threats petered out once other cases took our spots in the news. Gradually, I spent less and less time with Professor LaFarge, who thanked me profusely for weeks after the victory and then resumed a teaching post at a slightly less prestigious institution than the one where he taught when alive. (“I can teach about insects anywhere,” he told me, “what is important is that I teach about insects.”) The professor had bought a penthouse loft apartment for his family with his civil award.

I accepted other ghost clients, but none as high profile or important as Oswald LaFarge. I followed with alarm the rise of anti-supernaturalites and anti-ghost sentiment around the world, a trend bemoaned by Jason Randolph on the Sunday morning news programs. Not that I felt the brunt of the blame for it exactly. But because of our victory in the courts, and the cases that followed from our precedent, people everywhere were frightened of their secrets, frightened that ghosts would come out of the woodwork pointing their fingers in courtrooms like a million of Hamlet's fathers, infringing on human rights—all because of the temerity of a little entomology professor and a workhorse immigrant lawyer who chose to look for trouble.

Around this time, I made the mistake of agreeing to be on a panel discussion at a law school to talk about the case. LaFarge was also on the panel. It was open to the public and one living member of the audience became quite angry after stepping to the microphone.

“How could you? How could you do it?”

“Can you be more specific? Who would you like the question addressed to, sir?” asked the law professor moderating. She was a large woman with short-cropped hair.

“Him! That monster!” he said, pointing at LaFarge. “My whole family is dead, died all together in the Ann Arbor blast, and he made the world hate ghosts! Half of my family is in hiding for fear of the backlash. Go to hell!”

I sank into my chair. Why I ever agreed to panels, I couldn't say. Inevitably, there was never time to say what you wanted to explain yourself, and later there would be misunderstanding and misquotes.

As the moderator tried to settle the ruckus down, I was startled to look over and find LaFarge was not in his chair. I adjusted the brightness knob of my glasses but, still, the chair was empty. I turned my head into the audience and found LaFarge had zapped himself out of the chair and right in front of the angry questioner.

“How dare *you*! How dare *you*!” LaFarge was saying, spitting furiously. “You'll never understand what it means to be silenced, to be buried! You want me to go to hell, let's do it, and I'll take you with me!” His voice began to evaporate in a choking gasp, as was common with ghost vocalizations when they reached a state of excitement or high emotion.

The man grew pale and sweaty, and fell back a step. Also in the audience was Jason Randolph. He inserted himself between the ghost and the questioner and glared from one to the other, calling out for peace in such a bullying voice the request seemed all but impossible.

LaFarge soon returned to his chair and apologized, citing the degree of harassment he'd received as putting him on edge. He calmly and mildly addressed the concerns of those who had criticized our decision to litigate.

Part of me did not want to see LaFarge again. Not because of the panel incident, not entirely, at least. If I didn't see him, I didn't have to think of the fears and panic we had activated together in mankind, and the unintended consequences of all the hatred. I felt guilty about it all. I'd send LaFarge a few perfunctory documents and notes but never went out of my way to hand deliver them to his apartment or propose a game of backgammon. Meanwhile, Jason Randolph actually called publicly for a reversal of the LaFarge decision when it came up for another appeal (I had transferred the appeal to another lawyer). Randolph begged the public to give ghosts another chance to coexist and prove that they were not out to get the living; that they were not bitter outsiders—they were part of our world. Max's appeal failed, this time in the Supreme Court. What we had done—a true victory—would stick.

Since appearing on the cover of *Time*, I had been hired by Hollywood producers to work out contracts with prominent ghost film directors. I found this work lucrative and easy. With the rising wave of anti-supernaturalism, Hollywood used fewer and fewer ghost actors on screen so they would not lose their audiences in the heartland, but behind the cameras they could still milk the directing talent from the dead that was so absent in the living (Stanley Kubrick, it was said, was only now in his prime as a filmmaker). Thoughts of Oswald LaFarge had largely fled my mind, until I heard this report on TV:

Advocate for ghost rights, Jason Randolph, was found dead early this morning, after falling to his death from the roof garden of this downtown building. The accused murderer is Professor Oswald LaFarge, a ghost who rose to prominence in the courts several years ago when he became the first non-living person to testify against his murderer, Aaron Max, and now the first non-living person to be accused of murder...

I did not believe it. My heart pounded. I raced to the courthouse and found the district attorney. According to the police, Randolph had been harassing LaFarge for months to testify on Aaron Max's behalf

at a parole hearing expressing forgiveness and asking for Max's release. LaFarge's case had triggered so many problems for the ghost community, said Randolph, that this would be LaFarge's chance for making amends. Detectives claimed that LaFarge had snapped and scared him into falling off the roof. Randolph's ghost had not yet surfaced to give his version of events (some ghosts took months or even years to assume any recognizable form, during which time they were empties—ghosts with no consciousness of their former living selves).

I was granted permission to see LaFarge and I positioned my glasses in preparation. He was locked up in the paranormal wing of the prison. Sullenly, he sat in the corner of his small cell tapping his foot to some unheard rhythm.

"I thought you were my wife or son," he said without rising. "They haven't been to see me yet."

"Is it true?" I asked, horrified. "What they say about what you did to Jason Randolph? Did you kill him?"

"If you could have seen! You were merely the lawyer—they stopped hounding you eventually. A lawyer is just a cipher. Not me! LaFarge v. Max, LaFarge v. Max. It was my name and it became a word. LaFarge: that stood for everything they ever wished to keep hidden. They never left me alone. LaFarge became a word of hate for people against ghosts, for all their nightmares. My wife was fired from her job. My son Carl transferred from school to school. I have been a pariah."

"Randolph? Is it true?"

LaFarge frowned. "For months since the panel discussion, he has not stopped haranguing me. Saying how much I owed. *I* owed? Randolph would appear in my laboratory. In my tennis club. Lunging at me with his empty weasel eyes and accusing me. Saying how he would do anything to see the cause succeed! How much I owed! Didn't anyone owe me? I brought them... I've brought all of them justice!" He batted his head with his hands.

"You mean from our trial. That was justice. Not this. You do not mean *this* is justice, professor: you cannot mean Randolph's death is justice."

His head dropped and he moaned.

"Professor!"

It was as though I were not there at all, as if I had vanished into the ether right before his eyes.

I whispered. “You must answer me, not as your lawyer, answer your friend; not speaking as a client but speaking as my friend, my—Did you do this? Did you kill that man? Are you guilty?”

He said nothing, just sighed and trembled and cried, nothing at all like the picture of a murderer.