

WALK THE LINE

We stood alongside the emerald waters of the San Marcos River again, deep in the heart of Texas, at the waterfall by the old mill below the interstate – Jensen's choice – maybe because if I got upset he could jump into the falls and be swept quickly downstream. Or push me over.

This was late in the last semester of the MFA program, when Jensen revealed he had photocopied then sent out both my novel and Jill's novella to a major film producer in southern California, who now wanted to see the manuscripts but first required that Jill and I sign a submission release form.

"Why did you do that?"

"Because I knew you never would. At least no time soon. You just wouldn't get around to it."

"I've sent queries out to dozens of agents and editors."

"Any in Hollywood? Any positive response? I didn't think so. Well this film guy wants to see your work. The movies, man. Hollywood. That's where it's at. Terrible Tinseltown. I'll be your agent – at the standard fee."

"Which would be?"

"Arm and a leg – what else?"

Jensen and I had both used information from the website Everyone Who's Anyone in Adult Trade Publishing, with its thousands of email and paper mail contacts for journalists, agents, editors, publishers. Now this big film production company wanted Jill and me to sign the agreement Jensen unfolded, three pages. In reading it over you saw that the big company was demanding Jill and I sign over our first born, second born, third and fourth. They wanted us to "hereby waive any and all rights and benefits" which we "might have or be entitled to under the laws of the State of California to litigate any dispute in court."

"An outlaw agreement. Perfect."

"Ain't no perfect in this world, Bud."

"Can't you see? It's theft. They want it all. My first born and yours."

"So don't have children."

"This contract requires it."

The agreement also stipulated that the production company "may create or have created literary, musical or other artistic materials and ideas which may be similar or identical to the Material in theme, idea, format or other respects," and that Jill and I must agree we would "not be entitled to any compensation because of any use" by the company "of any such similar or identical material." According to the agreement, if there should be a legal dispute, some California arbitration association would settle it on the basis of this contract.

"Doesn't it seem odd that they insist on the right to create a film that is 'identical' to our novels. If we were to sign this it would be even worse than voting – we would be signing away our say in the matter entirely. This is a total give away. As they would have it. They are asking us to acquiesce in our own theft."

"It's like voting? You vote."

"For the lesser of the evils."

"So – signing would be a lesser evil than, say, starving."

"This says they have the right to starve us."

"Depends on how you look at it – and you can always get a lawyer to look at it your way."

"Do you know one?"

"I could."

"Maybe if I signed over Jill to this company, would that be enough? Is there a holding company human bondage form too?"

"Much better if she signed you over."

I tried to hand the papers back to Jensen but he ignored them.

"You're too political," he said.

"This is hardball."

"It's three pages of chicken scratch."

"Said the Governor to the immigrant. Said the President to Joe Peonne. Said the Cowboy to the Indian – said the cowboy holding the gun to the Indian stripped."

"The indigenous," Jensen said. "Don't you know anything about how the world works?"

I held out the papers. "Nothing at all."

"If you want to play with the big boys – if you want to get real in the world – "

"Maybe I am the big boys."

"Now, see? That's your whole problem, right there. You're a dreamer."

"Kind of goes with the territory, doesn't it?"

"Your whole problem."

"Didn't realize I had one."

"We could have been rich." Jensen gazed into the booming falls. "And then I could have asked for the hand of Helen Fairweather." Our fair classmate. "But you're here throwing it all away. My future." He gestured toward the torrent of water. "Go ahead, pitch it in. Toss me over."

"Jill and I wrote the things."

"I think you should credit the power of friendship."

"With whom? For what?"

He gave me a shove and I did not topple into the falls.

We sat and watched the water flow.

Jensen mocked me – "*I am the big boys*. I can't believe you said that."

"Maybe somebody has to."

"This 'Somebody' would be wrong. The big boys don't even know you exist. And now they never will."

"My work speaks for itself."

"It certainly has to now, doesn't it? It's not only the work, amigo. It's about the clout."

"They want my clout for their own, and leave me with nothing."

"Think of it as negotiation. Standard for everyone. They're just protecting themselves. Even Goliath can fall, and he knows it."

"David never signed."

"He might have."

"You never considered law school, right? Good thing."

"To lawyer on your behalf? In your dreams. I'll be your agent though. Will you just sign this stupid form so they can consider your novels?"

"Not me. You could ask Jill about hers."

"And I will."

"Look – we would have to consult a real agent, or attorney, especially since we're guaranteed nothing in return but the right to get ripped off. So I can't see it happening. That form is so comical I can't believe it's legal."

"Then that's our leverage. A good court fight, win or lose – we win. It's all about publicity. They want to sue us? Excellent. We couldn't ask for more."

"How about a straight up contract? They want something for nothing. Everything for nothing."

"It's nothing for a possibility."

Running water filled the day.

"So how is Helen Fairweather?"

Jensen sighed. "She's beyond me. *Now*. Way beyond."

"I'm sorry to hear that."

"She's amazing. I'm going to write a novel about her. And I think she knows it. How could she not? I'm going to write a novel about her cheekbones. How her cheekbones conquered the world. How her cheekbones talk. And they will. I'm going to make the sail to Troy for her, whether she likes it or not. And you know what, I wouldn't be surprised if she wrote a novel about me too. At some point."

"A satire."

"An epic. The Epic of Jensen. L'Epic de Moi."

"It's cannibalism to write about the people you know."

"Please. As opposed to the ones you don't? You write about Martians, of course."

"It just seems strange."

"Sign the dotted line," said Jensen. "It's not that big a deal."

"I have to say – No."

"Don't be stupid."

"Fine."

"Whatever."

We gazed downriver through the mist and spray kicking out from the falls. Going to be another hot one.

And beautiful – clear skies, clear water.

Did I sign, eventually? Don't be absurd.