

2013

'May It Please the Court?': A Short Story

Angela Mae Kupenda

Mississippi College School of Law, akupenda@mc.edu

Follow this and additional works at: <http://dc.law.mc.edu/faculty-journals>



Part of the [Law and Gender Commons](#), [Law and Race Commons](#), and the [Litigation Commons](#)

Recommended Citation

6 the crit: Idaho Critical Legal Stud. J. 68 (2013).

This Article is brought to you for free and open access by the Faculty Publications at MC Law Digital Commons. It has been accepted for inclusion in Journal Articles by an authorized administrator of MC Law Digital Commons. For more information, please contact walter@mc.edu.

“MAY IT PLEASE THE COURT?”: A SHORT STORY

ANGELA MAE KUPENDA*

ABSTRACT: This story tells a fictional account of a black woman lawyer who is about to try the biggest case of her life. While many black women lawyers seek to express their individuality and bring the best of themselves into their work and lives, conventions and norms about race and gender force them to give huge attention to things that likely matter little in the long run. In this story, we go on a journey of self-discovery with the protagonist, Angel, in hopes that she will be able to please the court in this—her trial of a lifetime.

*Professor of Law, Mississippi College School of Law. I appreciate my home school and the pre and post-publication grants that support faculty scholarship, even non-traditional work such as this short story. I dedicate this paper to my two lovely and smart nieces, Monica A. Moore and Makayla A. Moore. They inspire me daily to be my best and to write about the experiences of black women as a contribution to the growth and happiness of future generations of younger black women like them, and older black women like me.

“May it please the court? May it please the court? May it please the court,” Angel practiced, using different inflections to try to determine which version best reflected her sincerity and masked her appropriate desperation. Angel was facing the toughest case of her career. Waiting was unbearable. Growing increasingly impatient, Angel almost shouted out loud, “Why did they leave me in here . . . to wait . . . to wait . . . !”

She could almost hear an echo in the empty room. Angel was wondering aloud as she carefully studied the jury room. This room reminded her in an odd way of her tiny offices when she clerked for judges. “Too pristine, too clean,” she thought, as she let her mind ramble over the clean legal lines of the law the judges drew across the complex, sad, and dirty human facts. “I want to kill people who look like me because they are bad,” one child had muttered years before he arrived on death row, sentenced, though he was clearly not the killer, by the clean neat legal lines that did not, could not, consider his almost insane mental state; his barely over seventeen years; his legal counsel’s questionable trial experience; and society’s abandonment of him when he was a mere-colored babe.

“May it please the court?” Angel shook her head really hard to try to derail her train of thought. But her thoughts continued. As the judge’s law clerk, Angel had noticed a procedural loophole in the conviction and death sentence, Angel’s judge had said, “the young man will live a few more days because of you, but I doubt if he lives for long.” He did not. Angel wondered will she have to pay today for her failure in court years ago, to change the result, to save the young man’s life. After the judge’s comment, Angel had worked day and night to try to find any truth in the rules, and any mercy in the chambers. She documented it all in legal memoranda.

Then, right before the young defendant’s appellate hearing, she had an interview offer in a big city in another state. Her judge encouraged her to go: This interview was for a high level

job in the respectable mainstream which could place her even further up the road for a federal lifetime appointment. Angel packed her bags, her sister Retta would lend her a dark-gray wool suit when she made it to the city, and Retta would put her up for the night. Angel took an all-night interstate bus ride for the interview because she could not afford air travel. All along the way she could not rest. Her thoughts were flashing from fears about the hearing she was missing to her fear that she would sleep past her stop. After asking the driver for the tenth time about their present location, he had calmly assured her that he would not let her sleep through her stop. When the bus pulled in, just hours before the interview, Retta had the suit ready and a new, crisp, white blouse for Angel to wear. She gave Angel her bedroom for the stay and did her best to help her older sister take her mind off her worries. Angel's suitcase was as ragged and empty as she felt. Financially destitute since her divorce, Angel was now free from physical battering but her essence was of one battered and haggard.

Somehow, though, Angel had left most of her haggard self on the interstate bus and left the rest with her cheap clothes at her sister's apartment. Angel had taken her best self into the interview: sharp, focused, and pleasant. The interview led to a coveted job offer she brought back in her little hands. But along with the precious job offer, Angel took her worst self back home on the bus: worried, not confident, and frazzled. Upon her return she learned the outcome of the case and the future execution of the boy defendant she believed to be innocent. She later turned down the high ranking job, saying it was not a good fit for her, but wondering if her own guilt played a role. Now, the tears welled in her eyes as she remembered having had several job offers in several states. She had not needed that additional interview, only her bottomless ego had fed off it without satisfaction.

Now sitting in the unadorned jury room, what she had left was her guilt and it resounded in her conscience. Angel cringed as tears burned her eyes. Rubbing her swollen eyes was like rubbing salt into her wounds. Wringing her hands, she recalled how her own hands were given the task of writing the first draft of the judge's legal opinion affirming the death conviction. The same hands that held the honorable job offer and her new prosperous beginning now held the young man's dishonorable ending. For a moment, she entertained the thought she deserved punishment, she deserved to lose the case of her life today...deserved torment forever.

"May it please the court? May it please the court? May it please the court!" To get that thought of damnation out from her mind, Angel practiced louder and louder. Then, she quickly stopped to eye her guilty, pale, ashy brown hands, again. Angel stared at her cold, dried-up hands for a long time. Suddenly she realized what was missing from them. Angel vividly missed the long, polished nails she sported in her younger years. She smiled devilishly, delightfully, as she thought to herself of how she had accidentally, deeply, scratched her love with her long, fuchsia, and creamily painted nails.

She started to reminisce on how he had seemed to enjoy that pain. In midstream of her lusty smile, and just as quickly as her lips curled, she yelled at herself, "Got to stop this! This is how I got in this mess!" But she could not stop. Only a lawyer, she thought to herself, as she remembered the romantic evenings of laying in his lap as he read legal thrillers to her. The Saturday afternoon impromptu basketball games were a sweaty, sensual joy, too, especially when she wore her jewelry and accidentally hurt him with her rings. Now Angel was really confused, and wondered if she had indeed inherited her father's violent natures.

How could she have his nature? She had left the practice of law for many years, saying she did not have the killer instinct required. Perhaps she did, but had just kept it hidden as it

slowly brewed. Angel had been quite temperate . . . until she was not. She had occasionally remarked, “I don’t fight often and I don’t fight for sport, for when I do fight, I fight to kill.”

These thoughts about herself really troubled Angel—if these human frailties were revealed then Angel certainly risked losing her case today, which would mean she would lose everything.

Caught up in her thoughts, she imagined her long nails on her then-golden and lotioned brown hands, she ran her fingers through her then-long and flowing hair and beautiful extensions, the way he had done before he had pulled her hair into a pony tail and held it really tight. Instead of her fingers sliding through her hair, though, her short brittle nails got caught in her short wiry, salt-and-peppery hair. Not wanting to be in the present, or in the past, she shook her head really hard again, trying to shake away the thoughts. Her remaining vanity expected to feel the curls from her processed hair and weaves, gliding across her back and whisking over her heavily made-up face. She was initially puzzled when she felt nothing. Reaching up to sweep her long hair—yes it was her hair as she did purchase the human hair extensions after all—she found nothing. Nothing but her short, soft, coarse and natural hair.

She had forgotten. This courtroom performance required that she come with her hair au naturel. She laughed a little to herself. For years, to please the court, she had altered her appearance to be most pleasing to the judges and juries. Her standing beauty shop appointment was her wage of the battle, to convert her short and wiry hair to the long sweeping bouncy hair that she could toss at just the right moment or sweep from her eyes as she eyed the jury.

During her brief stint as a law professor, she had stopped the perming and coloring for a while to enjoy the freedom of letting her hair do its own thing. She had to pause and laugh hard at some of the white students’ responses, “We don’t know you with your hair like that!” Others had said, “Why do you make your hair do that, is it to annoy us?” Angel laughed some more. A

black female student her own age had even said, “You would be more liked by white students if you got a really good perm.” Angel’s secret plot for years had been that she would wear her hair hot comb-straightened and bouncy to a long class meeting, and then to excuse herself several times to the ladies’ room. Each time she would have a spritzer of water and spray her hair. As she returned to class, she would be going slowly from her straight bouncy, white-like hairstyle, to her—at that time—favored natural do. Oh, what fun that would have been as the students could critically analyze their own reactions to her hair, as it changed from being straight like their hair and changed into its own natural state. She never had the courage to do so. But she did amuse herself and enjoy the reactions from many at the school as her hair released the perm and went natural over the months. A black middle-aged staff person had even come to Angel’s office saying, “Several of us ladies were talking about your visit here at our school and in our small very white town. We know it is so hard for a black woman to find brown toned stockings and other beauty products to help us look our best. So, here is the name of my beautician, you might want to get your hair done. Should I go ahead and call her for you and make an appointment?” Well, Angel had thought, so much for black female friends who could understand her wanting to go natural with her hair in that cold, desolate town.

As Angel laughed some more, she went back further in time. She thought of how some white male lawyers had openly expressed their fondness for her then jet black hair straight and spiked fluffed out hair, a wild classy look, like “Tina” one had said, with a hot gleam in his smitten eyes. Angel grunted in her throat as the images of things that had mildly entertained her then, now mightily displeased her. These wicked imaginations would likely displease the court too, she pondered. Substance over form, the law suggested. Yes, sure, she wondered in pause. The substance of so many cases and outcomes had rested on the form of the lawyer or

adjudicator. Acutely aware, for many years, she tried so hard to make her looks more pleasing to judges and juries, both in the courtroom and classroom. It was ironic now, that in the biggest case of her career, and her hardest one yet, her naturalness was demanded. Would she now please the court?

Doubting her persuasiveness, Angel was shaking her lockless head. “No, no,” she pitifully considered as she smoothed her dress. She had expected to feel the fine silk of her tailored pantsuit or the silkiness of her nylon hose beneath a knee length skirt. In her classy days, when she took her well-dressed mother grocery shopping, even the bag boys had rushed out to see them. Mama had it going on too, but the bag boys had unashamedly told Angel that they loved to see her wearing her beautiful silky garments—though they were twenty years her junior. She always gave them a tip and a long look. She doubted if they would rush out if they saw her today, aged and so simply attired.

Instead of wearing her brightly colored or earthen silks, Angel had dressed in the clothing left for her in the jury room: the simple, cotton, long robe and, oh gosh, the flat and plain shoes. Catching her reflection in the mirror on the wall in the jury room, Angel saw she did not look like the hotshot lawyer that she once fashioned herself, strutting around in the city in her high heels, showing off her small waist, which has now thickened. She had to laugh—what was all of that for? For now, she wondered? Now and forever, all that was important was this case, which she was doomed to lose if she could not get herself together. Peering again more seriously and deeply into the mirror, it was as if Angel could see not just her plain outside, but all of her lived contradictions from the inside. This scared her even more, and led to another burst of practice.

“May it please the court?” She practiced articulating each word with distinct diction. Her voice surprised her. By now she did not know if it was the voice of her southern birth. Still, too

much southern in her voice and she alienated, or sickly amused, the northern listeners. A group of northern secretaries had wanted her to say certain words over and over, as they giggled. While at that school, Angel's southern accent had become even more pronounced. It pleases them, she had justified—a little price for the huge salary she had been paid to bring in some diversity for them. Though when she returned to the south with too much northern, southern ones regularly responded, “Girl, you not from around here is you?” The southern ones were really hard to please. They did not giggle at her accent. Or maybe they giggled only if they planned an attack. Angel giggled now, thinking of how her voice had picked up so many different aspects of her journeys. Now people, north and south, asked, “Where are you from, your voice is unique?” Mission accomplished, she thought, but whether that will be enough for this court was truly doubtful.

“May it please the Court?” Angel practiced some more. She got choked up, though, as her thoughts turned to her family and friends. Angel had avoided thinking much about her family and loving friends. The law had been a jealous suitor. She started to tear up when she fondly remembered all the fun times with two of her nieces, Monica and Makayla. The law and her new relationship had left less time for them. Though they really cared about Buster, little time seemed left for them. But the lovely girls knew how to get their point across, Angel smiled. One day, for family fun and recording, Makayla and Monica had written a script of what not to do in case of a fire. As Angel looked over the script before they all filmed, the girls had given Angel's character lines that reflected her preoccupation with work. They had all laughed heartily when Angel recited her assigned lines and then ad-libbed her own sharp remarks about how her long work hours provided funds for the fashionable wardrobes the girls adored. Angel had added, “If I can't rescue my work files from the fire, and I don't get my bonus to buy their new school clothes, I

guess the girls will have to learn how to sew on that machine Buster bought them that they have never used.” They laughed so hard because they knew it was true!

Yet now, getting ready for her case, Angel wondered if her work choices would help her with this judge. So many choices and so many regrets, Angel mused. Angel’s eyes leaked tears again as she thought of how time had gotten away from her because she had devoted so much of herself to the law—the law, not justice as the law is not there yet. It seemed that she wept separately for each and every Christmas party she missed because of court filings, for each and every trip she missed for trying to meet a deadline, and for each and every Sunday dinner she missed preparing for Monday. She missed weddings, baptisms, and birthday dinners. She missed movies, and just sitting. She was weeping so uncontrollably it was like nothing could bring her back.

But then several sharp raps came to the jury room door that led into the courtroom. Angel shouted, almost on cue, “May it Please the Court!” Just a few more minutes to practice, Angel thought. She sat motionless and soundless for what seemed like a generation. She wondered if she were her own jury, what would be the verdict? As briefly as the question was asked, Angel’s memory ran through a pasture of memories like lilies. Yes, she made a difference, she thought. And, yes, she erred, often. It would all depend on who was the judge and who was the jury, as to how her case would turn out. She could not pinpoint which thought had helped her find resolution, but finally it had come.

The raps came again on the door and were more urgent sounding. Angel stood up and began to feel complete again. She had not felt this way since she was a precocious and innocent child, thinking of herself as smart and pretty with a big heart and a mischievous, yet sensitive spirit. As the door to the courtroom flew open, Angel almost glided in through the jury door. She

glimpsed back over her shoulder for just a second for a “see you later” to memories of those she loved and of which she would see much later. She glanced back, even as she remembered her dream from the night before her older brother’s fateful morning accident. In her dream, when his name was called he never looked back. He just marched forward looking strong and confident, knowing his certain outcome. Angel, though, looked back for she was herself, and finally, as an aged adult, she felt that was good.

Entering the jury room, Angel saw her supporters seated in the simple and beautiful courtroom. Her glowing mother and her brother smiled confidently and nodded to her, as did so many others whom she had momentarily forgotten through life. Realizing that the jury had already contemplated her fate, Angel knew that it now all rested on the judge. Her eyes cast down as she momentarily slipped back in thought, expecting to see a judge full of wrath and harsh judgment. Glimpsing back at her serene-like supporters again, she found the courage to look up at the judge. Her tears this time were of pure joy: The judge was indeed presiding from the mercy seat and was full of grace.

Angel genuinely smiled this time, the outcome of the most important case of her life was more certain. In her clearest voice she politely and solemnly asked, “May it Please the Court?” This time Angel knew that she did.