

GLENN MOTT*

HANK LAZER'S "LAW-POEMS"

*If you ain't thinkin' about man and God and law,
then you ain't thinkin' about nothin'*

—Joe Strummer, The Clash,
in a 1988 interview

For the earliest antecedent to "Law-Poems" one can reach back to the very beginning of canonical law, to Socrates vs. Athens in the *Apologia*. As a man of seventy, making his first appearance before the court and before the tribunal that would sentence him to death, Socrates was a complete stranger to the letter and jargon of the law. Like Socrates, but unlike those I take to be the majority of readers of this publication, Hank Lazer is a layman to the law, approaching the bar with a layman's tools. By acting in his own defense Socrates would come to know the all-too-familiar consequences of coming before the bench with a just cause but inadequate counsel. His defense was the logic of his reasoning, the sincerity of his actions:

I am a complete stranger to the language of this place. Now if I were really from another country, you would naturally excuse me if I spoke in the manner and dialect in which I had been brought up, and so in the present case I make this request of you, which I think is only reasonable, to disregard the manner of my speech—it may be better or it may be worse—and to consider and concentrate your attention upon this one question, whether my claims are fair or not.

Recognizing the court as an institution of cultural principles that ran counter to his methods (he was accused of corrupting the minds of youth and of believing in deities of his own invention instead of the gods recognized by the state), and being of stoic temperament, Socrates was nonplused by the court's sentence. He had already recognized what he saw in the court as a kingdom unto itself.

I suspect Lazer, too, is a stoic when it comes to the law. One of the things that appears to intrigue Lazer most about the law is its formality. The formality of most legal opinion is too opaque to tell us much of what went on underneath the surface. And since in the law an argument can be made in which the subject plays very little part, the courts, naturally, treat the law as autonomous. Three strikes, you're out—mandatory

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sentencing guidelines may apply. Legitimacy is the one inviolable presumption of law. But its institutional autonomy is an illusion. Lawyers may treat the law as more or less autonomous, from which they hang a predicate, but, as Socrates knew, the law is not a set of rational intellectual principles from “a city upon a hill,” it is a reflection of cultural demands that government keep pace with behavior. In the words of Lawrence Friedman (*Law in America*): “Law is, essentially, a product of society; and as society changes, so does its legal system. Feudal societies have feudal legal systems; socialist societies have socialist systems; tribal societies have tribal systems; capitalist societies have capitalist legal systems. How could it be otherwise?”

How, then, is the rule of law applicable to poetry? One answer might be found in the administrative, academic, and vocational contingencies of an ancient art form, which in its comparatively recent manifestation has found these contingencies generally privileging institutionalized forms of emotive meditative voices over other powers of the art, and which tend to value lyrical expressions of individuality over alternative practices. Just as any legal system is a mirror of the societal values, systems that must commodify literary merit necessarily reflect the structure of power in that society. How, indeed, could it be otherwise?

One remarkable thing about “Law-Poems” is how Lazer places the writing squarely between himself and the reader. This arrangement is established early in the sequence, and signals a latent contract between reader and writer:

is there a law between us some pact
we go by my promise of intelligibility
yours of attention shall the mark of
such a compact be our absorption each
in the other it is a strong and lasting
connection these words between (and of) us
so different than the rocket’s red glare
as we seek some other form of proof
a way through the night to prove ourselves
to each other

This is many things at once: an affirmation and lament, a subversion of expectations, an appeal to understanding. But it is primarily an example of discursive poetry able to capture a statement that goes beyond its own artifice. “Law-Poems” and the legal code that is their source ask similar questions of authority: Where does legitimacy come from? What gives each institution legitimate authority? Both law and poetry appeal to institutional legitimacy for what cultural authority they have. Not coin-

cidentally, the law can move at a snail's pace, and so, history has shown, does the craft of poetry.

Lazer draws on comparisons of "rhyming" in poetry and law. Look at them together, as Lazer does, and one finds interesting corollaries. The law provides the poet with new metaphors:

perhaps in the eyes of the law a poem
behaves the way a summons does served
on a reader on a writer the problem:
finding a deputy able to process and deliver
it

What the *Wall Street Journal* and the *New York Times* repeatedly serve up to the public is: "[Your Laureate Here] is one of our greatest poets," without saying why, or how the poet got that way, as if someone were simply cribbing from a press release. How do they know? How do newspaper editors justify this practice by their columnists? To go beyond a single genre of writing, what of the increasingly dubious but still popular belief in the impartiality of prize committees as arbiters of taste, perpetuated by publishers and news and entertainment media, who together invent consensus of literary merit? All the more specious when one considers the conglomerate media ownership of all three entities simultaneously, with companies making significant investments in a branded literary product across the board. It follows that media consolidation of this type has required a significant investment in the legal system.

What is the public image of the law? Aren't lawyers the butt of as many jokes as mothers-in-law? In the United States nothing is more a fact of daily life than the law. Stories of public and private lives important enough to make it into the news invariably have a connection with the law. Though we incarcerate an unusually high number of our population in comparison to other countries, most people still have only a prejudicial and passing familiarity with the criminal justice system; many believe they know more than they actually do. Case law (and its distortions) is where the public imagination is most fertile: the plot trope of circumstantial evidence, for instance, is often illegitimately but dramatically played as grounds for dismissal in television dramas. And shows like *Law & Order* portray justice as swift and unambiguous. The drama of committed prosecutors or defenders who fight for justice to save the day belie the fact that most of the "law" that affects our daily lives is more difficult to glamorize; the result of legislation, city ordinances, a bill in the state legislature, statutes, rules and regulations concerning the disposal of sewage or what slogans will be used on license

plates—these are the laws that regulate our lives, and are the sort we find in “Law-Poems.”

Law and poetry are, we must admit, unlike in profoundly more ways than they are similar; the comparison is an invitation to academics. An academic line of thinking is apt to make of poetry nothing but a scholastic fashion show. For the most part, what is called Contemporary American Poetry is a prize-centered, vocational culture. In spite of its seeming popularity (*poetry* is reported to be the number one searched term on Google), there are still more people willing to write poetry than read it. One of our “greatest poets,” John Ashbery, reminds us, “poetry is a somewhat neglected art to begin with; it has trouble making its way in the best of circumstances, and there are not too many judges monitoring the situation to make sure each one gets what he or she deserves.” Except for academic careers, honors, and prizes, there is so little at stake in the visible spectrum of Contemporary American Poetry, financially and otherwise, that there are always the nagging questions of the poetic *métier* and its effects. But even in this political apparatus one can see, if never before, the importance of the ancient knowledge behind poems—streams that died out—to mean what they mean to those who will seek it. When Lazer acknowledges that T.S. Eliot, near the beginning of literary modernism, provided some versions of how his “Law-Poems” might proceed, he is tapping into this traditional knowledge—of poetry sidelined; that which is even unrecognizable as traditional among contemporary collections. Lazer, and others, have attached his work to a particular experimental vein of American writing, sometimes complicating what I think is writing that is straight ahead, writing that needs no chaser, and which gives homage to the difficult work of ancestors. Talk of a contemporary avant-garde can be such a bore when faced with history.

Personally, I read Hank Lazer’s “Law-Poems” and recall a very specific time and setting. Hank was writing “Law-Poems” in the mid to late 1980s in Tuscaloosa, Alabama, at a time when Jacques Derrida, John Cage, and Kenneth Burke were making their extended campus visits; while a self-satirizing generation of grad students were maturing a Sorbonne-inspired bouillabaisse of post-modern self-reflexivity for their critics at the Modern Language Association. I remember the radical discourse of a rebellious Associate Professor (not Hank, who I think was a full Professor) straining his own credibility with tenuous papers on Crips and Bloods. I remember debates that simultaneously attempted to reconcile Michel Foucault’s actions in San Francisco’s bath houses with the PC mandates of University conduct, and professors at dais reading their prize works of radical discourse. I recall Jonathan Dollimore, a visiting Renaissance scholar from the UK, sunbathing

naked on the lawn of his University apportioned residence with my copy of *Cavafy's Poems* over his genitals. And there was the reluctant but internationally famous Southern novelist who threatened his creative writing students with a pistol, and who shot the floorboards of his convertible full of holes on a campus parking lot one morning to drain rainwater after a particularly heavy thunderstorm. The University of Alabama campus was in no way unique in its mixture of homegrown Lucky Jims, countrypolitans, European imports, possum philosophers, local bands, and art-house film societies. As college towns go, Tuscaloosa was small and relaxed, and like most of these academic shelters it preferred the non-competitive post-ironic view of itself. Academic pretension was ridiculous and hideous, but as necessary to a university life as it is everywhere else. If you weren't down-home in Tuscaloosa as a Southerner, you could be inculcated, mobile home, or you just plain stuck: on easy living, adjunct teaching, cheap Dogtrot housing, and good Southern lunches.

Tuscaloosa is situated on the Black Warrior River in a land of low kudzu hills and lodge pole pines. At that time the surrounding counties hid some of the best vernacular artists in the South (Mose Tolliver, Thornton Dial Sr., Jimmy Lee Sudduth, and the quilters of Gees Bend), and there was one world-class architect, Samuel Mockbee, who might have had an elite practice in New Haven or New York, but for the choice to build affordable "hay houses" and other innovative dwellings for hard luck people not at all distant from Fred and Sadie Ricketts as Walker Evans and James Agee had observed them in the summer of 1936. This is no exaggeration; many of Mockbee's clients in Hale County had no electricity and no running water as late as the 1990s. On the other end of the spectrum was a Boston poet in the same Department of English as Hank, in whose split personality one saw the thickest and most gothic Southern hierarchies alongside a Brahmin masochist. Ah, *Bartleby!*

In Tuscaloosa a very high value was placed on pure reverence for anything at all: speaking in tongues, bole weevils, unadulterated sincerity, a good Barlow knife, and of course Alabama football. And in the ironic 80s, sincerity was ridiculed everywhere, even in parts of Alabama, as the shroud of denial and dishonesty it most often is. This generation of irony found its core expressed in a post-ironic mantra when Elvis Costello asked, "What's so funny 'bout peace love and understanding?" For another expression of this, see the sad and beautiful world of Jim Jarmusch films, which often look to the South for inspiration, in particular *Down By Law*. Hank, a Californian trying to make his home in the South, was writing "Law-Poems" at one of irony's cultural high-water marks, the pre-Bush 41, Iran-Contra era.

One prime value of law as it is written is that it is always un-ironic; a fact that, in addition to being in the public domain, inspired Hank to make use of Alabama law codes. Hank is interested in the legal language that prescribes the law, which uses turns of phrase and specificities of language that are sometimes counterpunctual to their actual rhetorical significance. The law does not wink. Nevertheless, in its specificity and obsessive rationality, legal language imitates the kind of close reading and observations that are a given in poetic diction: note the definition of public lewdness in "Law-Poems 4, 13A-12-130 of the Alabama legal code."

As much as they inhabit the place, Hank's "Law-Poems" aren't about Alabama or its laws, any more than being set there makes them particular to a single location. "Law-Poems" is a collage work that explores a system of information, a collection of actions, and the meaning of residence. Hank's inspired montage of law and poetry interrupts, fractures, and liberates two specific vocational languages by combining the nomenclature of each. This alchemy is done to explore the symbiotic relationship between authority and authorship in an open, searching, process-oriented style. Reading Hank's *Law-Poems*, one gets the sense that he is overwhelmingly pleased that this activity gives him citizenship in the industry of a larger community outside his home state. Home is one of the most resonant words in any language, but to the transient American (and who among us is immune to relocation?), it is a term that has difficulty surviving its own definition. So location *is* key in at least one respect: "Law-Poems" is quite obviously authored from one who has known the sting of exile, and the meaning of hinterland.

It is fitting that "Law-Poems" sets out from *Walden*, that anchor of the American hearth, a work of account-taking in isolation, the most popular and perhaps least understood work of American individualism; a work extrapolated from the greater labor of Thoreau's Journals. Lazer's work is deliberate, rather than intuitive, and the self that enters into residence with the local statutes in "Law-Poems" is one taking account of his surroundings. There is a kind of desperation for renewal, which by the time of the composition of "Law-Poems" had entered Hank's writing life and psychology, and which is found in the middle-distance of these poems. By this time Hank had been living in a foreign region with the moniker of home for more than a decade. I suspect Hank found little solace in poetry meant to give hope in hard times, poetry designed to comfort and provide a sense of security; especially in an academic environment that espoused such poetry, and that was at times openly hostile to his own writing methods. Hope, said Francis Bacon, is a good breakfast, but a terrible supper. I'm putting down these thoughts in part because I know Hank as a friend, but also based on the evidence

provided by his poetic renaissance during this period, a period of joining two halves of a literary life. During this period Hank would bridge the gap between his understanding of a form called Language poetry, and the traditional meditative lyric, a form of verse known colloquially as confessional poetry. In 1992 he published a book that revealed a definitive split with this latter mode of poetic address, which he had been writing primarily in the 1970s. That book, *Doublespace*, would contain two distinct and divided volumes of poetry. It would incorporate not only new writing, but include the poetry of traditional lyrical and confessional forms written from another, earlier place. It was a boldly calculated gesture: like leaving a marked trail for your enemies to follow; or publishing juvenilia; or carrying two opposing statements simultaneously into a third. "Law-Poems" began the book's selection of new work and has served as a benchmark for Hank's writing since.

One could even say that Hank's work in traditional meditative and confessional poetry was made more coherent once it was put alongside the new work in *Doublespace*, since it was only in context with his new, more experimental work, that we discern his grander experiment with tradition. Hank will typically inhabit a mode of writing for a fixed duration and then abandon the form once a predetermined number of compositions has been achieved. In the case of "Law-Poems" he chooses to explore a system of information (the legal code of Alabama), using the design of law to crack into poetic tropes, symbiotic relationships of authority, and avenues of poetic voicing. By this process of residence and renewal Hank means to forestall certain habitual forms of expertise (his own and others), pushing the limits of professionalization and its specialized claims to authority. The most antagonistic tendencies of literary modernism are at work here: argumentation, rather than self-expression; the communal peculiarities of the American language as polyglot, rather than the remote and singular idiosyncratic austerity of an individual's creativity—this is the terrain of "Law-Poems." Using techniques that date to the beginnings of literary modernism in "Prufrock," Hank proceeds from Eliot's formalities into unexpected, signature Lazerian realms. Hank's work, like modernism itself, is a moving target. The rules of engagement change frequently from poem to poem, depending on where his thought has taken up residence. This ever-beginning means his own standard of achievement is constantly shifting into the future, is redefined, renewed, unappeased.

Enforcement, justice and injustice, crime and punishment, have always been the mincemeat of poetic themes, and contain the background themes that govern our personal lives. Except by fiat of tradition, the law is no more unconventional a subject matter for poetry than the emotions. Legalese, it turns out, is not an uncongenial material in

which to work poetic subject matter. In "Law-Poems," one can see Penelope weaving and unweaving her ancient web, as Hank tempts, dares, and ultimately defies the vocational languages of law and poetry to relegate the poet to a nominal position.