



VINTAGE

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**CRIME**  
**FERDINAND VON SCHIRACH**

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## About the Book

Meet Fahner, the retired small-town doctor who resorts to the garden axe when his patience with his cruel wife runs out.

Or Patrick, so entranced by the sight of his sleeping girlfriend that he cuts a small piece out of her back, just to see what she tastes like.

Or the silent assassin who calmly despatches two Neo-Nazi thugs on a railway platform.

A nameless lawyer invites us to read an extraordinary dossier of violent and unspeakable acts. All the crimes have one thing in common: the guilty are never convicted in a court of law. But however heinous the crime, the narrator shows how the human circumstances behind events can tell a different story.

Ferdinand von Schirach, himself a criminal lawyer, unveils a terrifying world where criminals elude justice, and the apparent innocents are perhaps the most dangerous of all. 'Guilt,' writes von Schirach, 'always presents a bit of a problem.' In this nuanced and telling collection, guilt is indeed never as clear cut as the crime.

## About the Author

Ferdinand von Schirach was born in Munich in 1964 and is one of Germany's most prominent defence lawyers. *Verbrechen (Crime)* became an instant bestseller in Germany when it was launched in 2009. It is to be published in over thirty territories around the world, and is being made into a film. Von Schirach's new bestseller, *Schuld (Sin)* is forthcoming in translation from Chatto & Windus.

Carol Brown Janeway's translations include Bernhard Schlink's *The Reader*, Jan Philipp Reemtsa's *In the Cellar*, Hans-Ulrich Treichel's *Lost*, Zvi Kolitz's *Yosl Rakover Talks to God*, Benjamin Lebert's *Crazy*, Sándor Márai's *Embers*, Yasmina Reza's *Desolation*, Margriet de Moor's *The Storm*, and Daniel Kehlmann's *Fame and Measuring the World*.

# CRIME

Ferdinand von Schirach

*Translated from the  
German by  
Carol Brown Janeway*

Chatto & Windus  
LONDON

The reality we can put into words is never reality itself.

*Werner K. Heisenberg*

## *Preface*

### Guilt

Jim Jarmusch once said he'd rather make a movie about a man walking his dog than about the Emperor of China. I feel the same way. I write about criminal cases, I've appeared for the defence in more than seven hundred of them. But actually my subject is human beings—their failings, their guilt, and their capacity to behave magnificently.

I had an uncle who was the presiding judge over a court that heard trials by jury. These are the courts that handle capital offences: murder and manslaughter. He told us stories from these cases that we could understand, even as children. They always began with him saying: 'Most things are complicated, and guilt always presents a bit of a problem.'

He was right. We chase after things, but they're faster than we are, and in the end we can never catch up. I tell the stories of people I've defended. They were murderers, drug dealers, bank robbers and prostitutes. They all had their stories, and they weren't so different from us. All our lives we dance on a thin layer of ice; it's very cold underneath, and death is quick. The ice won't bear the weight of some people and they fall through. That's the moment that interests me. If we're lucky, it never happens to us and we keep dancing. If we're lucky.

My uncle was in the navy during the war, and lost his left arm and right hand to a grenade. Despite this, he didn't

give up for a long time. People say he was a good judge, humane, an upright man with a sense of justice. He loved going hunting, and had a little private blind. His gun was custom-made for him and he could use it with one hand. One day he went into the woods, put the double-barrelled shotgun in his mouth, and pulled the trigger. He was wearing a black roll-neck sweater; he'd hung his jacket on a branch. His head exploded. I saw the photos a long time later. He left a letter for his best friend, in which he wrote that he'd simply had enough. The letter began with the words 'Most things are complicated, and guilt always presents a bit of a problem.' I still miss him. Every day.

This book is about people like him, and their stories.

FvS



## Fähler

Friedhelm Fähler had spent his whole working life as a GP in Rottweil, 2,800 patients with medical insurance processed every year, doctor's office on the main street, chairman of the Egyptian Cultural Association, member of the Lions Club, no criminal offences, nor even minor infringements. Besides his house, he owned two rental properties, a three-year-old E-Class Mercedes with leather upholstery and air conditioning, approximately 750,000 euros in bonds, and a capital sum life insurance policy. Fähler had no children. His only living relative was his sister, six years younger, who lived in Stuttgart with her husband and two sons. Fähler's life wasn't anything that gave rise to stories.

Until the thing with Ingrid.

Fähler was twenty-four when he met Ingrid at the party to celebrate his father's sixtieth birthday. His father had been a doctor in Rottweil, too.

As a town, Rottweil is bourgeois to the core. Any non-inhabitant will be vouchsafed the information, willy-nilly, that the town was founded a thousand years ago and is the oldest in Baden-Württemberg. And indeed you come across medieval oriel windows and pretty antique tavern signs from the sixteenth century. The Fähners had lived here forever. They belonged to the so-called first families of the town, known for their roles as doctors, judges and apothecaries.

Friedhelm Fähner looked a little like the young John F. Kennedy. He had a friendly face, people took him to be carefree, and things always panned out for him. You had to look more closely to detect a certain sadness, some ancient dark shadow in his expression, not so uncommon in this land between the Black Forest and the mountains of Swabia.

Ingrid's parents, who were pharmacists in Rottweil, took their daughter with them to the party. She was three years older than Fähner, a sturdy, big-breasted provincial beauty. Eyes of a watery blue, black hair, pale skin—she knew the effect she had on people. Her voice, high-pitched and strangely metallic, grated on Fähner. It was only when she spoke softly that her sentences found a melody of their own.

She had failed to complete high school and was working as a waitress. 'Temporarily,' she said to Fähner. He didn't care. In another area, and one that interested him much more, she was way ahead of him. Fähner had had only two sexual encounters with women; they had been more unsettling than anything. He promptly fell in love with Ingrid.

Two days after the birthday party, she seduced him at the end of a picnic. They lay in a hikers' shelter and Ingrid did her stuff well. Fähner was so overwhelmed that only a week later he asked her to marry him. She accepted without hesitation: Fähner was what you'd call a good catch, he was studying medicine in Munich, he was attractive and caring, and he would soon be taking his first exams. But what attracted her most was his seriousness. She couldn't put it into words, but she said to her girlfriend that Fähner would never walk out on her. Four months later, she moved in with him.

The honeymoon was a trip to Cairo, his choice. When people later asked him about Egypt, he said it floated free of the earth, even when he knew that nobody would

understand what he meant. Over there he was the young Parsifal, his purity that of a holy fool, and he was happy. It was the last time in his life.

The evening before they flew back, they were lying in their hotel room. The windows were open; it was still too hot, the air a solid mass in the little room. It was a cheap hotel, it smelled of rotten fruit, and they could hear the sounds of the street below. Despite the heat, they had made love. Fähner lay on his back, watching the rotations of the ceiling fan, as Ingrid smoked a cigarette. She turned on her side, propped her head on one hand, and looked at him. He smiled. There was a long silence.

Then she began to tell her story. She told Fähner about the men who'd come before him, about disappointments and mistakes, but most of all about the French lieutenant who had gotten her pregnant, and the abortion that had almost killed her. She wept. Shocked, he took her in his arms. He felt her heart beating against his chest and was undone. She has entrusted herself to me, he thought.

'You must swear to look after me. You can't ever leave me.' Ingrid's voice trembled.

He was moved. He wanted to calm her. He said he'd already sworn to do this at the wedding ceremony in church. He was happy with her. He wanted—

She interrupted him brusquely, her voice rising and taking on its unmodulated metallic sheen. 'Swear.'

And suddenly he understood. This was no conversation between lovers, under the fan in Cairo, with the pyramids and the stifling heat of their hotel room—all these clichés vanished in an instant. He pushed her away a little so that he could see her eyes. Then he said it. He said it slowly, and he knew what he was saying. 'I swear.'

He pulled her close once more and kissed her face. They made love again. But this time it was different. She sat on top of him, took whatever she wanted. They were deadly serious, strangers to each other, and each of them was

wholly alone. Afterward, he lay awake for a long time, staring at the ceiling. There had been a power cut and the fan had stopped revolving.

Naturally, Fähner passed his exams with distinction, completed his doctorate, and landed his first job in the Rottweil District Hospital. They found an apartment, three rooms, bath, view of the edge of the forest.

When his things in Munich were being packed up, she threw out his record collection. He didn't realise this until they were moving into the new apartment. She said she couldn't stand them—he'd listened to them with other women. Fähner was furious. They barely spoke to each other for two days.

Fähner liked Bauhaus clarity. She decorated the apartment in oak and pine, hung curtains at the windows, and bought brightly coloured bed linens. He even accepted the embroidered coasters and the pewter tankards; he didn't want to put her down.

A few weeks later, Ingrid told him she was bothered by the way he held his knife and fork. To begin with, he laughed and thought she was being childish. She reproached him with it again the next day, and then the days after that. And because she meant it, he took to holding his knife differently.

Ingrid pretended that he didn't take out the garbage. He persuaded himself that these were merely teething troubles in their relationship. But soon she was accusing him of coming home too late because he'd been flirting with other women.

The reproaches became unending, until he was hearing them daily: he was disorganised. He dirtied his shirts. He crumpled the newspaper. He smelled bad. He thought only of himself. He talked nonsense. He was cheating on her. Fähner barely defended himself anymore.

After a few years, the insults began. Relatively measured at first, they then gained in intensity. He was a pig. He was torturing her. He was an idiot. Then came the scatological rants and the screaming. He gave up. He would get out of bed during the night and read science fiction. He went jogging for an hour every day, as he had done when he was a student. They had long since given up sex. He received approaches from other women, but he never had an affair. When he was thirty-five, he took over his father's practice; when he was forty, he had turned grey. Fähler was tired.

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When Fähler was forty-eight, his father died; when he was fifty, it was his mother's turn. He used his inheritance to buy a half-timbered house on the outskirts of town. The house came with a small park, a wilderness of shrubs, forty apple trees, twelve chestnut trees and a pond. The garden became Fähler's salvation. He ordered books, subscribed to specialist journals, and read everything he could lay his hands on about shrubs, ponds and trees. He bought the best tools, informed himself about watering systems, and learned everything there was to learn with his customary systematic thoroughness. The garden blossomed, and the plantings became so famous in the neighbourhood that Fähler saw people here and there among the apple trees taking photographs of them.

During the week, he spent long hours at his practice. Fähler was a painstaking and empathetic doctor. His patients thought highly of him; his diagnoses set the standard in Rottweil. He left the house before Ingrid woke up and didn't return until after nine in the evening. He accepted the nightly barrage of reproaches at dinner in silence. Sentence by unvarnished sentence, Ingrid's metallic voice laid down animosity after animosity like railroad tracks. She had grown fat and her pale skin had

turned pink with the years. Her neck had thickened and begun to wobble, and she had developed a fold of skin at her throat that swayed in time to her outbursts. She became short of breath and had high blood pressure. Fähler got thinner and thinner. One evening when he blurted out that Ingrid might perhaps seek help from a psychiatrist who was a friend, she threw a frying pan at him and screamed that he was an ungrateful pig.

The night before Fähler's sixtieth birthday, he lay awake. He had pulled out the faded photo from Egypt: Ingrid and himself in front of the Pyramid of Cheops, with a background of camels, scenic Bedouins and sand. When she threw out their wedding albums, he had fished the picture back up out of the garbage. Since then, it had found a safe hiding place deep in the back of his closet.

In the course of this night, Fähler was forced to realise that he would remain an eternal prisoner until the end of his life. He had given his word in Cairo. And now, in the bad times, was when he had to keep it; there was no such thing as giving your word for the good times only. The photo swam before his eyes. He took off his clothes and stood naked in front of the bathroom mirror. He looked at himself for a long time. Then he sat on the rim of the bathtub. For the first time in his adult life, he cried.

Fähler was working in his garden. He was seventy-two now; he'd sold his practice four years before. As always, he had gotten up at six o'clock. He had left the guest room—in which he'd been living for years—very quietly. Ingrid was still asleep. It was a glowing September morning. The early mist had burned off and the air was clear and cold. Fähler was using a hoe to weed the ground between the autumn perennials. It was an activity both demanding and

monotonous. Fähner was content. He looked forward to the coffee he would be drinking at nine-thirty, something he always did when he took his break. Fähner also thought about the delphiniums he'd planted early in the year. They would blossom for a third time late in the fall.

Suddenly, Ingrid yanked open the door to the terrace. She yelled that he'd forgotten once again to close the windows in the guest room, said he was a total idiot. Her voice cracked—the sound of pure metal fracturing.

Later on, Fähner would be unable to describe exactly what went through his mind at that moment. That something deep inside him had begun to glow with a hard, clear light. That everything had taken on a supernatural clarity under this light. That it was white-hot.

He asked Ingrid to go down to the cellar, and led the way down the outside stairs himself. Ingrid was pouting as she entered the basement space where he kept his garden tools hanging on the wall, organised by size and function, or standing freshly cleaned in tin and plastic buckets. They were beautiful implements, which he had assembled over the years. As she opened the door, Fähner, without saying a word, lifted the tree axe off the wall. It had been hand-forged in Sweden, was perfectly greased and rust-free. Ingrid fell silent. He was still wearing his coarse gardening gloves. Ingrid stared at the axe. She didn't try to dodge. The first blow that cleaved her skull was enough to kill her. The axe, covered in bone fragments, drove itself deeper into her brain, and the blade split open her face. She was dead before she even hit the ground. Fähner had to struggle to lever the axe out of her skull, setting his foot against her neck. With two massive blows, he severed the head from the torso. The forensic expert later identified seventeen further blows Fähner had required to separate the arms and the legs.

Fähler gasped for breath. He sat down on the little wooden stool that he'd always used when planting things out. Its legs were standing in blood. Fähler felt hungry. At some point, he stood up, undressed himself next to the corpse at the garden sink and washed the blood out of his hair and off his face. He locked the cellar and climbed the indoor stairs to the living quarters. Once up there, he got dressed again, dialled the police emergency number, gave his name and address, and said, word for word, 'I've made Ingrid small. Come at once.' The call was recorded. Without waiting for a response, he hung up. There had been no agitation in his voice.

A few minutes after the call, the police pulled up in front of Fähler's house without sirens or blue flashing lights. One of them had been in the force for twenty-nine years and his entire family were patients of Dr Fähler. Fähler was standing outside the garden gate and handed him the key. He said she was in the cellar. The policeman knew it would be better not to ask any questions—Fähler was wearing a suit but no shoes or socks. He was very calm.

The trial lasted four days. The presiding judge was an experienced jurist. He knew Fähler, over whom he had to pass judgment. And he knew Ingrid. If he hadn't known her sufficiently well, the witnesses provided the necessary information. Every one of them expressed sympathy for Fähler; every one of them was on his side. The mailman said Fähler was 'a saint' and 'how he'd put up with her' was 'a miracle'. The psychiatrist certified that Fähler had suffered an 'emotional block', although he was not free of criminal responsibility.

The prosecutor asked for eight years. He took his time; he described the sequence of events and went wading through the blood in the cellar. Then he said that Fähler had had other options; he could have gotten a divorce.