

*High school teacher  
awaits trial for  
shooting an illegal  
alien.*

## **Gringo**

by Frank Kyle

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# GRINGO



**Frank Kyle**

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## I. Preface

It was Robert Nikolovich, a former student of mine, who got me interested in recording<sup>1</sup> the events that culminated in my being jailed on a charge of first degree murder. At our only meeting, he explained that he wanted to investigate the chain of events that led up to the shooting. He said that I had become a mystery to him, that the man portrayed in the media was not the man who had been his teacher. He said there was a disconnect between the teacher and the murderer that needed explaining. Thus he sought a different slant on what had happened that would explain the connection between the two men—the one he knew and the one he did not know. During the meeting I told Robert that I was flattered that one of my students would go so far as to put aside his studies in order to better understand his teacher, but I said I did not think it would be possible. Meetings with outsiders were difficult to arrange, and I knew my lawyer would stop the visits if he found out about the project.

There were other reasons, of course, for my being reluctant to enter into such a project, reasons that I did not communicate to Robert. Having retold the story dozens of times to the authorities and to my lawyer, I had little desire to retell it, especially to a former student. It would have felt odd, like a parent confessing his sins to his child.<sup>2</sup> And then there were the two harpies that had plagued me since my arrest and incarceration, anxiety and depression. I wanted only to lie on my bunk and stare blankly at the concrete ceiling as it seemed to close down upon me. Yet, most all I feared what Anne and Kelly would think. I knew that my dark mood would taint everything I said, like drops of blood or splashes of ink upon a pretty yellow and blue summer dress. I didn't want such thoughts to become public. Anne and Kelly had suffered enough.

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<sup>1</sup> I have tried to record events and conversations as accurately as memory allows; however, in the retelling of conversations I found that I often had to settle for recreating them from the fragments I could recall in order capturing the gist and spirit of what was said.

<sup>2</sup> And yet has not the time come for my generation to confess to its children? To ask their forgiveness for having destroyed the America that was bequeathed into our care by our parents? And is not our greatest sin our refusal to recognize our sinfulness, to continue to deny that we have betrayed our national home and its culture and thus our children, and that we continue to do so, even now?

When I told Robert that I didn't believe the project was feasible, he said he understood, but his disappointment was visible. So I added that he should give me time to reconsider the possibility of the project, that perhaps something could be worked out and that I was willing to meet with him again at a later date to discuss the project further. At that he brightened, thanked me and left. I have to admit I was both surprised and pleased that a former student would take an interest in me. So when I met with my lawyer later that week I told him about the project.

His reaction was, "No way. Are you nuts! Maybe after the trial, but I wouldn't recommend it even then. If you are found guilty, we will want to appeal the decision, and if you are found innocent, you will not want to say anything that might go against you in a civil case." He was right; still I could not help but think, *Fucking lawyers!*<sup>3</sup>

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<sup>3</sup> Of course, lawyers are *Fucking lawyers!* only because they do not seem to take sides. Whether they are prosecuting us or defending those who have harmed us, we know that ultimately we do not matter to them, no more than we matter to the legal labyrinth they serve. Yet, what we detest most is the labyrinth, and we detest it because we fear it, and we fear it because it is part of an infinitely larger labyrinth, modern society, in which each corridor, alley, and passageway is itself a labyrinth. It has reduced us to helplessness and made us dependent upon lawyers. It seems that our lives are no longer our own. Today's society has become one of M.C. Escher's drawings, a labyrinth of staircases that go up and down endlessly, but ultimately lead nowhere. We are climbers, like Kafka's Mr. K, constantly seeking but never finding, constantly going but never arriving. There is no summit, exit, or escape, only exhaustion, collapse, and death.

I understand that lawyers use the system to their own benefit. That is why *they* became lawyers in the first place. That is their wisdom. They know that when one is trapped in a maze filled with roving minotaurs it is better to ride upon the shoulders of a minotaur, holding to its horns, than to be trampled, gouged, and consumed by it. Some lawyers serve the labyrinth itself, by guiding the minotaurs to those who have lost their way, who have stumbled and fallen, who have grown sick and weary, who lack the strength, cunning, or ability to climb upon the shoulders of the marauding beasts. These lawyers not only survive but are handsomely rewarded by the owners and operators of the labyrinth, who delight in the on-going calamity because it is the source of their wealth and power. Other lawyers choose to protect those who have responded to their disorientation and feelings helplessness with rage and madness that cause them to become minotaurs themselves, preying upon those who are weaker than themselves. And so lawyers not only survive the fate of the Labyrinth but thrive by serving it as collaborators, growing fat off the calamity, as vultures grow fat off the carrion they feed on.

Though I decided that another meeting with Robert would not be possible, his desire to get a *different slant* on what had happened started me thinking about how I ended up in jail. Certainly there was the shooting, but that was a simple event. There had to be more to it than that. Then I realized that I was in jail not only because I fucked up but because everything is fucked up. And that aspect of the shooting, I knew, would not come out during the trial. The country is breaking apart like a supertanker on a stormy sea, and I'm one of many who have fallen overboard, but there will be many others who will follow my downward path into the sea—many, many others. Some will make for lifeboats where they will wait, but for what? No rescue ships approach, only dark clouds. And the others? The sea shall take them. I knew that what I had to say would be as welcome as Zarathustra's announcement of the death of God. Still, what I had to say was hardly a tragedy; we have become too ridiculous to be tragic. A comedy of errors is what we have become—a very, very dark, sick comedy.

Still my thoughts remained random and disorganized, until I met with Dr. Yerkes, the psychiatrist my lawyer had arranged for me to talk to. Dr. Yerkes suggested that because I had been an English teacher I should

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America has become a labyrinth filled with minotaurs that roam its endless, exhausting passageways and terrifying dead-ends. I have reached one of those dead-ends myself and can now hear just out of sight the snorting and stomping of those who like myself wait to be sacrificed, enraged and driven to madness by the labyrinth, they too need their sacrifice. And upon the back of one of the minotaurs rides my nemesis, Godofredo Schwazanbach, the District Attorney of San Diego, and the only thing that protects me from its hooves, horns, and teeth is my own lawyer, a wily dark knight, dressed in black and riding high upon the back of his own snorting, trampling beast.

*Fucking lawyers!* I want to believe that he serves me, but seeing him sitting high above on the back of the beast I understand by the grin he wears like mask that he serves not me but himself. Had the Mexican killed me, he would have been happy to defend him, happy to defend anyone who can afford his fee, which is not insubstantial. By serving the labyrinth, he avoids becoming one of its victims, and profits well to boot.

Of course, my words are not to be trusted. They express what I feel rather than describe a state of affairs. If they are true, it only because you feel as I do, because you too have stumbled and fallen and now feel the ground tremble as one of the beasts approaches; but if you ride upon the shoulders of a minotaur, then you believe that the labyrinth is as it should be and that those who stumble and fall are weak and deserve to be trampled, for a price of course, always for a price. Suffering without profit is the only sin.

engage myself in a writing project as a form of therapy, that it would give my mind focus and keep it busy, which would also help distract me from my new awful environment and perhaps even lessen the melancholy caused mostly by the suffering I had caused my wife and daughter. I asked him what I should write. He said it did not matter, just write. With Dr. Yerkes' suggestion in mind I began to think about my conversation with Robert, and finally decided on a topic. I would write about how I evolved from harmless English teacher to a murderer. The project appealed to me because I also wanted to know how that happened.

As I became more involved in the project I increasingly cut myself off from others. I did not trust my lawyer or what he might do if he learned of the project; I could not discuss it with Anne, who would rightly find it irrelevant under the present circumstances; or with Dr. Yerkes, who was unavailable to me. So I turned to Robert. I wrote him to say that I was still very much interested in the project he had suggested and that I decided to begin a journal that would allow me to explore the events and my state of mind leading up to the shooting. But I also said it would be impossible for me to discuss the project further until after the trial. In his reply he said he understood the reason for the postponement and looked forward to meeting with me again after the trial. He also wished me luck. However, I did not tell Robert everything. I was not sure what exactly he had in mind for the project. If by chance I'm found innocent, what useful purpose could it serve? I didn't think there was any. However, if I'm found guilty, and I think there's a good chance I will, then I want my perspective on the whole affair to be known. So I began writing my side of the story and would wait on the outcome of the trial to decide whether it should be used for the project Robert had in mind or destroyed.

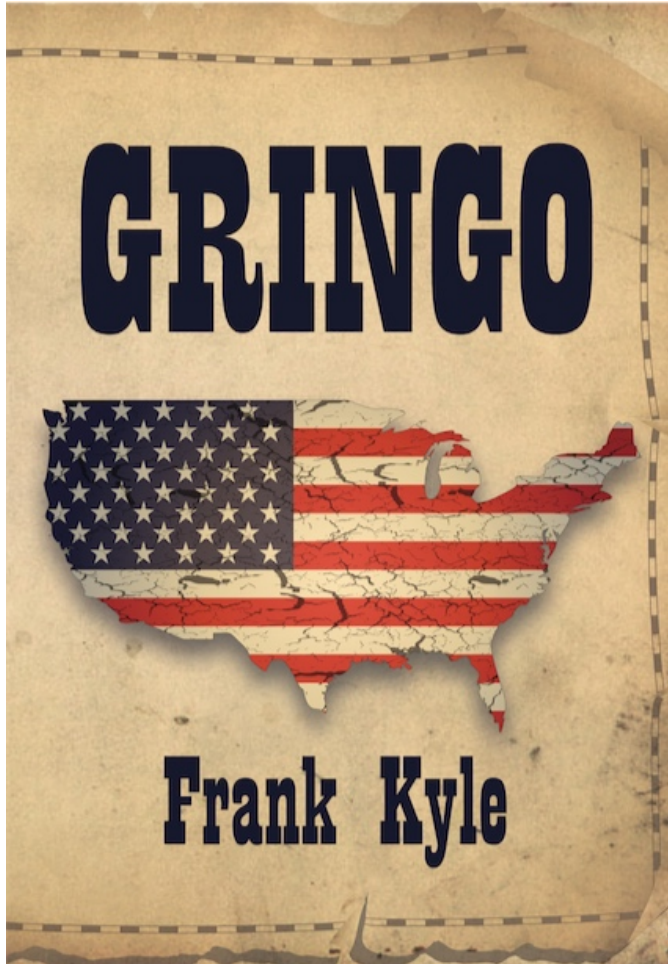
Who is Robert Nikolovich? Who are any of us, for that matter? Ultimately, knowing the soul of another person is impossible. All we have are impressions. So I will describe to my impressions of Robert. He is tall, Jack London handsome, sincere, and deeply curious about the world. Like many of my best students he seeks to do something that might improve the world. I have never believed that he or the other serious students like him could ever make much of a difference. There are simply too few of them and too many problems and too many bad guys in positions of power, and, of



course, that great majority of people—the indolent, muddled-minded masses.

However, like Camus' Sisyphus, the value of one's life is not to be measured only by its results but by its character. Consider the *médecins sans frontières* who travel to the worst places on the globe to heal the sick. They achieve a goodness and heroism that cannot be nullified, whatever the final outcome for those regions. (Perhaps in this case the more appropriate character would be Doctor Bernard Rieux in Camus' *The Plague*.)

I'm still baffled why Robert has taken an interest in me, but I assume it's because I've become to him one of those things that, if at all possible, needs to be understood. How is it possible that an educated, reasonable, and affable high school teacher would make such a mess of his life? Perhaps Robert thinks that if he can understand that he'll gain some insight into the nature of human existence. Through my life he will strive to illuminate for himself that destructive side of human nature that is constantly tossing the lives of individuals and even nations into states of painful turmoil. And so with Robert's purpose in mind, I began writing, and soon I found that my notes had become something like a memoir. I can't be sure how Robert will take what I have written—or my other students if they have the opportunity to read it. I think they will be disappointed in me. Well, so be it.



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