

TWELVE

Melanie sobbed softly into her cocktail napkin. Rick stroked her long neck with the back of his hand, making clicking noises with his lips near her ear that weren't quite kisses.

"She feels bad about beating the pants off us, Rick," I said.

They both laughed. Melanie dried her face with the corner of the crooked afghan draped over an arm of the sofa.

"She really won with all those extra points for *exudes*," I said. "We should have given up then, and spared ourselves the humiliation."

Rick nodded. "She's got a little ink pad in her purse, and a bag full of blank tiles. She just prints up whatever letters she needs."

"No I don't," Melanie protested, shoving Rick's arm away and wrinkling her lips in a pout. "What is it with men? A woman outdoes you in something and you guys will band together, even if you can't stand one another, just to bring her down. Am I such a threat?"

"I was only kidding," Rick said, extending his hand to her again, like a mailman warily approaching a dog with its hackles bristling.

Melanie rebuffed his conciliatory maneuver.

"You're right," I said. "I can't stand Rick."

"You're not men at all," Melanie huffed. "You're like two boys fighting over me."

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“I’m sorry,” I said. “You’re right, Melanie. But I’m not really fighting *over* you, I’m fighting *for* you. It’s a mode I get into and can’t *extricate* myself from. *There’s* a word for the next game.”

“I’m tired, Unc. I feel like I’ve been playing referee all night. Why don’t we have dessert now?”

“You just want to quit while you’re ahead.”

“I’m always ahead,” she announced, picking herself up from the cushions. Rick followed her like a mutt charged to protect his mistress. I put away the board game and refilled the wine glasses.

They returned with slices of pie on small plates. Melanie had a wad of fresh napkins under her arm.

Melanie ate her pie in sulky silence. Rick watched her, his eyes following each forkful from the plate to her mouth, like a hungry mutt waiting at the table for a hand-out.

She set her fork on the empty plate and looked at us watching her. “I didn’t mean to be so crabby with you. I can take care of myself. I don’t need either of you to protect me. And certainly not from one another. I love you both, OK?”

Rick nodded irresolutely and resumed chewing.

“It’s such a long-standing habit of mine,” I said. “It’ll be hard to overcome. There was a time when I *did* have to fight for you, Melanie. I took on the role because your mother asked me to. Yeah, I know I have to shift gears now. But it’s going to be a bumpy ride. I haven’t used the clutch in a while. There’ll probably be a hundred times you’ll have to give me...”

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Judge Morgenstern leaned on his elbows and peered over the edge of his high bench. There was a glare of light from the polished mahogany, from the tight skin of the judge's bald head, and from the thick eyeglasses sitting on the end of his nose.

"You haven't explained to the court's satisfaction, I'm afraid, just why you think you ought to be granted permanent legal custody of your niece. Don't you dare interrupt me again," he warned.

"The evidence is not compelling that Melanie's grandparents would make unfit guardians based solely on the example of having raised you and your sister.

"I have taken into consideration that your sister expressed a wish *in extremis* for you to become her daughter's legal guardian. However, in light of the fact that your sister had been remanded to a state facility for the insane at the time of making her wishes explicit, the court cannot grant that request full significance.

"On the other hand, it is none of the court's business, as your parents would have it, to delve into the matter of your personal associations. I can recall quite clearly that my own parents never approved of a single friend of mine and withheld their blessing upon my marriage because they didn't believe it would last. Mrs. Morgenstern and I have been married thirty years and my parents still regard the arrangement as a shooting star of passion that will soon burn itself out.

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“But that’s neither here nor there,” the judge remarked, waving his hand as though shooping an impertinent fly. “It only proves to illustrate that in fairness I do not attach great significance to your parents’ estimate of your friends.

“I would like a closing statement from each of you before reaching my decision. Melanie’s grandparents will go first.”

My parents, seated on the other side of the aisle, stood up. I could hardly keep from laughing. My father was dressed like an organ grinder’s monkey; that is, he looked unnatural in a suit and tie. He was stiff and formal. I remembered when he bought that suit and tie back in 1983. It went through a couple of expansive alterations, but he still looked as out of place in it as when it was new and still vaguely fashionable.

My mother looked like the organ grinder, barrel-shaped and dressed in a loud floral print dress that only exaggerated her bulging contours. She wore a wide-brimmed hat with enough fruit on it for a hipster salad bar.

They were a matched pair. I knew my mother would do all the talking, grinding away on her little agenda. I started humming “Roll Out the Barrel,” until the judge shot me a stern glance. The music continued playing in my head.

My mother cleared her throat. “Your Honor,” she said, and then paused. “As you know, we have just lost our daughter. It grieves me to think we could lose our granddaughter as well. That’s what handing her over to our son would mean. He has gay and lesbian friends. He eats with his fingers. He listens to music loud enough to curl your hair. All he wears is blue jeans and sweatshirts. He talks back to his elders. And, he’s not even married. We doubt he ever will be. He is certainly

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not the kind of influence you would wish for your own granddaughter, is he? Of course not. So we hope the court comes to its senses and grants us custody of this sweet child. Thank you, Your Honor.”

My parents sat down and the long bench creaked with the sudden burden. The judge nodded to me and I got up.

“This isn’t a power thing with me, Your Honor. I don’t like how it feels as though we’re fighting over property here. Melanie is a person. Let’s not forget that. OK, so I’d have to become a little more responsible with a kid in the house. No problem. But it’s not my job, as I see it, to be shaping her and forming her and turning her into somebody. She’s somebody already.

“Your Honor, I promised my sister to take care of Melanie. Maybe that doesn’t mean much to you because you figure my sister was a fruit-loop anyhow. But I took it seriously.

“I don’t like bad-mouthing my parents in public, but I feel like I’m fighting for Melanie’s life here. Letting my parents get control of her is just like... uh... you might as well put her in *The King Herod’s Day Care Center*. They’ll kill her inside, just like they did my sister and me. OK, Connie’s husband didn’t help the situation. But why do you think she settled for such a creep in the first place? Because our parents taught her not to expect too much from life.

“In closing, I’d like to ask the court to put itself in Melanie’s shoes. Moving in with my parents, you’d be coming into a house where the Holy Bible and shelves bowed with *National Geographics* constitute the world’s great literature; where Frank Sinatra and Nat King Cole provide the world’s greatest music; and where Norman Rockwell fills the walls along with sad clowns and teary little girls with eyes as big as billiard balls. Hey, they know what life is like there, don’t they?

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“OK, so everything is a matter of taste. But we’re talking 1950s style denial here. Gee, wasn’t life great? If only we could go back to the 1950s. Daddy could beat Mama, Uncle Ernie could fuck the kids, supper’d be on the table when Daddy got home, and Billy and Susie would think the whole world was like that. Gee, wasn’t life great back then?”

“Well, life in my parents’ house hasn’t moved an inch since 1957. To them, everything is OK as long as everyone agrees to say it is. Is that any way to raise a kid, Your Honor? Besides, my parents, with the rigid devotion of the functionally impaired, have voted for every Republican since Eisenhower. What more can I say?”

Judge Morgenstern leaned back in his chair with the little gilded bald eagle finials. “I think you’ve said enough, young man. The court will recess for thirty minutes while I ponder the choices. If you leave the courtroom, see that you are back by then.”

I was counting on the court’s left-of-center tilt. If it leaned the other way, I’d really blown it.

My mother caught my eye and quickly turned away. A frigid draft spilled through the courtroom. My father just stared at me. I would never have delivered such a spiel at home unless I’d wanted my face readjusted. Twice had been enough.

I leaned back, slouching in the wooden bench, my arms hanging over the back and my feet up on the table in front of me. Inside, though, I was a wreck. I was scared to death they’d get custody of Melanie. I started humming again, just to let Mom and Dad know I didn’t have a thing to worry about. I could tell my posture riled them.

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I made sure I sat up before the judge returned. I didn't want to antagonize him. I wished I had a tape recording of all the vicious things my father had said against Jews over the years. That would have cinched it for them—like a noose. But a recording could never have captured all the frothing and fuming of his unpunctuated delivery.

Judge Morgenstern came back in with his black robe unzipped a little at the neck, revealing a white shirt and striped tie. I imagined he must have really sweated over what he was about to say to us. My family could make an embalmed corpse break out in a cold sweat.

Solemnly, we took our seats. The wooden benches felt like church pews. As at a funeral, the guest of honor was absent.

“It is the well-considered opinion of this court that no final decision can be reached without consulting the minor, Melanie Swan, herself. I intend to advise her at another time in my chambers. I am glad she wasn't here in this courtroom today to witness the rancor that festers in this family.

“To ensure that her judgments are based on some better idea of what life will be like with each of you, I am designating that each of the parties will have temporary foster guardianship of her for a period of one month, beginning with the grandparents.

“At the end of that time, I will base my decision on what Melanie tells me. This court is adjourned until November the twentieth.”

“Your Honor,” my mother protested, waving her handkerchief at him. “You can't be serious about letting a *child* decide what's best for her.”

“That is my intention exactly, madam. Good day.”

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My mother stood stupefied by the judge's hasty dismissal of her. It was my first indication they might be worried. I couldn't be sure he heard it, but if Judge Morgenstern caught my mother's intonation of the word *child*, he would've had distilled for him every volume of our family history into a single syllable. A *child*. It had the same inflection as when my father spoke of kikes and niggers, of *them*.

The month Melanie stayed with my parents was the longest of my life. I didn't sleep a single night through. I kept awaking with the bedroom curtains fluttering over the bed, as though my sister floated above me in her shroud, lifting her draped arm to point an accusing finger of betrayal.

In spite of my promise to Connie before she killed herself, I couldn't just abduct Melanie. It had to be legal and by the book, and Melanie had to want to stay with me. I was reasonably sure Melanie liked me, but I knew the affections of a ten-year-old ran hot and cold.

The time I spent with my niece had always been at the circus or the zoo or the ballpark. To me, that constituted a kind of affectionate bribery. Who wouldn't like an uncle who always took her to the greatest shows on earth?

Melanie's father had never taken her anywhere except to the dentist. Connie spent more time with her, but when she got into her winter-long depressive funks, it fell to me to get Melanie out of the house and insure she didn't succumb to cabin fever like her mother. I was a regular Uncle Fun.

But all those thrilling excursions had taken place while Melanie's parents were alive. Every kid needs an adult who lets her be a kid. But if I got the job as her guardian, I was afraid I'd soon

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be regarded as the parental proxy: the mean old uncle who took all the fun *out* of life. I wanted Melanie to like me.

I had a whole month to fret over this. But nothing gave me greater worry than what I should make for Melanie's first supper with me. I ate, but I never cooked, at least not consciously. When I got hungry I picked through the refrigerator and found a couple of things. I put them in a pot on the stove or in a bowl in the microwave and, *Voila!* —supper happened.

But this time I had to give it some thought. The only thing I knew how to make that didn't come pre-cooked and pre-digested was the tuna casserole my Grandma made. It wasn't a recipe. I had just watched her make tuna casserole every Friday for eighteen years, and it sort of sunk in.

Since I hadn't yet unpacked my Pyrex baking dishes, I put the ingredients in a large plastic bowl. It didn't fit in the microwave because mine was a small, personal-sized microwave, so I put it in the regular oven on the lowest setting, "Warm."

It was time to pick Melanie up at my parents' house. I figured the tuna casserole would be done by the time I got back.

Melanie had her things packed and waiting at the front door. It would never occur to my parents to question anyone in authority, so they abided by the judge's decision to the letter: six o'clock on October nineteenth, ready and waiting.

My parents strove to ignore me as best they could. They said not a word to me as Melanie went to get her coat. Their farewell to her was so tearful you'd have thought I was some nameless functionary who'd come to escort their granddaughter to the scaffold for the sins of her father.

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Melanie had two small, battered suitcases and an enormous stuffed tiger that was still so new its synthetic fur gave me a jolt of static electricity when I picked it up to load in the car. I didn't doubt for a minute that "Tony" was a bribe my parents had got for Melanie to ingratiate themselves to her.

My niece remained silent during the entire drive to my apartment. She seemed on the verge of sullenness and I wondered whether she wasn't dreading the month she'd be spending with me. No doubt my parents had said all sorts of wonderful things about me.

The minute we got to my apartment, however, Melanie broke her vow of silence with a series of non-stop questions, barely waiting for me to answer before she fired the next one at me.

"Did you just move in or something?" she asked. "What's in all those boxes anyway? Can I see?"

I answered in reverse order just to slow her down a little. "No, you can't. It's only my stuff in them: extra pots and pans, my Pyrex cooking dishes, most of my books, and some extra clothes I don't wear too often."

"Why is it all packed away? You moving?"

"No. I just figured I'd be meeting the love of my life and we'd probably be moving to a bigger apartment, maybe even buy a house together. It seemed silly to unpack everything if I'd only be moving again."

"What's your girlfriend's name?"

"I haven't got a girlfriend at the moment. Actually, I haven't dated anyone in about a year. I've kind of been trying to get my life together first."

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“Then why don’t you unpack everything?”

“Good question.”

“Hey, that’s a really cool picture. Why don’t you hang it up some place?”

“Same reason as with the other stuff,” I explained. “I figured I’d be moving soon.”

“When’d you move in?”

“Three years ago.”

“Oh. Should I take my jacket off or are we going out to dinner?”

“No, I made dinner. Thanks for reminding me. Just hang your jacket on the doorknob for now. We’ll get you set up in your room after we eat, OK?”

“We’re not going to McDonald’s?”

“No. I told you I made dinner.”

“Grandma and Grandpa took me to McDonald’s every night.”

“Then you’ve had enough for the rest of your life,” I said.

“Then we went to a Baskin-Robbin’s after that, every night. Chocolate chip is my favorite, just in case you’re wondering.”

“I wasn’t,” I said. “And if you’re planning on making me feel guilty, you can forget it. Number one, I don’t earn enough for us to eat out every night. Eating out is for special occasions. Second, I’m not into bribing you. You either like me and want to live here or you don’t. And third, you’re going to clog your arteries with all that fatty food.”

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“Oh, God!” Melanie shrieked. “You’re right. Look at me!” she said, twisting and turning in front of the mirror on the hall closet door. “I look like a blimp. I must have put on ten pounds in the last month.”

“You don’t need to worry about your weight at your age, Melanie. You look fine. Very Rubenesque.”

“Huh?”

“Peter Paul Rubens,” I said. “He was a Dutch painter who...”

“I know who you mean. My class went on a field trip to The Museum. Nice cut. All those fat women and chubby cherubs lying around on sofas.”

“It wasn’t a cut,” I explained. “You should watch what you eat for the sake of your health, not your appearance.”

“Sure,” she said, stomping over to the sofa and plopping down into it. She folded her arms across her chest and pouted. “Rubens was Flemish, by the way,” she added.

“Thank you,” I replied. “I’ve got to go check on our dinner. You can set the table, all right?”

“Fine,” she said. I couldn’t tell if she was genuinely eager to have something to do or was just humoring me. She got the plates and silverware from the kitchen and set to arranging everything on the dining room table just so. She wanted a tablecloth and napkins, too. I’d expected her to give me a hard time, quoting child labor law statutes or something. I realized I didn’t know her very well.

The tuna casserole appeared done. The noodles were cooked and there was a nice brown crust on top. The plastic bowl was soft, but it hadn’t melted.

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Since Melanie had set the table so nicely, I decided to dress up the tuna dish a little. I sprinkled some dried parsley flakes on top, just like the better restaurants do. Now I could call it something special, something fancy.

We sat down and Melanie unfolded her napkin and laid it across her lap. I followed her example. I scooped out two spoonfuls onto her plate and then three onto my own. The casserole was a bit gloppy.

Melanie daintily took a little of it on the end of her fork. She hesitated, the fork just inches from her mouth. “What is it?” she asked.

“Tuna Tetrizzini,” I replied, confident in the impression created by the sprinkle of parsley.

“Oh,” she said, and slipped the first steaming forkful onto her tongue. I watched as she chewed and swallowed. Her expression said it all, collapsing like a souffle. She set her fork down at the edge of the plate and took a drink of water.

“How’s the Tuna Tetrizzini?” I asked.

“Honestly?”

“Of course, honestly.”

She set her napkin down beside the plate. “Tastes more like Tuna Tetrachloride,” she said. “What’s in it anyway?”

I recited the list of ingredients. Melanie shrugged. I decided to try some of the tuna casserole myself. I was not as brave as my niece. I couldn’t swallow it. Remembering my manners, I got up from the table to spit it out. The stuff was vile. It tasted like plastic and a mixture of unpronounceable chemicals from a can of underarm deodorant.

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When I got back to the table, Melanie was scraping the tetrazzini back into the plastic bowl.

“You didn’t cook it in this thing, did you?” she asked.

I nodded. Melanie laughed. I admit it stung, but it was pretty stupid of me.

“Don’t you have a glass baking dish?” she asked.

“In one of the boxes,” I replied.

“Maybe I could help you start unpacking some of them,” she suggested.

“Not now,” I said. “Get your jacket, Melanie. We’re going to McDonald’s.”

Her smile was not a smirk of triumph. It seemed more like a grin of satisfaction that, at the age of ten, she had actually lived long enough to witness an adult admitting to his mistakes.

“Are we going for dessert, too?” she asked. “How about Baskin-Robbins?”

“Don’t push your luck,” I told her.

We got along fine after that, even though we ate all our meals at home. It was beginning to look more like home, too. We unpacked every last one of the boxes and hung the pictures. Melanie had a good sense of where to put them. The apartment was shaping up nicely.

It did, however, distress me to bring the empty cardboard cartons down to the trash dumpster. I was burning all my bridges. There was no longer this comfortably nebulous future stretching out before me. I was settled. I lived here. I had a niece to take of.

Melanie didn’t give me much trouble. As long as I took the time to explain why I wanted her to do something, or not do it, she accepted what I told her. She didn’t always agree with me, but we

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talked it out. Sometimes I found her arguments more reasonable than my own and had to give in to her. We were both amazed at how flexible we could be.

We spent the last week of Melanie's stay cleaning the apartment. It was her idea. The social worker appointed by the court was coming at the end of the week to check out the living conditions and home environment. Melanie said it would be smart to make a good impression, but not to overdo it. "These social workers can spot a phony set-up in five seconds," she warned. Having had no previous experience with them, I accepted her opinion.

My niece and I had not once spoken of whether or not she intended to stay with me. She reminded me so much of my sister. Connie and I had always got along with most things understood between us without ever needing to say them. Melanie was not my sister, but in a way it was like being ten years old again and having Connie back before everything started going wrong.

Melanie broached the topic in a roundabout way. "Where can I store my suitcase?" she asked one night after dinner.

"Won't you be needing it again soon?"

"For what? I thought you only get two weeks of vacation a year."

"Well, yeah, so what's that got to do with anything?"

"I'd like to live here," she said, "at least till I get married or something."

"Are you sure?" I asked, trembling inside and out.

"Yeah, I'm sure. I know you're not putting on an act for me. I know you're at your best right now, so, the way I look at it, things can only get better, right? Wait. I didn't mean it like it sounds. You're OK, Unc."

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I smiled as though I had just been proposed to.

“Grandma and Grandpa I’m not so sure about, though,” she said. “I never figured out what they’re really like, know what I mean? Big Macs and ice cream and teddy bears and letting me get away with murder can’t go on forever. So then what are they gonna do with me? If they couldn’t be honest with me in the first place, I don’t think I wanna know what they’re really like. *They* probably don’t even know. Everything is just putting on a good show, know what I mean?”

I nodded. “Your mother and I lived with them for twenty years, remember?”

“How’d you stand it?” she asked. “They’re always talking about how good it was in the old days. I mean, what’ve I got to look forward to? Poodle skirts and guys with greasy hair? Forget it. I want to stay here. It’s OK, isn’t it?”

I was too choked up to say anything. I hugged her.

We cleared away and washed the dishes.

“Did you finish your homework?” I asked her.

“Yeah,” she replied. “Honest, I did. Why? What’s up?”

“Remember? You were going to show me how to make Jell-O.”

“Oh, yeah. OK. So what’s your favorite flavor?”

“Whatever you like,” I said. “You’ve got excellent taste.”

“So do you,” she said, taking out the Pyrex mixing bowl.