

RUTHANN ROBSON & JAMES R. ELKINS

■ A CONVERSATION ■

Elkins: I've been reading your work, trying to figure out where one begins to talk about such a rich, complex body of writing. Engaged in so many different kinds of writing, do you see yourself as leading a rich and complex life? Or does this question put you in the awkward position of being asked a variant of the question—do you see yourself as wise? A question which would, I assume, reflect as poorly on the questioner, as it would one who attempts to answer it.

Robson: A life that is complex? Yes. Although I don't believe it's "rich" or that my writing has made me "wise." And I'm not sure it is anymore "complex" than anyone else's life. I'm sure your life is complex, no?

But that's always a mystery to me—the complexity and actual experience of other people's lives. I think both law and literature give one an entree into other people's lives. Law because as lawyers—and even professors and legal scholars—we try to help people solve particular problems, and then realize that the problem we are working on is not so "particular" and is only partially legal. And literature because we move outside our own selves, transmuting our experiences through lyricism and narration.

Elkins: Should we aspire to have our students lead ordinary lives or lives that are complex? If life were set up so you could choose, behind some veil of ignorance, a life ordinary or complex, which would you choose?

Given what anyone reasonably familiar with your writing, which happens to cover a number of diverse genres—academic/scholarly, creative non-fiction, novels, short stories, poetry—wouldn't it be fair to *assume* that your life—for better and for worse—has been richly complex?

And while we're talking about this twisted relation between ordinary-ness/complexity, what contribution, in either direction should we assume that a long association with law and with literature would take us? Or should we be trying to make any assumptions about this sort of thing at all?

I'd say, with regard to my own life that it has been moderately complex. It would have required a different set of choices, a different persona, and a different political sensibility than the one I possess to live an ordinary, simple life. E.g., my life would be greatly simplified if I did not serve as editor of the *Legal Studies Forum*, if I attempted to write less, if I attempted to limit my teaching to the narrow confines of the law. And I assume the same might be said about you. Wouldn't your life be far more ordinary and simple than it has turned out to be if you had been able to confine your writing and your teaching to law, narrowly defined? Reading Walker Percy's *The Second Coming*¹ with students in a "lawyers and literature" seminar, I have sometimes attempted to explore the matters we are discussing here. I don't recall ever having a student who: 1) was willing to address these questions, or 2) being willing to address the questions was willing to do so in a law school classroom, 3) or wasn't simply annoyed at being asked to address the questions.

Robson: By choosing to enroll in law school, and by choosing to enroll in your law and literature course, I would think students have already shown an attraction to complexity. One reason for a reluctance to engage in the discussion about choosing a certain kind of life may be a general discomfort with articulating large choices, but I also suspect the problem stems from a general romanticization of the simple life.

On balance, I'm not sure I actually believe that there are people who lead ordinary, simple lives. Having known many people who would be described as "simple" and many who would adopt the label as self-description, I don't experience them as ordinary or simple at all unless I make superficial judgments about them. Certainly, some of my rural and poor relatives seem simple, as do some of my friends who have adopted simplicity as a lifestyle for political or spiritual reasons. Yet, scratch them—or wait around until they scratch themselves—and complexity abounds.

Nevertheless, when one is running to catch a plane, dragging a laptop and carrying a satchel full of deadlines, life feels anything but simple. As you suggest, being involved in both law and literature may have made my life more complex, in part because there are ways in which the two endeavors are inconsistent and in part because there are only so many waking hours. Perhaps as compensation, I have made choices to have other parts of my life be less rich. I do try to plan some days that

¹ Walker Percy, *THE SECOND COMING* (New York: Farrar, Straus, Giroux, 1980).

are objectively simple; an observer would find them absolutely boring. But while it may look as if I'm just sitting there staring into space, I'm probably at my most complex.

I think what your questions raise most for me, however, are issues of choice and privilege. You've taken on work editing the *Legal Studies Forum*, which is, much of it I assume, thankless and frustrating. And yet, you are clearly doing something you love and I'd venture you get satisfaction from it.

Elkins: I wonder whether you've not, perhaps unintentionally, begin to outline the nature of our attraction (yours, mine, perhaps others) to literature:

—We are attracted to complexity (whatever we might think about its place in our own lives) and we find that our attraction takes us to literature.

—We find in literature, in good novels and short stories, the making and living of "large choices" which we know are hard to articulate, and especially hard to talk about in the law school world.

—We take up with literature as an antidote to costly romanticization, whether it be of the simple life, the law, marriage, whatever it is we go soft-in-thinking about (seeking in the romance of illusion wish fulfillment rather than clarity about the world).

—In literature we find wonderment in the juxtaposition of the ordinary and the complex (the familiar/the strange)(the known/the unknown).

Ruthann, you note that in some ways law and literature are inconsistent endeavors and I wonder whether you might comment further on their inconsistency? Their inconsistency doesn't seem to have impaired or slowed your embrace of both.

Robson: The only aspect I think I would like to make more explicit is the political. I think my attraction to literature has always been political in a progressive sense—I believe that literature can change the world for the better. Certainly, it is a naive position. At times and places, I think the potential has been greater than it is at present. I started my writing career being published in what was then called the underground press. I continued as part of the "women in print movement," which overlapped

with a lesbian and then a queer publishing milieu, and a broader alternative press movement. I read and I wrote and I reviewed literature as part of those movements, movements I perceived as part of a larger push toward progressive social change.

It is in this sense of politics that I have always seen my own legal pursuits as consistent with my literary ones. To use one specific example: to represent the local battered women's shelter and the local feminist women's health center may call on different skills than writing creatively for publication in feminist literary journals, but the core motive, for me, is quite the same.

I continue to believe in an underlying seamlessness between my legal and literary pursuits, but it has become much more difficult to maintain that seamlessness. I'm fortunate to teach at CUNY where 95% of our graduates practice public interest law. But it's clear that the forces of conservatism and capitalism have transformed, commodified, appropriated, trivialized, and attacked the legal and literary communities to which I belong. Today, far more of my energy that could be spent being creative must be expended in a defensive posture.

Some of the ways in which I experience law and literature as conflicting endeavors are rather mundane. Creating a world, even a world as compact as one found in a 30 line poem, requires uninterrupted time. Preparing for a class, even a class on cases one has taught fifteen times before, also demands uninterrupted time. Structuring a law review article and then writing it, requires quality blocks of time. I do feel impaired, at times, by the constraints of time.

Related to time is the mundane-ness of deadlines. Early on in my career, I received some advice from the poet and novelist Marge Piercy² that I have followed without fail. She said that she never signed a contract for a creative work unless she had already finished the draft to her own satisfaction. The rationale for this is simply freedom. Piercy's advice was sound; I've witnessed many writers who submit plot outlines and first chapters to agents and editors who provide so many opinions and suggestions that the result is the writers' work becomes unrecognizable. And the price is that a writer is not writing her book (but is writing the

² Piercy is the author of the introduction to Ruthann Robson's collection of poetry, *Masks* vii-viii (Wellfleet, Massachusetts: The Leapfrog Press, 1999).

book that the editor and agent want), or in some cases, a writer is not writing any book at all, so stymied has the process become.

Less mundane, and thus more difficult to articulate, is the inconsistency between law and literature that arises in the difference in the quality of thought required by the two enterprises. It is not that literature does not have linear, argumentative, and structural characteristics; I think it does, and must. But literature draws on more ineffable qualities than law does. Some people would say emotional or subconscious or intuitive, but all of those words seem inadequate to me.

Elkins: In what sense does your attraction to literature as politics extend to your writing? Is politics a force across the genres in which you write—legal scholarship, fiction, essays, poetry—or do you find yourself in some genres and some forms of writing trying to get beyond politics (if such a thing is possible)? You've partially responded to this question in your comment that your writing, like your reading, was part of various "movements" for progressive social change. But I wonder whether in your writing, there may not be times (even if these times are not associated with a particular kind of writing), when you try to distance yourself from politics. We may, as readers and as progressives, and as intellectuals, know that literature—reading it, writing it—is always political and that we need a far better, far more developed sense of politics than we are likely to have. In my own reading and writing, which is, I confess, far less overtly political than yours, I find there are times when the pleasures I associate with reading and writing seem to have absolutely nothing to do with politics. Am I to view these times as an illusion?

In what sense, if any, was your sense of politics (as we're using that term), influenced by the Critical Legal Studies movement of the late 1970s and 80s?

Robson: Certainly, I agree that the pleasures associated with reading and writing can have nothing to do with politics—and I don't think that is an illusion in any sense. Indeed, I think the pleasures of literature, as so many other pleasures, can be transcendent, if I may use an unfashionable word. To slip beyond one's time and place and even beyond one's self—how wonderful!

But perhaps even this pleasure is political. How have I come to be able to read and enjoy a particular work of literature? How am I able to

write? What are the material conditions that make my reading and my writing possible? These are questions that I still ask.

As for Critical Legal Studies (CLS), I'm afraid it has not been an important political movement for me personally. I think I have found more resonance in the feminist and critical race theorists' engagement than I have with CLS.

Elkins: In regard to this idea about pleasure (in reading/in literature) that gets us beyond politics, I refrained from using the term, transcend, fearing it's theoretical repercussions! So, I'm delighted to see you use the term, unfashionable as it may be in some circles.

I would agree that even our pleasures (pure and simple) can be located by way of the material conditions that make them possible. And we do indeed, need to be reminded, from time to time, of the political context in which our pleasures are grounded and enacted. But I'm not at all sure that I want to try to remind myself of this sort of thing every day, and I'm not sure what kind of friendship would be possible with anyone who took it as a primary mission in life to remind everyone around them of the inevitability of the politics of our pleasures. And yet, we do need to be reminded; we need both the wherewithal and the sensibility to be more aware than we so often are of the politics that shape our engagements.

Do you find, after years of fruitful reading and engagement (and yes, participation), that even promising progressive theoretical movements, like feminist jurisprudence and Critical Race Theory begin to wear thin?

Robson: Yes, I'll agree with your implication that movements in the disciplines can wear thin. Some say they have been a "victim of their own success," which is a phrase I often hear applied to LGBT movements.³ But in some ways, this is what I meant by appropriation and commodification. There are certainly real and concrete reforms that change people's lives, but even these do not approach the level of "revolution." (Since we have entered risky territory with "transcend," I thought "revolution" might also be broached!) And most of what happens is superficial and stylistic adjustments. Even so, I'm heartened by what

³ LGBT is a common abbreviation for Lesbian, Gay, Bisexual, Transgender.

I see happening, especially with the younger generation, even if there is too little happening to suit me.

Do you find this connection we maintain with younger people is a gift of teaching?

Elkins: I suspect that we both want and resist the kind of real and concrete reforms that change our lives. We are, many of us, forever stuck with an immobilizing ambivalence compounded of a need for security and the anxiety that seeps into a life resistant to change. I realize, of course, that this formulation of the problem is as psychological as it is political. In the creation of your fictional characters (in your stories and novels), what kind of mix of politics, psychology, and ordinary life do you strive for? Or maybe a better question: what do you want your fictional characters to be? What do you want them to be for the reader?

Since I don't write fiction, I'm curious as to how a writer deals with her audience. What kind of sense of audience do you have as a writer of fiction? And how is this sense of audience different when you move from fiction to writing essays?

How has your work as a novelist and short story writer effected your work as an essayist? I sometimes see your essay writing described as creative non-fiction? Some of us may be left wondering about this rather curious sounding label. What is it; why the buzz? Does it have anything to do with the fact that are now awash in memoirs?

Ruthann, you mention the energy of the young and yes, I know that teachers often describe their association with the young as a "gift of teaching." A good part of my early writing about legal education was an effort to discover, by way of my students, something about their experience of the world of legal education. I was curious about what brought them to law school, their experience as law students (and especially, their experience during the first year of law school), and how they articulated the changes (and resistance to change) that was taking place as they undertook the study of law. I'm not sure, either as a result of this exploration and the writing that followed from it, or from my teaching, that I've come away with the sense of any great importance to be associated with the energy of young people. I never saw my work on the socialization of law students and the psychological world(s) they inhabit as students as an effort to better connect with them. I was, by my teaching, by my students reaction to it (positive and negative), and

by the fact that they were being initiated into a world and a way of life (and a way of thinking) in which I had already been inducted, simply trying to understand the small world in which we—student and teacher—now found ourselves. My engagement with this world was, however, more akin to that of an anthropologist who develops an abiding fondness for the tribe with whom he has chosen to live and study, but who knows that he occupies a world different than theirs. My imagined world, and the place I imagine for himself in it, is radically different from that of many of my students.

This way of imagining myself and my place in the law school may well have made me a better teacher for some, a poorer teacher for others. Some students feel most comfortable and learn better when a teacher appears most connected to them (when the teacher is familiar, safe, warm). Other students expect the teacher to be different, to have come from some other place, to bring into the classroom a sense of self and world that is different (sometimes strange, sometimes odd).

Most of my students over the years of my teaching have neither sought or desired any real connection. I do not see this as a failing on their part or on mine. Some fair number of students, more in years past than in recent years, sought me out, and I have always been pleased when this happens. From my friendships with students, I've experienced not the energy of the young, but simply the pleasures to be found in friendship.

Robson: As for fictional characters (and some of mine have certainly been LGBT), I strive to know them—which seems a rather silly thing to say since I have created them. And I want the reader to know them, but also be provoked by them and engaged with them. I can say that I want the characters to be real, but I also want them to be more than real, in the sense that the inner lives of the characters are manifest. Yet, it is difficult to invest every character in a story or novel with a complex inner life (mostly because of the structures of narrative and voice).

It is perhaps cliché to say—I write for myself as my intended audience, but in the first instance it is embarrassingly true. Although in both fiction and nonfiction, I am cognizant of the communicative function of writing and want the work to be intelligible. I quite detest difficult work that is difficult out of pomposity.

As an essayist, I have translated some of the lessons from the craft of fiction, but also many of the lessons from the craft of scholarly writing. Essays interest me when truth and accuracy are most contested. I have

turned to “creative nonfiction” when what I want to relate is unbelievable. For example, I understood reading novels that a person dying in the first chapter does not suddenly and miraculously recover at the end of the book. Chekhov’s rifle and all that! The reader will feel cheated without the closure of death. Yet that was the story I wanted to tell. And so the essay, whether or not one called it creative nonfiction, seemed most amenable.

Regarding students, I am most interested in the ways they challenge the law and me. So, I don’t quite feel as if I am “inducting” them into a world, but more that I am introducing them to a world that they will change. My notions of “equality” and “sexuality”—to take but two examples—are quite different from their notions, but yet there are many commonalities. Moreover, because I am no longer practicing law myself, I am interested in the internship tales of students and the law practice “war stories” of my former students.

Elkins: How do your efforts at creating characters, that you want to be real, and to have manifest inner lives (so that they become more than real) find a place in your teaching, your relationships (and understanding of) your students and your colleagues?

Or, maybe I should put the question differently. How does being a novelist and short-story writer, concerned as you are with the complexity of character affect your teaching? How does being a novelist affect your sense of what you are doing as a teacher?

Robson: These are incredibly interesting questions that lead into a virtual labyrinth (of epistemological byways). Since I have always been deeply entrenched in fictional creations, I don’t know how my other activities such as teaching have been affected. I’ve tried to think counter-factually on this: if I weren’t a writer, how would my teaching be different? That strategy has been similarly unsuccessful.

I could enumerate several ways in which my teaching has affected my writing. There are those material conditions of which we were speaking earlier; but I have derived ideas for writing projects in the classroom. I also think my writing (both fictional and scholarly) has benefitted from developing the skills that benefit a teacher—patience, clarity, and enthusiasm.

Additionally, I find that the same paradoxical ego is required for both pursuits: one must have an incredibly strong ego (how else to stand in

front of 160 students and believe one has something to say). And with this strong ego one must *simultaneously* have a mind-set of “no-ego” (teaching is not about the teacher and writing is not about the writer).

Elkins: The questions were, of course, easy enough to pose, but looking at them again, from your perspective, I see how they might well be unanswerable. I think your right about the paradox of writers and teachers—strong ego and no-ego. Is it the over-determination of ego that leaves us with the arrogance (and closed-mindedness) we find in so many of our academic colleagues? (And, one wonders, what is it that we are so strongly defending?) And I suspect that we (in legal education), know far less about no-ego than we do ego. To use the fancy language we learned some years ago, the ego is privileged, and thus, stands subject to deconstruction.

I venture forth here with this theory language, knowing well that you have a far deeper and more abiding (and continuing) interest in theory than I do. You are identified as a theorist, and you say in *Sappho Goes to Law School*, “I take theorizing extremely seriously. . . .”⁴ Yet, elsewhere, you point out that doing theory can simply be “another name for thinking, for deciding, for arguing and examining one’s own beliefs and principles as well as the beliefs and principles we have been taught.”⁵ Consequently, “[t]heorizing is something that we all do.” I agree, totally and completely, with this latter description of theory. However, I think you’d agree that most theorists don’t act as if all they are doing is thinking, deciding, arguing, examining beliefs, and exploring principles. Indeed, the most egregious violation of your straight-forward description of theorizing can be found in the work of the postmodernists. I might note that you have, in some ways, identified your theory work with postmodernism. How can you (how do you) enter the language labyrinth of postmodernism and hold (if you do), to the notion that theory is simply another name for thinking/deciding/arguing/examining?

In pursuing the postmodernists, I decided (perhaps too quickly, perhaps without having the best of guides) that in a world in which intellectual choices had to be made, I simply didn’t have the time, energy, or will to translate postmodernism into anything that I could put to good use in

⁴ Ruthann Robson, *SAPPHO GOES TO LAW SCHOOL* 59 (New York: Columbia University Press, 1998).

⁵ Ruthann Robson, *LESBIAN (OUT)LAW: SURVIVAL UNDER THE RULE OF LAW* 15 (Ithaca, New York: Firebrand Books, 1992).

order to think about the world around me. Indeed, as I turned to stories and narratives (in my teaching and as a way of knowing), I found much that I could put to routine good use in teaching and in life and this, I think, further distanced me from postmodernism. And yet, here you are, a novelist, essayist, poet, writing in which work you seem to be the quintessential writer/storyteller, and yet you've developed this affinity for postmodernism. Or have you mined postmodernism with some sense of necessary without developing any lasting affinity for it? (I could peruse the pages of *Sappho Goes to Law School* and *Lesbian (Out)law* and, perhaps, devise an answer to the question, but then I might not. In theory work, admirations are both revealed and obscured.)

Robson: Yes, I strongly believe in theory and theorizing. But by theorizing, I've never meant postmodernist theorizing. The major pitfall of postmodernism, as I see it, has been a tendency to valorize language over meaning. I don't think theorizing is meaningful when the idea being communicated is rendered in language that makes the idea seem more complex than it is by putting us to work deciphering the language. For me, the work of theory should be evaluating ideas. For sexual theorists, I think a certain obscurity has been part of the attractiveness of postmodernism—it does make certain aspects of sexuality seem less crude if the language is complicated. But perhaps this is too cynical on my part.

I've seen it as part of my work to make theorizing accessible, which is why I wrote *Lesbian (Out)law* in the form that I did. Theorizing is important to me because narrative can be partial. I know there has been a good deal of writing about the importance of narrative to theory, but I think there has been less work about the importance of theory and the limits of narrative. I have tried to do some of that work.

Elkins: You are a self-confirmed, practicing theorist (and so far as my reading goes, a rather good one). And you are narrativist, but not quite the kind of legal narrativist we find in law schools. More accurately, we might say you're a practicing narrativist; you write and publish short stories and novels. Yet, you don't seem to have aligned yourself with the law and literature movement or with the legal storytelling and narrative jurisprudence scholarship. Or am I simply misreading your "movement" alliances?

As a supplement to my question about your alignment with the law & literature and narrative jurisprudence movements, I should note, that in *Lesbian (Out)law*, you do draw on a novel for illustrative scenarios

about the criminalization of lesbian sex.⁶ And in *Lesbian (Out)law* you cite, Patricia Williams' *Alchemy of Race and Rights* (1991) which is a narrative-oriented text of sorts, yet the cite doesn't drawn attention to the narrative orientation of the book. Finally, there's a personal story vignette about a lesbian lawyer in *Lesbian (Out)law* who you opposed in legal practice,⁷ and you relate still another story—"it happened in law school story"—about being taught the dubious lesson of zealotry on behalf of unworthy clients.⁸ But, I take it that *Lesbian (Out)law* was not significantly influenced by feminists' enthusiasm for legal storytelling and law & literature.

I'm curious about your concerns about narrative expressed in *Sappho Goes to Law School*. You are, in a real sense, up to your neck with narrative, and yet, you hedge your bets with your cautionary (theoretical) talk about the limits of narrative (hedging the bet still further perhaps by calling them paradoxes). I can't quite figure it out: a) are you a theorist simply trying to be cautious, looking at all the angles? b) where does your theorizing fit your involvement in narrative as a novelist and short story writer? c) do you really believe, at some level, that theory has the power to change the world and narrative doesn't? d) have you been infected with doubts from your travels with the postmodernists? e) do you not want, for some reason, to be associated with the legal narrativists?

Robson: I'm not trying to hedge my bets on narrative or even defend postmodernism. Instead, I think I have been frustrated when "stories" are presented as self-validating and self-explanatory; when the particular is presented as if it is an approximation of the universal. I find, also, that narrative can close down inquiry as well as open it up.

I also—and this feels rather risky to say—believe that there is a lack of appreciation of narrative amongst many legal theorists who deploy narratives. I'm not referring here to the analysis of texts by law and literature scholars, but the use of narrative in the form of anecdotes with the assumption that a vignette might be commensurate with a well-developed theory. Of course, I've included anecdotes in my own legal theory, and will probably continue to do so.

⁶ *Id.* at 50-56 (Judith McDaniel, *Just Say Yes* (Ithaca: Firebrand Books, 1990)).

⁷ *Id.* at 180-181.

⁸ *Id.* at 181-182.

As someone who has written novels and is working on one now, I should say that narrative can be as disciplined, as complex, and as demanding of writer and reader as any theory. Of course, some theorists would not agree.

Elkins: I'm not sure what you mean when you say that stories are presented in legal writing as self-validating and self-explanatory. I guess I've never read them as being problematic in quite the way you describe. It's rather rare, I think, that we have stories presented in legal scholarship without being accompanied with explanatory commentary.

There is, from still another perspective, a sense that narrative and theory are radically different enterprises. And being different enterprises each stand, in their own way as self-validating and self-explanatory. Don't we think of a story, cogently presented, just as we do an argument—self-validating within the context in which it is presented? By self-validating, I don't mean to suggest that a story is true, any more than we are to take for granted that a particular theory is right. And I don't mean self-validating in the sense of quality: the quality of a story is always in question. I assume that we are *always* questioning stories because of all the "tacit" knowledge we bring to an engagement with a story. The interesting thing about our most compelling narratives—an expectation we come to by the nature of narrative—is that it requires no explanation. Explanation is built-in. Explanation of narrative is a different enterprise. (Whether we can have narrative without explanation is still another question.)

I'm even less certain about the problem you associate with stories being presented as particulars that would approximate the universal. I'd think—keeping in mind that this is Monday morning and I'm no theorist—that stories embody the universal, and "represent" the universal. I'm tempted to say, they represent the universal as well as theory does. Put more cautiously, stories do what theory does but by a different means, by a different path. Or put more personally, I don't think I've ever felt particularly close to anything universal when I'm reading theory. Maybe I should come clean and confess that I feel closer to what I imagine to be "universal" when I'm reading and contemplating a story (well . . . some stories). Isn't it fair to say, that story and theory, by different means implicate the universal, even as they each, in their own way, traffic in particulars?

On opening up and closing down inquiry, I suspect that comes more from the company we keep in stories (and our theories about them), than

with anything associated the stories themselves. I know there is lingering suspicion in some quarters, particularly in feminist circles, that narrative has some patriarchal tilt, but if that can be successfully argued (and I'm skeptical that it can be), then progressive social change by the deployment of stories is a lost cause. If narrative is implicated in the failings of patriarchy, then language itself must be implicated, and once we start down that road, it looks as if we'd have to conclude that everything, including reality itself, is already (fatally) tainted with patriarchy (and tainted in way that makes life less desirable for men as well as women). I'm not at all sure how far I want to go down this road.

On a more mundane front, I don't find anything in stories and narratives that prevents them from being engaged and presented (deployed) poorly. There's no instant success to be had simply upon the discovery of stories. But wouldn't we say something of a similar sort about theory? There's nothing pretty at all to be found in a clumsy piece of theory work.

I'm not sure I'd want to elevate the use of anecdotes to the level of narrative, no more than we dignify personal opinion by calling it theory. (E.g., I'm not at all sure I'd call Pat Williams' *Alchemy of Race and Rights* a work of narrative, but it was anecdotal, and the anecdotes were used in such a way that they called attention to themselves. Indeed, they were used skillfully enough that it looked at times as if Williams was working a new genre vein.)

Finally, you note that as a novelist, you "feel that narrative can be as disciplined, as complex, and as demanding of writer and reader as any theory." As someone who has never written a novel and most likely never well, I think you're right about narrative requiring discipline of the reader. I think we see the point of your comment best when we try to teach stories—in my case, lawyer stories—to law students. In their reading they demonstrate that they have not developed any real discipline when it comes to reading narratives. By discipline, I mean they don't have a strategy for reading the narrative. Consequently: 1) they can't talk about stories in an engaging way (which, one might think, would a problem when they try to talk for and about their clients in the practice of law); 2) they have trouble getting beyond the surface of the story; 3) basically, they don't have a "strategy" for reading stories (that is, they haven't disciplined themselves to think that there must be a purpose in reading stories, and that it is finding and articulated and making use of this purpose that one becomes a disciplined reader).

Robson: I agree with much of what you say. I do not want to conflate narrative with poor narrative when it comes to legal scholarship.

I think where our point of disagreement lies is that I do not believe particular narratives are universal—or that they should be, or that they have built-in-explanations. (I leave aside here the question of whether the narrative impulse is part of human nature.) Instead, I think narratives are particularized explorations of particular people (and nonhuman forms of existence) in particular situations—and at their best they illuminate the ambiguities, the contradictions, and the un-theorizability of life. That they can cast light on more general circumstances is certainly true—and certainly part of the work the reader does (or tries to do). Having students (or anyone) discuss and engage with a narrative can be pretty daunting, I agree.

It is not that I believe narrative is inferior or in any way subordinated to theory. Or vice-versa. But I do not believe they should be conflated; to my mind, the conflation misserves both.

Interestingly enough, I am working on a piece which could be said to conflate theory and narrative in a form that Nicole Brossard names “fiction-theory,” and a form I find attractive.⁹ In my own defense, I would say that the form does not conflate fiction/narrative and theory, but rather engages with them both, so they reverberate and dance.

Elkins: You may have a point about the conflation of narrative and theory being a prescription for trouble. Perhaps worse, in my view, are those who talk, write, and theorize about narrative with no indication that they have an affinity for narrative at all. That those who do narrative and those who do theory as exclusive endeavors may be in a better position to do them well may be so obvious that it doesn't deserve mention. Basically, I don't see a serious problem arising from the commingling of narrative and theory, but I'd want to refrain from making further pronouncements until undertook the necessary archaeology of the texts.

I'm interested in Nicole Brossard's stamping of a new name on the essay —“fiction theory.” “Fiction theory” doesn't, at least on first impression, strike me as descriptive of what you are doing in your recent essays at

⁹ See Nicole Brossard, *THE AERIAL LETTER* 73-76 (Toronto: The Women's Press, 1988) (Marlene Wildeman trans.)

all. I suspect that in the various labels we place on writing, we are squarely in the realm of the politics of writing and publication. Perhaps, essay has become a tired, worn-out term. After all, if what we have our students do is to write essays then we may not find this such an attractive label for what we seek to write! I still admire essayists and wouldn't mind in the least to be identified as an one. Indeed, I'd consider it an accomplishment, an honor.

In *Sappho Goes to Law School* you note that you've been "seduced" by the work of Nicole Brossard and this "new genre" which you associate with post-modernist feminism.¹⁰ The problem that I have with Brossard, like so many who write ever so self-consciously as postmodernists, is that a good deal of what she says is simply pretentious trafficking in obscurity. Here is a paragraph, selected at random, from Brossard's *The Aerial Letter* (1988): My relationship to desire is undoubtedly less great since the child who has split all landscapes in two and has me them with condensation on the lens; the eye myopic. And so my gaze is less inclined to take possession of itself than to restore continuity to colour and form in space and from this, my fiction. From one detail seeing the whole and I the whole catching sight of myself, rather than rushing straight on to detail and taking it over for myself: taking it.¹¹ To be fair to Brossard there are paragraphs that have somewhat greater clarity than this one. But I might add that there are many paragraphs running on into pages where the prose is every bit as dense, convoluted and uninviting.

You note, that reading Brossard with a colleague, she reported that she found her difficult to "to critically engage" and that she became "impatient" reading Brossard.¹² I too find it hard to locate the lucid moments and to isolate the exciting ideas in Brossard from the noise of her writing. Your response to your colleague's concern about reading Brossard was: "But why should we privilege critical engagement?"¹³ You're right, of course, there are other reasons we might be drawn to a writer's work, as for example, I am drawn to yours. Of the various strategies I may have for reading a particular text or a particular author, "critical engagement" is only one of them.

¹⁰ *Sappho Goes to Law School*, at 46.

¹¹ Brossard, *supra* note 9, at 45.

¹² *Sappho Goes to Law School*, at 46.

¹³ *Id.* at 76.

I should say, in fairness to Brossard, that she is a prolific and acclaimed writer, and my unfavorable response to *The Aerial Letter* and the obscurity induced by postmodernist prose writing more generally, is not itself sufficient basis on which to condemn her work. There may, with thoughtful, careful excavation, be powerful ideas to be found in her work. All I can say is that *The Aerial Letter* was not an invitation, at least to this reader, to set about doing the excavation.

I turned to Brossard's *The Aerial Letter* to learn something more about this new genre—"fiction theory." I came away from reading Brossard unconvinced it's a new genre, or that it has all that much to do with postmodernism, or that it can be successfully labeled a form of feminist writing, here's what Brossard (at least in *The Aerial Letter*) says about "fiction theory": The female body will speak its reality, its images, the censure it has been subjected to, its body filled to bursting. Women are arriving in the public squares of Literature and Text. They are full of memories: anecdotal, mythic, real, and fiction. But above all women are filled with an original all-encompassing memory, a gyn/ecological memory. Rendered in words, its reality brought to the page, it becomes fiction theory.¹⁴In this description of "fiction theory" we find a statement brimming with vitality and excitement but I'm not sure it describes a new genre. Indeed, memories made of anecdote/myth/reality/fiction sounds like the writing many of us aspire to. But I'm not sure where the "theory" comes in.

Is the excavation in reading Brossard worth the effort? I've got my doubts.

The real question, of course, is whether "fiction theory" points to anything we might describe? But the more interesting question, is how finding Brossard's idea of "fiction theory" has become important in your writing?

¹⁴ Brossard, *supra* note 9, at 73. Brossard notes that: "Women write, but at this point in time, they write more than ever with the conscious knowledge that they cannot write if they camouflage the essential, that is, that they are women" *Id.* at 73. One has to salvage what one can from the fog of obscurity that pervades Brossard's writing, but there are patches where we can almost see the road we're trying to navigate: "It is thus at the border between what's real and what's fictive, between what it seems possible to say, to write, but which often proves to be, at the moment of writing, unthinkable, and that which seems obvious but appears, at the last second, inexpressible, that this elusive derived writing, wiring adrift, begins to make its mark." *Id.* at 76.

As a concession to the labels "fiction theory" and "creative non-fiction," I suppose there is a need, at times, to find for our writing, genre labels that make it possible to redefine, imaginatively, our writings. And if in turning to these new labels we find it possible to write in ways we have not previously written, then the new labels serve a purpose. Maybe there is an inescapable need for new classifying categories, and a still greater need on the part of progressives and adventurers to seek out, put to use, and inhabit these new classificatory categories.

Ruthann, the more you and I talk about theory, the less I understand what theory is. For example, you talk about theory and theorizing in *Lesbian (Out)law*, but I think it possible to read that book and conclude that it's not really a theory book at all. *Sappho Goes to Law School* reads more like a theory book than does *Lesbian (Out)law* but that comes basically from your effort in exploring theories advanced by others. I'd have to sit down with *Sappho Goes to Law School* to determine how you do theory, which might give me a better idea of what you mean when you talk about theory.

Robson: Yes, I agree that the more we talk and write about theory, the less I understand what we mean. And the same is true for narrative. And to complicate things further, I'd add that we haven't yet confronted the lyrical.

Perhaps I discovered Nicole Brossard's work at a time in which it resonated for me. I found her work freeing in the way that it addressed the breaking of boundaries. She places lesbian writing at the center of her work, and I found that liberating.

Certainly, fiction-theory as a form is not really unique. In Philip Lopate's mammoth anthology, *The Art of the Personal Essay*,¹⁵ he includes a table of contents of the essays organized by "form" and includes a "mosaic" form (the only entry being Richard Rodriguez's "The Late Victorians") and a form Lopate calls "Prose Poem and Reverie." Either of those two forms could probably be used synonymously with "fiction-theory." Brossard, I know, was not using "fiction-theory" to denominate only form, and these different forms do not have the same substance which animates Brossard's work.

¹⁵ Phillip Lopate, *THE ART OF THE PERSONAL ESSAY: AN ANTHOLOGY FROM THE CLASSICAL ERA TO THE PRESENT* (New York : Anchor Books, 1994).

Whatever it might be called, I find the form attractive. Perhaps it is, because as you say, it is different from the more formal essay form that we teach our students to write (and then labor to read). But I also find that the new form, whatever we call it, can incorporate not only the narrative (as in story) and the theoretical (as in argument/essay), but also the lyrical.

You seem to have a strong affinity for the lyrical, no? I cannot think of another legal publication that has devoted so much energy and space to poetry as you have in the *Legal Studies Forum*.

Elkins: You might, although I can't be sure of this, agree with me that we're both more likely to know what we mean by narrative than we do by theory. By narrative, I take it, we are simply talking about stories and the telling of them. (I've puzzled more than once over this idea that we can't be satisfied to call a story a story; we now want to call them narratives.) And I don't mean at all to suggest that narrative and story-telling aren't to be treated as complex endeavors, and that as such, they don't or can't undergo the kind of theorizing we do about all the cultural constructs we erect and adapt for use.

I'm far more comfortable thinking about theory as you describe it in *Lesbian (Out)law* as simply "another name for thinking, for deciding, for arguing and examining one's own beliefs and principles as well as the beliefs and principles we have been taught."¹⁶ But it's not, of course, the idea of theorizing as "something that we all do" that you have in mind when you talk about doing theory. You are talking about doing theory, but you're also talking about the talk you do with other theorists (exploring the work of other theorists, critically engaging their work, selecting from their work those inscriptions, pronouncements, and ideas that you will adopt, adapt, and use to adorn and make your theory talk attractive to fellow theorists). When you are talking to and about other theorists you may well be thinking/deciding/arguing/examining, but that turns out to be the half of it, the other half, and sometimes the more obvious half is this business of standing toe-to-toe with other theorists, making for yourself a seat at the table where theorists talk theory.

Oddly enough, you begin *Lesbian (Out)law* with this notion that it is a work of theory, but I'm not sure, in reading *Lesbian (Out)law*—now—that it reads so much like a work of theory. In looking back on *Lesbian*

¹⁶ *Lesbian (Out)law*, at 15.

(*Out*)law, is it, really a work of theory? I'm still looking for the language to describe *Lesbian (Out)law* as a non-theory book. I see it now more as an active effort to uncover and unearth—to discover—the lesbian as a legal subject (maybe I should say “the lesbian as a legal topic” or “the lesbian as a socio-political-cultural actor”). Isn't *Lesbian (Out)law*, given the nature of what you were trying to do and the time in which it was being done, more descriptive than theoretical? It seems to me to be more a “guide” than it is a theoretical foray. And, if we're to think creatively about *Lesbian (Out)law* wouldn't we do just as well to think of it as a kind of adventure travel writing?

I've not done the same kind of theory/non-theory rereading of *Sappho Goes to Law School* but on first appearance it seems to be far more theoretical in nature than is *Lesbian (Out)law*. For example, your chapter on narrative might well be read as theory, but again, it's an instance where the “talk among the theorists” takes up far more of the text than does theory itself. It would be an interesting experiment—and one which I do not intend to undertake at this point—to go through *Sappho Goes to Law School* rather carefully and map out the theory you do *vs.* your talk about theory. (I can't, without still another reading of *Sappho Goes to Law School*, predict the outcome of any fair accounting of this doing theory *vs.* talking about theory in the book.)

I suspect that with your reading and discovery of Nicole Brossard's work there must be an element of serendipity (if this turns out to be something other than the name of a circus ride). I'd say something of a similar sort about my first reading of James Boyd White, reading that oddly-colored yellow book, *The Legal Imagination* (published just two years before I started teaching), I had a real sense, even as a new and untried law teacher, that White was breaking boundaries and that he was presenting a new way to think about law, a way that I found liberating.¹⁷

There is, I think, a kind of breathless overreaching in Brossard's description of “fiction theory” (in *The Aerial Letter*; perhaps she has talked about the form/genre elsewhere as well, I don't know) that put me off. She seemed overly possessive, claiming for feminists a form/genre that rightful belongs to all of us as writers. I identify this kind of overreaching possessiveness, as both defensive and arrogant. Who can claim

¹⁷ James Boyd White, *THE LEGAL IMAGINATION: STUDIES IN THE NATURE OF LEGAL THOUGHT AND EXPRESSION* (Boston: Little, Brown, 1973).

possession of a thing they do not own, did not invent, and should be left to common use? It is a claim that disinherits and fails to honor those who have gone before.

I'm pleased to be reminded of Lopate's collection of essays. I have the Lopate essay collection of 1999, and unfortunately, it does not include the Rodriguez essay.¹⁸ If you've not read Rodriguez's *Hunger of Memory*, I highly recommend it.¹⁹ I think it was Rodriguez and the *Hunger of Memory* that initiated my thinking about what I came to call the "two worlds" problem, the sense that we are all trying, in our own way, to shuttle between worlds. The "two worlds" problem is especially acute for lawyers, as it is as well, for writers.

As we continue to talk about the mosaic/prose poem/fragment style of writing which you've taken up, and which I find quite attractive, I've decided I need to say something more about it. Herewith my—what shall we call it?—an ode: So, what is this *new* writing? It begins with found fragments drawn from the imagined and the real. This new writing is the well-crafted pot, made to be broken, and then recollected as shards—the writer as archaeologist. In the use of fragments we have the haiku of non-fiction, a new genre of inscription. Quotation is welcome but not required. Footnotes appear but are not welcome. Meandering is forgiven. It is the stitching, coalescing, and commingling—pastiche, potpourri, medley, hodgepodge. (It is a print/old culture version of hypertext.) It is writing with a voice, an attitude, a presence of mind; it is fresh, sharp, lean and angular. In this writing with pen and scalpel, what is not said counts as well as what is said. The final product is—yes—an illusion, a sense that we have stood momentarily in the presence of mystery. The new writing is, in its poetics, poetry; it reminds us, first and last, of what a nimble mind can do.

Ruthann, as you practice this new essay writing, I find it elegant, economical, sensible, practical, crafty. It's prose doing the work of poetry, poetry for those who don't want to worry about the line breaks.²⁰

¹⁸ Phillip Lopate, *THE ART OF THE ESSAY: THE BEST OF 1999* (New York: Random House/Anchor Books, 1999).

¹⁹ Richard Rodriguez, *HUNGER OF MEMORY: THE EDUCATION OF RICHARD RODRIGUEZ—AN AUTOBIOGRAPHY* (Boston: D.R. Godine, 1981).

²⁰ For our staunch traditionalist colleagues, the new fragment/mosaic/essay form is an excuse for aimless musing, hogwash (swill and slop). It lacks structure, argument, rationality. It's the excess of prose that oozes from the bilious writings of postmodernism. It's the prose equivalent of tv "sound-bites"; advertisements for goods not in stock (essay

Robson: Narrative does not seem more easily understood to me than theory. Stories, of course, can be true or fictive. I think I've always understood that there was something "other" than stories. Some of this other I would name "theory," as a way of describing the more generalized meaning a story might illustrate. Another "other" might be called the "lyrical"—the poetics, the images, even the eros—that might be evident in some stories, but are not necessary for story/narrative, or for theory.

All this talk of forms! I do love your prose ode (now, what kind of form is that?) to the mosaic/prose poem/fragment style that I have been calling, perhaps accurately or perhaps not, fiction-theory.

If "form follows function" (Charles Olson, I believe?), then the larger question is what are we trying to accomplish by choosing different forms? Why does one form resonate for certain work and another form for other work? Certainly, the audience issue is often important, but it is not always determinative. And yes, I do think writing must be accessible. (Something that drives the articulation of theory and the theoretical arguments and explorations most explicitly in *Lesbian (Out)law*).

The question of form is an incessant question. We discussed form and rejected the interview in favor of a conversation. A conversation is a form that is quite familiar in some ways, but still odd in a written format. And authentic dual-authorship is a relatively rare phenomenon. Our conversation should also be distinguished from narrative dialogue (however purportedly true) or theoretical dialogue (Plato, *et. al.*).

Elkins: In your critique of narrative in *Sappho Goes to Law School*, you portray narrative as so riddled by paradox that we should, in law, be weary of our recent turn to narrative. I'm curious about one of the paradoxes you attribute to narrative where you write, "we may be at the end of the period in which narrativity is a relevant undertaking." You go on to note that "[w]e may be telling our stories at the end of the story of story-telling."

I'm not sure, in these comments, whether your cautionary comments are directed to the turn to narrative in law, the promise attributed to the use of narrative in law by progressives (by colleagues associated with

without the say). Fiction theory is a skeletal caricature, a prose travesty. It's the writer as trawler, doing treason in the name of language.

critical race theory and feminist jurisprudence), or the theorizing that takes place under the name narratology and narrativity (as they might be associated with postmodernism). If in these comments you mean to suggest that the interest in the theory of narrative is at its zenith you may well be right. (I don't know whether by "story of story-telling" you are using a left-hand expression to talk about theory, or you're still talking about stories.) If, on the other hand, you are suggesting that we've reached a political, social, cultural, psychological high-water mark in telling and listening to stories, that would be a far more extraordinary claim.

I wonder how the limits you ascribe to narrative (you call them paradoxes, but they are clearly presented as cautionary limits on any reliance we might place on narrative) are to be read by those of us who did not come to narrative by way of postmodernism (and by the idea that narrative might be used for progressive change) and do not measure our regard for and use of narrative by the theoretical speculations of postmodernists (who may, as you note, also have seen their best days).

Robson: It's funny you should ask—since lately I've found myself rethinking the end of narrative posed by Sue-Ellen Case²¹ and which I once found more plausible than I do now. I find that what she names "screen culture" (meaning computer culture) has in many ways appropriated "print culture," so that rather than the end of print culture (and narrativity), we've seen real changes but not of the kind I once envisioned. Like so many others, I resort more and more to the internet and have become an avid participant in screen culture, yet the internet is increasingly a narrative milieu. The diary-blogs are but one example. I'm now starting a one-issue stint as a guest-editor for an online literary journal, *Blithe House Quarterly* where my narrative judgments are being augmented by considerations of screen culture.

It seems to me the notion of content on the internet is often presented as information, as if information is not also narrative. So, I'm pleased to have lived long enough to have changed my mind and rethink some of this. And yet, with these musings, I am led back to the idea that even narrative collapses into itself.

²¹ See Sue-Ellen Case, *THE DOMAIN MATRIX: PERFORMING LESBIAN AT THE END OF PRINT CULTURE* (Bloomington: Indiana University Press, 1996).

Elkins: In your last communique, you have narrative collapsing into itself! This may be a good point to leave our musings about narrative, and take up another genre (of the many) in which you write. I was well underway with my work on lawyer poets, when I discovered, with surprise bordering on disbelief, that not only were you a legal scholar, novelist, and essayist, but a poet as well. How long have you been writing poetry? Where does it fit into your life as a writer? Does your poetry have any bearing on your work as a legal scholar and law teacher?

Robson: Like many writers, my first love is poetry. I started writing as a "juvenile" and participated in the usual school activities in junior high such as the literary magazine and the creative writing course. Those early days as a writer have certainly shaped my life as a law professor, since I have used my teachers from that time as "negative role models." I vowed not to be, as I found them, narrow, rigid, and without courage. The cultural context had much to do with my experience, since the late 1960s and early 70s were a time of great rifts and I placed myself on the side of what was then called the counter-culture. So, in a way that was unfortunate because I did not receive the guidance I realize now would have benefitted me. On a more positive note, I became a published poet in underground magazines. I managed, in the turmoil of these years to leave high school without graduating.

Poetry is also a first love in the sense that my ideas, phrasings, and impulses are often first expressed in poetry. I find myself cannibalizing my poems in other work. At one time, I had doubts about doing this, but I've now decided it's not such a bad thing to do. For example, I use the sentiment and the set-up from "poem to be read at my memorial service" (which you have included in the poems you selected for publication along with this conversation), in the novel I'm now writing. The poem is harsh, maybe even difficult, but it seems to belong in the novel.

Poetry is demanding. The discipline of poetry, both writing poetry and reading it, have certainly shaped me as a legal scholar and professor. The close-reading of a poem is a perfectly good preparation for the close-reading of legal opinions, statutes, and regulations.

Elkins: Many of us, involved in one way or another, in "law and literature" might be able to name a lawyer poet or two. Wallace Stevens has achieved sufficient claim as a 20th century poet that his work as a lawyer for the Hartford Insurance Company is now common knowledge in literary and legal circles. Some years before his death, Archibald

MacLeish published a speech in the late 1970s for a Harvard Law Review gathering that reminded us of his early days as a lawyer, the days before he abandoned the legal profession to become a poet, journalist, statesman, and Librarian of Congress. It would be the rare law professor who could name another lawyer poet beyond Stevens and MacLeish. We might, of course, chance upon someone who knew that Edgar Lee Masters, of *Spoonriver Anthology* fame, was a practicing lawyer and a prominent American poet. A lawyer who travels in literary circles might remember that Charles Reznikoff, in his early years attempted to practice law before he took up his work for a legal encyclopedia company.

My interest in lawyer poets was peeked a few years ago when I was trying to write a biographical essay on John William Corrington and I needed to say something—I didn't know exactly what—about Corrington's being a published poet before he became a lawyer. I wanted, of course, to learn what Corrington had to say about his years as a poet, but I found myself reviewing the literature on Stevens (which turns out to be voluminous), and on MacLeish (especially the rather interesting Harvard Law Review article in which he comments on his life as a lawyer and a poet). What I ended up doing turned out to be rather surprising, indeed I now see it as the onset of what might be called an obsession. It began with the identification of significant 19th century poets who turned out to be lawyers: William Cullen Bryant, James Russell Lowell, and Sidney Lanier, for example. And what I found, as I explored 19th century poetry anthologies, is that you can't read poetry from this era without becoming aware that many of our poets were lawyers. It was, with that realization, that I began to try to identify this country's lawyer/poets. The list, now almost five years later, stands at over 900, and will eventually exceed a 1,000. Along the way, I've identified over 350 contemporary lawyers who consider themselves (in some fashion or other) as poets, many of them actively publishing their poetry in literary magazines, chapbooks, and collected works.

What, as "law and literature" scholars, are we to make of this rich presence of lawyers as poets in this country?

Robson: As I am write, my local public radio station is airing a program on "part-time composers," highlighting composers who earned their living in fields other than music. So, perhaps one way of thinking about poets who are lawyers is that being a lawyer is a good day-job while one pursues poetry, which has never been a very profitable (to say the least) profession. I'd think this would be especially true before the

proliferation of academic writing programs which now provide poets with work. There is also the shared love of language in law and poetry. So that the fields are not so far apart as people tend to think.

Elkins: Are you continuing, along with your other writing, to write poetry? *Masks*, your first, and one should note, a major collection of poetry was published in 1999. Do you have another collection in the works?

Robson: I have continued to write poems, but I now publish poetry only occasionally. So, I do not have another collection forthcoming or circulating. In part, this is because I have found the subjects which I am pursuing work better in longer forms, such as the essay. As I work on a new novel, I find that have far less time for essays.

Elkins: Some years ago, you were diagnosed—actually misdiagnosed—as having a fatal form of cancer. You’ve now written a number of essays about your illness and your encounter with the doctors.²² What was it, in and about, your medical situation that resulted in your taking up (with a vengeance shall we say?) the essay as a genre in which to address your medical situation?

My sense is that your illness essays are some of the most brilliant, compelling work you’ve done as a writer, which is all the more striking since you are an accomplished writer in all the genres in which you work. Where, in your view, do these “illness essays” lie in the overall scheme of your work? (Should we be referring to them as “illness essays”?)

Robson: In addition to being flattering (thank you!), your question seems to me quite insightful in making a connection between writing poetry and what you call the “illness essays.” Many of those essays began as poems, and when I was referring previously to other forms cannibalizing the poems, I had those essays in mind. As I was recovering, I began to write poetry, and many of those poems appear in the essays.

²² Ruthann Robson, *Notes on My Dying*, *Creative Nonfiction* 18, at 8-17 (2001); *story time*, *ACM: Another Chicago Magazine* 216 (Number 41, 2002); *Studies in the Subjunctive*, 3 (1) *Bellevue Literary Rev.* 114 (2003); “Leaving Her,” in Lynda Hall, *AUTOBIOGRAPHICAL LESBIAN SHORT STORIES* 223-230 (Madison: University of Wisconsin Press, 2003); *Notes from a Difficult Case*, *Creative Nonfiction* 21, at 6-19 (2003). There will, undoubtedly, be more to follow.

I would say that the illness essays to me, *are* poems. The poetic is the creative part of creative non-fiction. Or perhaps these are simply long-poems. The line breaks, the phrasings, the “stanzas” are vital to me in these works, in the way that they would be in poetry. Although they are certainly not formal, there is a meter and a rhythm to these pieces, at least in the way I hear them and have tried to write them.

And before the illness essays, I wrote other similar pieces, a few of which appear at the end of *Masks*, and thus qualify, at least in that context, as long poems. (I would put the poem, “nightshade” into this category).

Elkins: Ruthann, we’ve conducted this conversation over several months. We’ve talked our way through the final months of 2004, ignored the great disappointment in the Presidential election of 2004, and resumed the conversation in 2005. Now, we’ve got a printer standing-by, waiting for us to put the wraps on this conversation. I’ve must say, I’ve enjoyed the conversation and conclude with some regret. I don’t know when or whether I’ll be able to lure another writer into an endeavor of this sort or not! It’s been a pleasure.

Robson: There is something so satisfying about a deadline and a conclusion, especially when it is not a real ending. I hope our conversation will continue, beyond these pages and beyond the two of us. Thank you!

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