

Guilty

Michael Botur

‘Drink,’ Spike tells Martin.

‘Nah, I’m good.’

‘You ain’t good, you’re fuckin queer. Drink, I said.’

Martin pats his stomach. ‘I have a triathlon on the 27th. It’s 81 kays. I hardly think giving my liver extra work would be advisable.’

Spike pours beer towards his little brother’s glass, misses, sways, squeezes the table, laughs, grabs the shoulder of a Jim Beam promotion girl carrying around a tray of shots, puts his cellphone in her face, gets her to add her digits, whispers something in her ear, sucks two cigarettes out of his packet, lights them, and tries to push one into Martin’s lips.

‘Suck on this, because you won’t be suckin on any titties tonight, little bro. Girl like that’d never root someone like you.’

‘What about Shavorn? She wouldn’t be impressed, would she, you philandering about.’

‘That ho? My arse is too pissed to make a booty call on that one tonight. All yours, little bro.’

‘But aren’t the two of you engaged?’

‘Pfft. Put a ring on a bitch, you get about fifty free blowies out of her, that’s all a ring’s good for. You should write that down. Best bitta advice Popup ever taught us.’

‘Popup would never – look, she deserves better, anyway. Case closed. Can we just go?’

‘Sayin we should make a move? Where’s me keys?’

‘Oh please don’t think you’re driving, not in the state you’re in.’

‘Can you drive anything other than a automatic? Nah? So shut the fuck up, then.’

Spike pats his pocket chain, follows the chain with his fingers, finds his wallet and his car keys. Time for Spike to drag Martin to the new *Sektioned* album launch party. It’s got cameo guitar solos from Dave Mustaine on it, plus Jeff Waters from *Annihilator*. Martin mostly agreed to be dragged to the idiot-fest tonight because Popup insisted. Popup’s getting senile. He thinks just because they’re brothers that they’ll play nice forever.

The night is purple, the bushes are dark blue. Spike’s lights eat through the dark shapes. He shaves corners, brakes harshly, makes the wheels stink. Christ, he’s drunk.

‘Want this up?’ Spike goes, and turns the volume up anyway. ‘This one’s *Power*, I love this song, Pow-AHHH.’

‘They don’t have the best diction, do they, these heavy metal singers,’ Martin says, folding his arms and drawing his knees up under his elbows. ‘If it were up to me, I would be in bed right now.’

There is a cat in the road which won’t move. ‘How many bucks will you gimme if I nail it? You got that big lawyer money.’

‘If by big lawyer money you’re referring to my whopping student loan... anyway, I won’t give you a cent. And I won’t be giving you any advice if you get yourself into a legal scrape. Just drive, Spike.’

‘Didn’t realise I was takin a bitch out tonight.’ Spike revs the engine. It sounds like a wolf gargling. The car lurches forward. His head is shaved, raw, ugly, naked, unafraid. Here’s what I am, Spike’s skull says. No pretences.

Martin begins swimming inside his own head. There are police cars ahead. Martin’s been to enough crime scenes on

his Law Enforcement 2.04 course to spot police lights from around corners. The trick is to watch the leaves of dark houses for just a hint of red and blue glimmer.

They don't say anything. They don't want to jinx the breath test they're about to get stopped for. Spike rolls a fresh smoke, using his knees to steer.

Traffic is slowing. Spike's eyes are darting. His chest is bulging out of its black singlet. 'Wanna swap seats?'

A ghost materialises, glowing and beckoning. It's a cop with chequers on his hi-visibility reflective greenish jacket. His torch is commanding.

Martin doesn't know who's jerked his door open, but someone has jammed their fingers in his armpits and undone his seatbelt. Spike drags him around the front of the car while Martin wriggles. Spike, who bench-presses women at parties, pushes his little brother into the driver seat, planting his brother's feet on the pedals. 'Jusgetincunt, jusgetin,' Spike's growling, 'Tellem it's your car.'

Martin rolls forward and hands his driver licence to the cop. Spike drums a rhythm on the dashboard, pretending he's just a passenger. Tonight was supposed to be inside, warm, friendly, cosy. The most dangerous thing tonight was supposed to be a spiky collar on a heavy metal musician in a record store.

The cop is checking some device which he's balancing on a rain-dotted clipboard. His torch is held between his head and his hunched shoulder. He writes notes while checking out the licence plates and then tells Martin to speak his name and address into a breathalyser.

It beeps. A green light says Martin has passed. The cop isn't finished. He knocks on Spike's window. Spike opens the window and spits near the officer's boots. The cop steps a metre back, talks into his radio.

‘Cunt’s checking to see if you got any priors!’ Spike guffaws. ‘Reckon I oughta knock him out? Oi – pig – this guy here’s a barista,’ Spike boasts. ‘Training to be one anyhow. You impressed?’

‘IT’S PRONOUNCED BARRISTER.’

The cop taps on Spike’s window with a fresh mouthpiece for the breath test. Martin buries his eyes in his hands. ‘This is going to court, dude. Beat him up if you must. It’s not going to help.’

*

Popup hands a heavy glass bowl of Caesar salad to Spike, whimpering as the effort drains his old muscles. Mum left the bowl behind after she died. She likes it being used.

The first-born gets the salad bowl first, and Martin watches, his face slumped on his fist. The so-called Caesar salad is mostly chicken and mayonnaise, Spike’s favourite. Martin’s brought his own lettuce and croutons in a zip-lock bag, because Spike doesn’t eat vegetables. If Mum were here she’d screech at Popup to hurry up. Boy needs his protein. Give everything to Spike is the rule.

Martin has a text book on his lap. He’s secretly studying every time he looks down. He’ll invoice his brother for legal assistance once the case is over. The 2016 law handbook clarifies that a person may represent another in court while on Pending Member status within the bar association. The drink driving charge will be like an exam, really. He doesn’t think of it as defending his brother.

Spike’s got all of his mobile phones on the table in front of him. He handles a lot of calls. A couple months ago, Martin was dropping some auto magazines from Popup round at Spike’s place when Spike took a call in which he kept saying

‘buried,’ as in ‘Buried? Where’s it buried? You don’t just bury ‘em.’

After they’ve eaten in silence for a couple minutes, Popup asks again how exactly it is that Martin’s poor brother has been summonsed to court, cracking open Spike’s beer for him and dabbing at the foaming can with his handkerchief until Spike yanks it out of his hand. ‘You’re going to get him off, aren’t you, Mart?’

‘Virgin Boy here couldn’t get off if he tried,’ Spike mutters, and leans back, fingers laced behind his head like a hammock.

Martin rests his salad fork parallel to his plate. He explains, using words with fewer than four syllables, that the district court charges should – SHOULD – consist of two appearances. Tomorrow, Spike will enter a plea –

‘Heavens to Betsy,’ interrupts Popup, ‘Tell me you’re not going to plead guilty to that awful thing.’

Martin sighs. ‘I’m compelled to follow instructions from the client. It’s not up to me if he enters a guilty plea.’

‘I didn’t do shit. I didn’t drive fuckin drunk. Martin, you seen me drive drunk?’

‘I was a witness to you driving drunk for a good 35 minutes, dumbarse. Lucky for you the prosecution won’t call witnesses until we’re pretty deep into this thing. Defended cases take months. There’s a – now, don’t get your hopes up – there’s a chance a case like his will be dropped if we dig in our heels with a Not Guilty plea.’

Spike snorts.

‘I don’t care what they say, I believe you, Mikey Spikey.’ Popup squeezes the shoulder of his favourite 35-year-old.

‘You can’t let my arse catch another driving conviction, I’m fucked if I do. I’ll have to do a lag. Six months. I got priors to worry about. Shit, brother, swhy I’s tellin you ya

shoulda said you was drivin. What kinda proverbial son are ya?’

‘Prodigal, you simian.’

‘Fuck d’you call me?’

‘I’ll visit every weekend,’ Popup says, ‘If – if it comes to that. Which it won’t. Not with Martin looking after you. You’re your brother’s keeper, Martin.’

‘Yeah yeah. Mum said you’re not allowed to smoke at the table, brother dear.’

‘Mum’s dead,’ Spike growls, exhaling a blue cloud, ‘And this is an exception. It’s a celebration, innit. Cause you’re gonna get me off. And I’ll even pay your virgin arse.’

‘Pay me with what? Nazi thug money from your little Sri Lankan dairy owner protection rackets?’

‘Pay you with a piece of arse, virgin.’

‘Very well.’ Martin takes an exhausted breath. ‘I wouldn’t mind a ride on Shavorn.’

Spike pushes back from the table, says ‘Vooo,’ punches his right hand into his left palm. Spike’s on-again, off-again girlfriend Shavorn once joined them at the dinner table and ended up laughing hysterically after she admitted she thought carbon was something invented on Star Wars. ‘Ride on my missus, that’s crack-up,’ he says at last. ‘Shit you got a sense humour on ya.’

‘Boys?’ Popup says. His eyes ask a question.

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Spike turns up late to the courthouse, says he stopped off to get a nice shirt. It’s a plain black tee, except Spike has ripped the sleeves off it while in the elevator. Martin tells his brother his muscles make him look guilty.

‘I *am* guilty,’ Spike goes, chuckling so hard he has to spit pink phlegm into his palm and wipe it on the seat of his pants.

While waiting to go in the court, Martin keeps checking out the window to see if his bicycle is still safely chained up in the bike stand. In a way, it's disappointing no one is out there trying to steal it. Surely someone out there envies Martin's life and wants to take what belongs to him.

Spike kills time by rounding the courthouse corridors, finding friends everywhere. Martin can't believe how many people know Spike. He's a rock star amongst lowlives. One fat, bullish ginger-goateed security guard is a friend, another is an enemy who Spike shouts WESTSIDE at. There's a guy with a devil tattooed on the back of his head. Spike strides towards him before Martin yanks on the collar of Spike's t-shirt and Spike takes a swing at Martin and Martin ducks and covers his head and screeches at Spike to calm down and the enemy security guard comes over.

Spike has hurt that guard at some point, or the guard's hurt him, but it turns out they've bonded over the experience. Gorillas in the mist, these people. Spike shadow boxes in the guard's face, and the guard defends with raised palms and a boxer's stance. They quarrel for a bit, and the guard bellows BEASTSIDE, then the guard slips Spike a piece of folded paper.

They enter the wood-panelled court room after 20 minutes of fucking around and Spike finishes waving at everybody, takes his seat and opens the paper and whispers, 'Text this number for me.'

'Why does this say Constable... What is that, the police officer's number? The one who...? You are NOT sending threats to ANYbody, is that clear?'

'ALL RISE FOR THE HONORABLE JUSTICE CHOGHAM,' says a black woman in a suit.

Martin leans close to Spike's shoulder as everyone stands, recoils at Spike's meaty, manky stench, like the insides of

tramping boots. 'See the prosecutor's little pile up there? The folders? That's forty cases, I'd say. That's a busy day.'

'Meaning?'

'Meaning they'll bail the minor cases, concentrate on the serious cases.'

'Meaning?'

'Meaning he's overloaded as anything and I'll bet you're going to get a break today, until the next time you screw up, that is.'

Spike rolls a cigarette. 'So what if I screw up. That's why I got you, brother.'

*

Cars. Stacks of bourbon and cola cans. Caviar. Women in bikinis. Confetti. Bunting. Cigars. Bouncers. Booze. Cocaine. Pool noodles. Diving boards. Pool lighting. Champagne flutes. Pipes. Bonges. A pig roasting on a spit. Strobe lights. Cigarette butts. Heat lamps. Hot dogs. Grinding. Twerking. White clothing. Leather. Patches. Tiki torches. Ray Bans. Muscles. Tank tops. Tribal tattoos.

Spike's party is at Popup's place, where Spike sleeps in his old bedroom from Monday to Wednesday most weeks. The case hasn't finished, but Justice Chogham has indicated Spike does not have to reappear in court for the next scheduled date, which is largely administrative, and that should be indicative of the final outcome of the case. It's over the hill. It's winding down. It's almost done. Martin could explain precedent cases to the few people at the party who notice he resembles Spike and realise he's the Barista Brother, but people don't yarn to Martin for very long. People get impatient with the way Martin talks and leave the conversations, especially women.

Spike's sometimes-on, sometimes-off girlfriend Shavorn is decked out in black and pink. Her bikini and thong are black; her bandana is pink. Her stomach is concave; her teeth are bright. Her body is hypnotic. Martin keeps one eye on his bicycle and one eye on Shavorn.

Shavorn spots him and drink spills out of her can and she starts talking from five metres away and lurches into a rant about how she's finishing her Level 1 Cookery class in October so she can, like, tooootally understand how satisfied Martin feels to finish qualifying as a lawyer. Shavorn stands on the tips of her jandals and gives Martin a peck on his cheek and says You saved his arse, you have to tell me if there's anything I can do. Martin looks around for witnesses, then strokes her forearms, parts her fingers with his own, tips his head into her neck and breathes heavily on her.

'Let's talk over here,' he says. They link arms and scurry into an alley running along the garage. He's looking behind him, looking ahead, not really looking at her, hustling her down some steps. There are more cars down here, but hardly any light, and Martin is bending her over the bonnet of a car – her car? His? – and licking her chin.

'Dude,' she begins, 'Are you sure...?'

'C'mon,' he says, 'I hardly ever get thanked.'

Shavorn has never been fucked in the boot of a car with the lid down, but she fits inside and there's a pile of clothing and some pool toys in there which are soft on her back. It's terribly cramped but it's over in about a minute. Martin seems to want to do this, that's the main thing. She supposes he's got a right. Martin is her fiancée's brother, it's not as if he's, like, a stranger or anything. It's just kinda weird. He never gave any indication he even liked her until tonight. He always made her feel dumb, the questions he asked her about her opinions on shit that she didn't have an opinion on. Like, of COURSE

polar bears need protecting. They're epidemic species in Antarctica, like seriously?

Martin's eyes roll back into his brain as he comes and thumps the car frame, grunting and thumping and squirming and shaking his head, and pushing backward. He hops out of the boot and puts his forehead on the grass, dry-retching.

'Back to the party,' he says, standing up, swaying. 'Gotta mingle.'

'You forgot to wear a rubber, by the way, ya fuckwit,' she says. 'Lucky for you – God you're– are you crying? What the fuck? You got laid, didn't ya?'

*

It seems like Spike has his baby in either a month or a year, Martin's too busy to note the time frame. There's the Burmese tourist case, there's the defence of those guys from Operation Albatross, the antiques thing takes two months to resolve, and of course the HSBC account keeps him busy. Martin belongs in his office 10 hours a day, some days it's 11 hours. He has fruit for lunch, he speaks politely to reporters to get his name in the press, he starts a club for the other lawyers who enjoy cycling. His career wouldn't have launched so well if he wasn't networking with prosecutors and barristers as they rode three abreast each morning. Spike and his little gang of bullies can bond through fight clubs and Aryan Brotherhood tattoos and driving lowered Japanese sports cars all they like, but Martin soars above all that.

A man is not completely trusted in legal circles if he's not a family man, that's an issue holding his career development back, so although Martin has no interest in any woman, he has to endure his father and his brother once a week. He has to gather news to mumble when he's stuck on cruise ships with the senior partners. Martin's never late – his cycling routes have very few variables– but Spike's often late. Sometimes

Spike's only 20 metres away, sleeping on a mattress in the garage, and Martin will still make it to the dinner table earlier than him.

Popup can't stop going on about his granddaughter, and much as Martin wants to hold it against him, he doesn't. It's good to see the old man preoccupied with being a grandparent. It gives him some purpose in life, and Popup's even painted the old washroom for the infant to sleep in, put insulation in the attic, installed a crib and hung a mobile from the ceiling. Shavorn was firstly pregnant, then bulging, then she gave birth, now she waddles around in a daze, fat and confused. All this within a year.

Spike tells Popup and Martin he's not getting enough sleep what with the baby fuckin bleating non-stop.

'Ever heard of a pharmacy?' Martin goes, 'They sell drugs there – not sure if you're into that sort of thing, though,' and Spike punches Martin in the shoulder hard enough for Martin to almost fall off his chair and cling desperately to the family table. Shavorn gasps and presses her nipple back into the baby's lips. The huge bib Shavorn's wearing covers the baby and her breasts. It was a compromise with Martin. Martin was worried the debate over public breastfeeding would enrage Spike, but Spike said he didn't care either way. Spike acts like the baby's not even his.

Popup tickles the chin of his little grandson and tells Shavorn for hundredth time how much it looks like its father.

Shavorn puffs smoke across the dinner table. 'Looks more like Uncle Marty if you ask me.'

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Spike's out in the harbour, fishing with the boys, when Cellphone Number Three tells him somebody's saying on Facebook Shavorn's been ho-ing around on him. Spike paces the boat for three hours, making fun of the boys' jandals and

their tats, nudging the boys when they're trying to sink a line, hoping one of his mates wants to fight him. All they do is direct his anger towards the cunt on Facebook saying Spike's made a ho a housewife, saying the kid's dad's probably some Pakistani courier. Spike tells his mates to get the fuckin boat back home, pronto. Soon as the launch touches the jetty, Spike's out and into his old man's ride and filling the tank and driving off without paying and finding the right driveway leading to the right house with the right smartmouth occupant and he's hooning up the driveway and ramming the guy's Mustang till the car bumpers get stuck together, and the guy's missus comes onto the driveway clutching her own baby and screaming. The guy Spike's come to beat up has gapped it out the back door and bolted over the fence. Spike bunches his fist, gets ready to knock the shrieking bitch out, and her fuckin baby too, then untangles the crumpled bumpers and gets back in the car and drives around to Popup's place, where he finds Shavorn in her snuggie, relaxed as fuck, rocking the baby's crib with her toe, watching cartoons and chewing a candy cane because Christmas is coming up.

Spike pushes her head down, takes a thick braid of her bleached hair and wraps it around her neck. Her strangles his baby's mother until she points to a letter on the carpet. He lets go and she cries and shuffles into the bedroom, comes back out with moisturiser, rubs it into her neck, sniffing. Spike's hands are shaking so bad he can hardly light his smoke. The letter's got Spike's name and address. It's confirming a booking for a paternity test at this fuckin company called No Questions Asked. This guy Vance Cockerel does all these infomercials, gets heaps of business through cheaters and marriage breakups and litigation. Just call 1-800-NOQUESTIONS.

Spike puts his lips in front of Shavorn's nose. She doesn't cower, just looks at him patiently. She grew up with angry

men in her face most days. ‘Is this a fuckin hunka junk mail or is it somethin somebody’s tryna tell me?’ The words squeeze through his teeth. ‘You’ve got four fuckin seconds to fuckin tell me if that baby in that fuckin cot is my fuckin little girl or else.’

Shavorn puts her candy cane back in her mouth, stomps to the bedroom, flops onto the bed, finds Google on her phone, finds the number for Martin’s legal practice, and dials Martin.

Spike stands in the doorway while Shavorn talks to Martin on speakerphone. She rubs more healing lotion into her neck.

‘Don’t tell him shit about the choking thing,’ Spike instructs her.

‘Hey, Marty. I’m just calling about... well it’s about our baby.’

‘For starters, please don’t call it our baby, that child’s biological father has not been determined,’ Martin’s voice says over the speaker, crackly, quotable, professional. ‘Is that what you’re calling about?’

Spike unfolds his arms then re-folds them. He moves over to the other side of the door frame. It creaks as he slumps against it. Pop’s house is 80 years old, now. Pop’s gotta cark it, soon enough. Spike can’t wait to inherit the place. Sell it, pay off a few people he owes a few bucks.

‘What’s he mean “don’t call it our baby”?’ Spike goes.

‘Spike’s freaking out over Vance Cockerel and he reckons his baby ain’t his,’ Shavorn says, rolling her eyes. ‘Can you represent me? I think we need a divorce.’

‘I’d... have to check on the legality of your marriage in the first place, I’m aware your wedding ceremony was conducted by a clairvoyant and clairvoyants aren’t usually licensed marriage celebrants so... anyway, no, no I can’t. I’m sorry. This’ll have to be a No, from me. I’m ending the call now. I have a client. Buh-bye, now.’

‘MARTY!’ Spike bellows, ‘Give us the phone, skank. Mart? You can represent me. Fuck this ho.’ Spike jabs Shavorn with a taloned finger. She hugs her knees, sucks her candy cane. ‘You still on speaker? Brother, something ain’t right here. I’m real cut up.’

‘Do the two of you have a pre-nuptial agreement?’

‘The fuck’s that?’

There’s professional silence while Martin thinks. ‘Just make an appointment, okay? Same as everybody else. My office. Next week is good.’

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Martin’s a busy man. It’s the little bits of administration that get him out of bed and on his bike six mornings a week. His business cards, for example, need updating. New year, new business cards. Handing out stale, redundant cards is not acceptable, plus the cards remind him of last year, and he wants to move on. There’s the simple act of scheduling court appearances too. He’ll always be there for what’s important. Martin’s not missed a single appearance, even when he got nasty influenza after cycling 200 kilometres in the rain while he had a chest cold. He’s still always early to court and enjoys asking Security politely if he can sit alone with the polished wooden walls of the empty courtroom to be his friends while he prepares his defences, 30 minutes before anyone else comes in and sets up. Today he steals up to the front of the court, unlocks the little gate, and puts a single foot on the steps leading up to the seat of the judge. Just four steps to a judge’s chair. Okay, that’s established. He returns to his seat.

Spike’s custody hearing begins at 10.30. Martin doesn’t make it out of his other appointment at the High Court until 11.15, and he has to pause for eight minutes to urinate then drink a bottle of spring water, and it takes forever to find a recycling bin to dispose of the empty bottle.

Martin enters the court, excuses himself for being late. Spike stands up and bellows, 'I OUGHTA KILL YOU, WHERE YA BEEN?' and the judge says 'EXCUSE ME! EXCUSE ME!' about 15 times until he gets Spike's attention. Spike lets a few swear words in while he's apologising to the judge. Shavorn's in the corner, chewing her fingernails, playing with the legs of the blanketed baby on the table in front of her.

When the judge has accepted the 20-page account Martin has prepared describing the positive aspects of Spike's lifestyle and arguing that Spike is a responsible and organised man who runs a successful security business, the judge says he's close to awarding joint custody – that is, if Spike can confirm he is the biological father of the little girl.

The paternity test from Vance Cockerel is tucked at the bottom of Martin's briefcase. Martin couldn't find enough legitimate papers to bury it under, so he put a ream of photocopier paper in there. He could bring it out, or it could remain squashed. It says the baby's DNA resembles that of Spike, but only a 44% chance it's his baby. The DNA resembles that of Popup, too. And Uncle Martin.

'IT'S MY FUCKIN BABY' Spike bellows, and storms out of the court room.

'Sorry about this, your honour,' Martin says. 'We're certainly interested in custody, but it appears we won't be claiming paternity at this time.'

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Spike has been running the engine of his vintage 1980 Valiant 2.3 for six hours before Popup shuffles across the driveway on his zimmer frame to ask his son if he'd like an Irish coffee to cheer him up. He finds Spike asleep at the wheel, wearing a beard of vomit. His skin is purple. The

garage feels foggy. It's hot and moist and stinks of grass clippings.

Popup wants to preserve the garage where Spike has gassed himself. Martin wears him down over a few weeks. A couple of Spike's Nazi boot boys knock the garage down with hand tools, then Martin gets a bulldozer in and has the foundations ripped out.

Martin Dozois's partner profile on the website of Torville, Tyson & Dozois describes him as a family man. It is essential for his career that he lives up to what the biography says. He escapes the house at 5.15am each weekday and meets the cycling gang who he feels are his real family. Evenings, though, are for the rest of his family. 7pm until 5am are mostly spent cradling his bony father, brushing the old man's hair, dabbing shaving cream on Popup's spotty face, putting his fingers in the bath water to make sure it's just right. After his father is situated in the bath, the old man likes to cradle the baby, gargle bath water and gently spit it over the tiny girl's face. Whoever said two men couldn't raise a baby without a mother? Popup loves looking after his son's child.