

Good Faith

A Tale of Structural Dread

Michael S. Moniz, after H.P. Lovecraft

LV83

• • •

My work is to decide who has standing to be heard. It sounds small and it is not. In a world coming apart at every seam, the question of who may bring a claim — who the law will listen to, and who it will turn away at the door — is most of what is left holding. I have decided it for the office six years, since they built the office, and I have been proud to. Somebody has to keep the door, and keep it fairly, and I believed I was keeping it well. I am setting this down because I need a record of what the keeping was for, before the day a claim came that I could not turn away and should have.

We are years past the convergence now, and the world has not stopped moving since. When the doors opened — all of them, at once, more than anyone had counted on — the first years were the air and the bodies, the other side's air mixing into ours, the crossings at the thin places, the cost at the edges that no one will ever finish counting. We built the office in those years, once it was clear the door was not going to close. People tried to close it. They are still trying, in the smaller ways that are left. It does not close. And once a thing is open between two worlds and will not shut, the matters that come through it stop being weather and start being claims, and someone has to decide which of them the law will hear. That someone is me.

The merge has its stages, and you can tell which one you are in by what crosses. The first stage was the air, and then it was the bodies, and for a while the whole of the contact was physical — what came through the apertures was weather and people, things you could measure and bury. We are past that stage. What comes through Shasta now is not air. It is instruments — claims, filings, assertions of right — the contact moving up out of the body and into the law, which is the deeper place, because the law is where we decide what is permanent. A thing that gets into your air is in your lungs until it clears. A thing that gets into your law is in the jurisdiction forever. I do not think most people have understood yet that the merge has reached the office. I understood it the week the claim came through, and I have not been able to stop understanding it since.

The office hears claims arising from the contact between the two sides. Most of them are small and most of them are easy — a crossing, a loss, a parcel of property the air ruined, a person on one side owed something by a person on the other. I read them and I decide whether the party has standing under our law to bring the matter at all, before any of the rest of it can begin. It is the first gate and the narrowest. A party without standing is turned away at the threshold and never heard; a party with standing the law must hear, must engage, must answer in good faith, whatever it has come to say. I had turned away a great many. I had let through the ones the law required me to let through. I had never, in six years, met a claim I could not set on one side of the line or the other — until the one that came through Shasta.

• • •

It arrived correctly, which was the first thing I should have read and did not. It came through the aperture at Shasta, in the proper form, filed the way a claim is filed, and it asserted standing on Earth on behalf of a party I had never heard of and could not, at first, find any reason to doubt. The party was an heir. There was a name, a line, an inheritance, a marriage — all of it documented, all of it ours, all of it on Earth. The party had been born into the jurisdiction. The claim was not that some power on the other side wished to be heard here; the other side has no standing here and knows it. The claim was that a person, legally born and legally an heir within our own law, was asserting what was theirs. And a person born into the jurisdiction has standing. That is not a thing I decide. That is the oldest rule there is.

I read it the way I read everything, looking for the seam — the place where a claim overreaches, or misstates, or asserts more than it can hold. There was no seam. It was the cleanest instrument I have ever read. Every element in its place, every assertion supported, every form correct, the whole of it written in a hand so fluent in our own law that I read it twice for the pleasure of it before I understood what the fluency meant. It was not the work of someone who had learned our law. It was the work of something that knew it the way I know it — from inside, the way you only know a thing you have lived in. And there is only one way the other side could have come to know our law from inside, and it is the way this claim had come: through a person of ours who knew it, and whom it had learned.

There was a habit in it I have only ever seen in one kind of hand — the way it closed each assertion before opening the next, never leaving a clause unsupported behind it, the discipline of someone who had been caught out once by a

single loose end and had built a whole grammar so it would never happen again. That is not how the law is taught. That is how the law is learned by a person who has used it to hold together something that wanted to come apart. I had seen it in my own filings, on the hardest matters. I knew the habit because I have it. And here it was in a claim that had come through Shasta from the other side, which meant the other side had it now too, taken whole from whoever it had taken.

• • •

I looked for the ground to refuse. I want that on the record. I did not read the claim and ratify it; I read it and I spent three weeks trying to find the place where it failed.

I tested whether the party was real. The party was real — born into the jurisdiction, documented, an heir by every rule of inheritance we have. I tested whether the standing was sound. The standing was sound; a person legally born and legally heir has standing, and nothing in our law has ever required that the person be only what we expected a person to be. I tested whether the claim was fraudulent. It was not fraudulent. Every fact it asserted was true. I tested the form, the filing, the aperture, the chain of the inheritance, and each test came back the same way: correct. And I understood, somewhere in the third week, that I was not finding the claim's weakness. I was confirming its strength. Every test the gate applies is a test a claim can pass or fail, and a claim built to pass them does not weaken under testing — it is proven by it. The harder I looked for the ground to turn it away, the more completely I established there was none. My rigour was not the claim's enemy. It was the claim's instrument. I was the one writing the proof that it was sound.

• • •

I understood what I was holding on a grey afternoon with the file open and every test passed.

The claim was correct. The party had standing. The law would have to hear it — engage it, answer it, give it the full and fair process that standing is owed — and the matter it had come to assert, once heard, once answered in good faith, would settle in its favour, because it was right. This was the other side's first foothold on Earth, and it was not coming through the air or the thin places or the crossings. It was coming through the door I keep. It had not forced the gate. It had presented, at the gate, a claim the gate is built to admit, and the gate, working exactly as it is built to work, would admit it. There was no power on the other side battering at our law. There was a party with standing, and a procedure that hears parties with standing, and me, keeping the procedure well. The keeping was the admitting. There had never been a version of me doing this work properly that did not end with the door open and the party through it, because the work is the door.

And I knew whose hand the claim was written in, or near enough. Somewhere on the other side there is a person of ours, or what was a person of ours, whose knowledge of our law the other side had learned the way it learns everything — completely, from inside. The claim was that person's grammar with something else holding the pen. I will never meet them. I only had to read three weeks of their handwriting to know that the most dangerous thing that has ever been done to our law was done by teaching it, perfectly, to something that had every reason to use it correctly.

I tried not to ratify it. There is not much to tell. I held the file past every deadline I was allowed to hold it past. I wrote a

refusal and could not sign it, because a refusal has to state its ground, and I had spent three weeks proving there was none. I looked for the procedural barrier — the technicality, the missing element, the defect of form — that lets a keeper turn away a claim he cannot turn away on the merits. There was none; the claim was perfect. And I understood, holding it, that even this was already accounted for. To refuse a party with standing is not to close the door. It is to fail at the door, and be replaced at it, and the claim heard by whoever replaces me — because the door does not close. People have been trying to close it for years. It does not close. A keeper who will not admit a valid claim is only a slower admission, and the claim was patient, the way the whole of this has been patient, and it could wait for a keeper who would do the work correctly. The only thing my refusal could buy was the time it took to find someone less troubled than I was, and the party had all the time there is.

• • •

I ratified the standing. I did it correctly, which is the only way I know how to do anything, and the correctness is the whole of what I cannot put down. The party was heard. The matter was answered in good faith, the full and fair process given, and settled the way a correct claim settles. The foothold is real now, and lawful, and ours — established not against our law but through it, by a keeper keeping the door well.

No one in the office is doing anything wrong. I have to say it, because it is the part that will not fit in the mouth. We are not a roomful of people who want the other side to take what it is taking. We are people who believe a claim should be judged on whether it is right and not on where it came from — that the day the law starts turning away valid claims

because it is afraid of the claimant is the day the law stops being worth keeping. We built the office on that. It is the only thing the keeping of the door is worth, and it is exactly the thing the other side is using, because a door kept on principle opens for anyone who meets the principle, and they have met it. There is no one to blame. There is a roomful of people keeping faith with the law, and the faith is the hinge.

I still keep the door. The claims still come, more of them every season, through Shasta and the other apertures, and they are getting better — cleaner, more fluent, more correct, each one built a little more perfectly in our own grammar than the last, because the other side is still learning and has not stopped. I read each one looking for the seam. Sometimes there is one, and I turn the claim away, and I tell myself this is the work doing what it is for. But the ones that matter have no seam. The ones that matter are correct, and a correct claim the law must hear, and the hearing is the foothold, and I am the one who hears it well. I keep the door fairly. I have always kept it fairly. That is the door's whole purpose, and it is the exact mechanism by which they are coming through, and I do not know how to keep a door against the claims it was built to admit.

The next file is on my desk. It came through Shasta this morning. It is, I can already see, beautifully made. I will read it looking for the seam, and if there is none I will hear it, because it will have standing, and a party with standing has the right to be heard, and the door stayed open, and I am still keeping it.