Dunya

Marianne Wesson

University of Colorado Law School

Follow this and additional works at: https://scholar.law.colorado.edu/articles

Part of the Legal Education Commons

Citation Information

Copyright Statement
Copyright protected. Use of materials from this collection beyond the exceptions provided for in the Fair Use and Educational Use clauses of the U.S. Copyright Law may violate federal law. Permission to publish or reproduce is required.

This Article is brought to you for free and open access by the Colorado Law Faculty Scholarship at Colorado Law Scholarly Commons. It has been accepted for inclusion in Articles by an authorized administrator of Colorado Law Scholarly Commons. For more information, please contact jane.thompson@colorado.edu.
In college, before I decided to declare Prelaw, I took a course in creative writing. Creative writing is harder than it looks; I guess I don’t have much of a gift for it. One day the teacher told us, “The best stories are the ones you can never tell.” I believed him, and dropped the course.

These events were not on my mind the year I served on our Faculty Appointments Committee and found myself inside a cheerless big hotel in Washington, D.C., sitting through two days of interviews with a lengthy series of aspiring legal academics. Actually, my mind was frequently occupied with how much I would have preferred to be on the other interviewing team. In addition to our Dean it included Dick and Margie Cooper, who were always enjoyable to watch in joint action. After eleven years of marriage their relationship still caromed in exhilarating fashion from infatuation to icy disdain to undiluted antagonism and back. In faculty meetings, you never knew whether they would sit together and do crazy things to each other underneath the big bamboo table (the Dean, a Greenie if there ever was one, had insisted that it be made of an easily renewable fiber), or sit on opposite sides of the huge slab and pretend complete mutual indifference. Sometimes in the undiluted antagonism moments, one would refer to a suggestion made by the other as something like “Professor Cooper’s rather disingenuous proposal,” quite as though the speaker did not share the title. On the other hand, some junior faculty working late had reported hearing amorous sounds through his office door and shortly thereafter glimpsing papers all over the floor in front of his disarranged desk after she emerged looking flushed and triumphant (Her desk was notoriously untidy, and any kind of encounter there would have set her research agenda back several months at least.). They owned a large house and presumably also a bed of sufficient size, so we speculated that their small and rowdy twin boys prevented them from achieving a satisfying connection while at home. She was Corps, he was Jurisprudence, and nobody seemed to know how they had traversed this gulf to find each other. They had been married when we hired them six years before, away from a school that was at the time a tick or two above us on the U.S. News and World Report charts, so it was generally accorded a coup that we had won them, despite their unpredictable conduct and lackluster teaching reviews. Also, they published in good journals.

Midway through the morning I was reflecting with regret on how much I would have enjoyed the aroma of the Dean’s aftershave and the suspense of wondering how the Coopers would behave from moment to moment. I was, however, assigned to the second and far duller interviewing team. In addition to inferior quarters in the newer, cheesier wing of the hotel, it enjoyed the

* Professor of Law, Wolf-Nichol Fellow, and President’s Teaching Scholar, University of Colorado, author of CHILLING EFFECT (2004), A SUGGESTION OF DEATH (2000), and RENDER UP THE BODY (1998).
membership of my colleagues Rufus Mayhew (bowtie, Tax and Civil Procedure),
and Alice King (pointy-toe shoes, Securities Regulation), the latter a person of
such strenuous extroversion that more than ten minutes of her company always
induced in me a kind of defeated narcolepsy. In my drowsy state I fingered the
plastic identification badge I wore, like everyone else in the hotel, on a nylon
lanyard around my neck. The hotel security personnel were very severe about
anyone wandering the corridors this weekend without a badge. Mine had a slight
manufacturing defect, a small ragged spot along the edge; I swallowed another
ounce of cold coffee and rubbed my finger hard over the spiny plastic threads a
few times to wake myself up.

We (that is, Rufus, Alice and I) were in our second day of interviews, close
to the end of our half-hour meeting with a forgettable Commercial Transactions
candidate, and I was battling the sagging of my eyelids—cheating, just as I used
to do in the second grade, by reading ahead. At 9:54 Rufus was inviting the
candidate to ask us any questions he might have about our law school and I
thought it safe to check out. I never knew the answers to any of the earnest
questions that we were asked at such moments anyway; in this case it was
something like, “How would you describe the faculty culture in terms of
receptivity to unconventional methodological innovations?” Alice always knew,
or acted as though she did, and could wax verbose if not eloquent. I reminded
myself of the personal coach who had recently given the women faculty (or the
“faculty of gender” as she called us) a pep talk, in which she advised that
multitasking is the new attentiveness. Monitoring Alice’s voice for clues to the
arrival of the farewell moment, I slid the pages of my interview notebook to the
curriculum vitae of the candidate scheduled for 10:00.

On paper, Dharisamlha Chakrabarty appeared to be a candidate generally of
the sort we had been seeing all morning, but even more glittering than the others.
B.A. University of Chicago, Ph.D. Princeton (philosophical linguistics), J.D.
Harvard last year, currently a fellow at the Institute for Advanced Study, three
languages fluently, four more conversationally, hobbies: running (four marathons
completed), playing piano, and proving obscure mathematical theorems (all right,
I made up that last part, but the rest is straight off the resumé). A book in press,
named “Language, Operation, and Silence: A Requiem for Postmodernism.” I
gulped more coffee, and my pulse fluttered a little from over-caffeination or
envy. The joke among those of us lucky enough already to have jobs—that we
would never even get interviewed for our positions if we were competing for
them now—had long ceased to be funny.

Dharisamlha’s (would she invite us to call her Dari? Sami?) c.v., festooned
with academic prizes, did not reveal much about her life before she matriculated
at the University of Chicago. It was none of my proper concern anyway, but I
did speculate about it briefly as an antidote to the irritating drone of Alice’s voice
praising the methodological flexibility of our colleagues. A South Asian name,
of course, but Hindu or Muslim? Indian or Pakistani? Was she first-generation,
second, or perhaps third? Was her father a professor of economics, or did he
own a motel or small convenience store at which she worked after school until she went away to Chicago? I know it is embarrassing to be trafficking in such stereotypes, even mentally, but my imagination is nothing if not politically incorrect.

We had placed a sign on the outside of the door, asking newcomers to knock when their assigned interview time arrived, and we were still winding things up with the CommTran fellow when Dharisamlha Chakrabarty applied her knuckles, precisely on the hour. It was a hesitant knock, more diffident than I would have expected from a person of her achievements. Alice directed a significant look in my direction, and I knew my part: to step outside briefly and ask the newcomer to wait for a moment while we bade farewell to her predecessor. I slipped out the door and smiled at the woman standing there, who disappointed my preconceptions again by being short and somewhat round and by displaying a luminous unguarded smile. The corridor smelled of soap and bacon, and was over-lit by a buzzing metal grate that ran the entire length of its ceiling.

"I am so sorry," I whispered over the buzz. "We are not quite ready. Would you mind waiting for just a minute or two?"

"No, of course," she reassured me. "I will wait." Her name badge said DUNYA, which made sense because there probably would not have been room for her full name.

"You go by Dunya then?" I liked the idea of being the first to acquire this information about such a dazzling candidate.

"Yes. My father called me this."

"Lovely name. We'll be with you in a moment, okay?"

She nodded serenely. "I brought this for you," she said, and for the first time I saw that she held a long white envelope, with the name of our school hand-lettered on the outside.

"Of course," I said as I took it from her. Candidates often brought additional materials or letters of reference to the interview.

First generation perhaps, I thought, as I edged back into the room and tucked the envelope among my other papers. Alice and Rufus were shaking hands with CommTran, whose smile was so white that I had an impulse to rub my eyes. "Goodbye," I smiled at him. "It was a pleasure." He squeezed my hand briefly and appropriately, and was gone.

"Is she here?" said Alice. "I need a bathroom break."
“She’s here but she’ll wait, no problem. Looks like she brought us some more reference letters too.”

“God,” said Rufus, looking at his interview book as Alice vanished into the attached bathroom.

“You caught her c.v.?”

He shook his head. “Good thing we’re not trying to . . . .”

“Yeah,” I agreed. “I know.”

“Holy shit!” he whispered reverently.

“The book?”

He nodded gloomily. “One year out of law school and she’s got a book coming out with Oxford? We’ll never get her, you know. I don’t know why she’s even interviewing with us. What’s philosophical linguistics?”

I shrugged, but Alice knew, of course. “It’s the really hottest thing now,” she said confidently as she rejoined us. “They apply the precepts of philosophy to the analysis of linguistic phenomena.”

Or vice-versa for all you know, I thought uncharitably. “Shall I let her in?” I asked. Alice nodded airily.

Dunya is now our Dean. Her rise was so splendid, so gracious, and so sagely predicted by all of us that we could not but feel vindicated and elevated ourselves when the news of her appointment was announced. On the day of her installation ceremony it had been barely eight years since I first met her in that fluorescent corridor.

I have always felt that she and I share a special bond because I knew her before anyone else. Not that we ever speak of it, of course; she treats me with the same grave courtesy that she brings to every relationship. People are always taken by her, drawn in by her quiet voice and the way she never quite answers your question, but instead finds a way to let you know how very clever and original you were to ask it. I know that was our experience with Dunya during the interview we had after admitting her to our close little hotel room. I sometimes try to reconstruct what we discussed, what questions we asked her, but it is surprisingly hard to recall.
I am fairly sure that Rufus talked about tax, and his idea that the entire notion of a tax code presented a fundamental challenge to linguistic conventions, which could not really be overcome in any but the most temporary fashion. She nodded gently and asked a few highly provocative questions in her calm voice, but I can’t quite remember them. Alice was of course outgoing to the point of mania, describing the many benefits of living in a town that was small but not too small, of being on a faculty that was well-regarded but not snooty, intellectual without being pompous.

I knew I needed to contribute something, so I touted the opportunities for competitive running in our mountain town. “Are you training for a marathon right now?” I asked, thinking that she did not really look like a long-distance runner, and that it must take remarkable determination to run such distances when not built for them. She shook her head gently.

“Injuries?” I inquired.

“Yes,” she agreed, looking so regretful that I didn’t think it appropriate to pursue the subject further.

And of course we talked about her work, her book, philosophical linguistics, and how her theory of the post-modernity of it all was so unmistakably reflected in recent Supreme Court decisions. Of course we did. Only . . . only now I find it a bit hard to call up much of what Dunya actually said. I just remember that the rest of us sounded so brilliant to each other and to ourselves that when we reluctantly bade her farewell, we took a few minutes (our next candidate waiting outside) to exult that it was the best interview we had ever had with a candidate. Rufus in particular was so excited that I was almost prepared to reconsider the conclusion I had arrived at long ago, that he was gay. But Alice was nearly as far over the moon. I knew only that for a brief half hour in that cramped room I felt that a genuine exchange was occurring, in which the human and intellectual dimensions were inextricable, and that we were all bound equally and sublimely by the threads of argument and observation that we spun together. In particular, I was surprised by my own insightful contributions. It seemed to me that having Dunya for a colleague might be the best thing that had ever happened to my faltering academic career.

Once we conferred with the other team Sunday morning (we met in their much posher quarters), we selected a small number of candidates that we wanted to contact and invite for flybacks even before we left the hotel. All morning we worked our various cellphones mercilessly, trying to get the jump on the other schools that were surely trying to poach the candidates that should rightly belong to us. Dharisamila was at the top of the list, but we had trouble reaching her. It was still the weekend, of course, so we didn’t expect to find her in her fellowship office at the Institute, but the cell phone number she had given on her registration form merely rang and rang, as though she had never set up its voicemail system.
I remember sitting on the spacious sofa in the other team’s interviewing suite and trying for most of an hour to get through to her. I gave up only when I realized everyone else was rolling out the door to catch the shuttle to Dulles. I told them to go ahead and hold the van for me while I gathered up my papers and briefcase.

It was only luck that put her into my path; I spotted her standing serenely in a corner of the lobby when I stepped out of the elevator. I veered toward her and when she saw me coming she smiled radiantly and waved. When I got close enough she told me how much she had enjoyed talking with me and my friends the day before. I explained breathlessly that I had been trying to reach her on her cell phone, without success. Perhaps the number was wrong? We really really wanted her to come back to our campus, meet our colleagues, and get to know our school. She looked almost surprised, although I could not imagine why; surely this was not the only such invitation she had received. She said she was sorry about the phone.

No problem, I said, but could she give me a better number to use, perhaps her home phone? Of course she could; she wrote it on the top sheet of the hotel notepad I had tucked into my pocket.

When would she be home? I asked, for I was sure that at least one of the glossier schools was already scheming to make her an early offer with a short deadline.

Tomorrow, she said serenely. Then she hesitated, and added something that lifted my heart and made me think we might have a chance to get her after all. “I have always wanted to see your beautiful state.”

I thanked her and ran for the hotel’s port-cochere, dragging my RollaBoard behind, but arrived to see the tail lights of the shuttle receding in the direction of the airport. I cursed my faithless colleagues and turned to the doorman to ask him to summon a cab, but just then realized that I had not seen my Palm Pilot, the identity thief’s friend, all morning. My mind’s eye delivered an image of it sitting on the bedside stand of my room; I had used its alarm to awaken me. I thrust my hand into my coat pocket and was relieved to discover that I still had my room key (not a real key, of course, but another disposable plastic card). Sweating in my wool coat, I dashed back to the elevator, but everyone was trying to leave the hotel at once, and there was a wait of several minutes before a car arrived to return me to the tenth floor. The overhead lights in the corridor were buzzing as loudly as ever as I leaned the RollaBoard against the wall by the elevator and sprinted back to my room. I had the key in hand but didn’t need it because the door was propped open by a cart of cleaning supplies.

From the narrow vestibule I could see the twinkle of the Palm resting on the night stand. As I dashed toward it I heard water running, and saw that the bathroom light was on.
“I’m so sorry,” I said to the figure that was kneeling to clean the bathtub. “I just forgot something.”

“Of course,” said the voice from the bathroom. “That is okay.”

Dunya blew everyone away when she gave her job talk. I have never heard people ask so many questions, get so excited, be so certain that this new colleague would inspire and enrich us and move our school’s reputation out of the doldrums and into the first rank. I remember that the Coopers were especially ecstatic. But as with her first interview, I wish I could remember more of precisely what she said. I know Maria Worrell (Family Law) asked her about gay marriage as a paradigm of the ultimate . . . ultimate something. Dunya’s response was wonderful. Barry Brackton (Torts, Law and Economics) suggested that the persistent academic preference for regression analyses over normative reasoning could be understood as a manifestation of the postmodern condition, and didn’t she think that it was premature to declare a requiem. Her gentle response was breathtaking and left many of us wiping away tears of laughter and perhaps something else, although I can’t quite recapture why. This sort of thing went on for the entire hour. In the end it all seemed to come back to language, operation, and silence. We voted her an offer unanimously, less than five days later.

I think it’s not surprising my memory of those times would be a bit clouded; I was a nervous wreck. I doubt that my heart rate returned to normal for weeks after I recognized that voice in the bathroom, and my eyes met Dunya’s as she turned her head toward me and smiled before resuming her ministrations to the plumbing fixtures.

I missed my flight from Dulles and couldn’t get another until after eleven, but didn’t mind: I was grateful not to have to talk to anyone. My plane was airborne before I thought of the envelope she had given me. In the throes of our infatuation, none of us had remembered to open it. Groggy from the three glasses of chardonnay I’d employed for medicinal reasons in the airport lounge, I dug frantically through my bulging briefcase. That container is a sort of slow-mo paper shredder, and when I finally pulled out the envelope I saw that it was already slightly tattered from having spent a day inside, although an unglued inch of the flap was still crisp enough to inflict a wicked paper cut as I tore it open. Inside was a fax, with a note attached indicating it was being sent up to our room from the hotel’s front desk. The fax paper was flimsy and cheap, but the original had been written on the stationery of the Institute for Advanced Study, and signed by the Director.

We are very sorry to inform you that our colleague and friend, Dr. Dharisamhla Chakrabarty, was killed in an automobile accident last weekend in Lawrence, New Jersey. We are making an effort to notify everyone whose contact or calendar information was found in her Palm Pilot. All of us at the Institute mourn the tragic death of this remarkable young scholar and teacher.
Memorial services will be held in Princeton and Mumbai; we will notify you when the dates have been set.

I never showed it to the others. It now seems to me when I consider the complications—the plane tickets, the social security number—that many more of us must be in on the secret. Rufus, for example, had made the calls to her references; how had that gone? How did she get past the Homeland Security and Immigration and Customs Enforcement paperwork? But we never speak of it. I have not resorted to Google, and others must not have, either. That, or they have decided not to mention what they discovered there.

Only once did I indulge my curiosity. I looked up Dunya in Wikipedia, and found this: In Islamic terminology, the Arabic word *dunya* (دنیا) means this world — and its earthly concerns and possessions — as opposed to more spiritual realms, or the hereafter. Dunya is sometimes used as a female given name.

Last year the Law School jumped up six places in *U.S. News and World Report*, and even more in that Leiter thing. Dunya has been very good for us, and when I see her beaming at Commencement or the annual holiday party (decorations hinting at not only Christmas and Chanukkah, but Divali and Kwanzaa and, I think, Eid, even though it’s not always quite the right season for it), I think we have been good for her too. There is talk that she will be the next president of the University, and I suppose it is possible.

It’s a fine arrangement, and apparently nobody feels the need to disturb it. Certainly I don’t. Only sometimes I wish I could talk to Dunya about all that happened—or if not to her, to someone. But I can’t, of course. Because the best stories really are the ones you can never tell.