

Reimagining the Law: An Inquiry into Poetic Form

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Abstract

Poems about the law belie the claim that poetry and law are incompatible fields. Poets who write about the law have critiqued it, insisting that it ought to serve more than just the personal interests of lawyers and judges, as well as the interests of only the rich and powerful. This insistence, however, has not translated into new ways of imagining the law, particularly in Philippine Anglophone literature.

In this paper, I present samples of my own attempts at reimagining the law. I account for the way the lyric form can enable a lawyer/poet to interrogate her subject position, underscoring (rather than erasing) the inequitable relation between oneself and others that the law mediates. I show how elements of the sestina, a traditional poetic form, provide poets with tools to attempt dialogical and therefore ethical—rather than monological—poeticizing about the law. Finally, I present how conceptual writing practices—exercises in mechanical form—can produce work about the law that engenders conversation about how we think about the law, and performs what we think the law ought to be.

There is a tendency to treat law and poetry as separate, even opposing fields. Lawyers “generally assume that nothing could be more remote from law’s theory and practice than poetry.”¹ Lawyers like Jerry Boyle feel that poetic utterance plays no role in legal discourse, as language play and equivocation are anathema to a lawyer’s or judge’s objective:

“Poets have the luxury of posing questions because the consequences of poetic equivocation are abstract. But lawyers are compelled to pose answers, because lawsuits result in unequivocal judgments which deprive our clients of life, liberty, or property.”²

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Poets, on the other hand, have not shied away from writing about the law; but when the law turns up as a subject in poetry in English, it is often portrayed in negative terms. Geoffrey Chaucer portrayed his Sergeant of Lawes as a man of skill, discretion, and wisdom—but also one who was not completely honest, someone who made himself seem “bisier than he [actually] was.”³ Many poems ridicule or decry lawyers who leverage their legal knowledge for personal gain. John Donne derided those who “choose Law practice for mere gain. . .”⁴ and compared them to prostitutes. Knowledge of the law does not prevent the commission of injustice. In fact, it might just facilitate it. No wonder Dick the Butcher proposes in *Henry the VI* that the “first thing we must do is to kill all lawyers.”⁵

Although it might seem that law and poetry are truly incompatible fields, the fact remains that poems about the law exist. Poetry engages with the law, holds it accountable to its claims of political, if not moral, authority. Percy Bysshe Shelley said that poets “are the unacknowledged legislators of the world,”⁶ suggesting that a poet’s occupation comes with a claim of moral authority that actual political leaders do not possess. Martha Nussbaum argues that Walt Whitman makes a similar claim against jurists in *Leaves of Grass*.⁷ Whitman proposes that a poet is the ideal judge. The poet is an “equable man,” who “sees eternity in men and women” and does not see them as mere “dreams and dots.”⁸ He is therefore more inclined to consider the particularity of a case and decide justly. Whitman likens the poet to sunlight, “falling round a helpless thing.”⁹ He illuminates what is not obvious but nevertheless true. His poems reveal the particular, the intimate, and the richness of human existence.

In this essay, I inquire into how Philippine Anglophone poets have engaged with the law thematically. Observing that these poems treat the law in a similar way, I inquire into how the law might be reimagined by exploring poetic forms. Drawing from my own experience as a lawyer, I attempt to reimagine the law as something other than an instrument of oppressors and to explore its emancipatory potential through the lyric form, traditional form (the sestina), and mechanical form. I narrate my writing process to show how exploring poetic forms has enabled me to think about law’s potential as an instrument, not of oppression but of solidarity and liberation.

Law in Philippine Anglophone poetry

Law’s depiction in Philippine Anglophone poetry is fairly consistent. The law-themed poems in the canon are unified in their generalized excoriation of it, unvarying in their portrayal of the law as corrupted and oppressive,

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and often lacking in nuance.

One thematic strand renders the sentiments of a persona who has observed how the law has been corrupted and used for self-serving ends. For example, Rafael Zulueta Da Costa's "Like the Molave" depicts a corrupt judge, all too willing to forego judicial duty for personal gain. Other examples are "The Tyrant," by R. Torres Pandan and "Grave Thief," by Gemino Abad, which protest against the way former President Marcos and his family have been able to use the law to their benefit. A more recent poem, Dinah Roma's "First Degree," suggests that knowledge of the law allows the police to subvert its restrictions.¹⁰

What is curious about "First Degree," which protests extrajudicial killings and the planting of evidence carried out during the Duterte administration, is that it blames the law for unlawful deaths: "The law . . . can only dictate you deserved to die./So when someone sees your picture,/he should be aware of the rules it is composed by."¹¹ But the Revised Penal Code classifies the act described in the poem as murder, proscribing rather than dictating it.¹² Even if we were to interpret the persona's use of "the law" to refer to corrupt police investigators, prosecutors, and/or judges, the fact remains that planting evidence is criminalized under several laws.¹³ I acknowledge that in many cases, unjust laws are the people's enemy. But in the case of extrajudicial killings and the planting of evidence by the police, the scandal is not that our statutes are unjust, but that they are routinely ignored by state forces and government officials. When Roma's "First Degree" condemns "the law" in general, it contributes to the narrative that the law fails to offer any protection against government abuse, even when this is not always true. Citizens who may otherwise want to defend their rights through the legal system might choose not to do so, believing, as the persona seems to believe, that the law is and can be nothing more than a tool of state oppression. This belief forecloses struggle in the legal arena, which, in turn, facilitates the maintenance of the status quo.

Another thematic strand contrasts the restrictive nature of the law against the freedom afforded by poetry. In "The Ordinance," Luis Cabalquinto underscores the irony of enforcing a law that constricts poetry and life itself "for good order and better relations."¹⁴ In "Permission to Leave, Sir," Ernesto Superal Yee, who had worked as a clerk of court, aligns the law with dead things. Its depersonalizing effect makes the persona yearn, and head for, the "fragile, endearingly small" world of his own "verses," a world where the persona regains his humanity and freedom.¹⁵ Yee's poem is troubling for enacting the depersonalization that occasions the persona's retreat from social relations. The prisoner's humanity is not acknowledged; he is described as nothing more than

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“man’s/law carved on cumbered skin/known by its serial numbers.” Moreover, although the persona determines that he “cannot help” the prisoner, the enjambment of the succeeding lines allows for the reading that the persona also “cannot help . . . but mine” that moment, and leave the prison, so as to be able to write a poem about his encounter with a completely dehumanized person. The word “dimly,” emphasized by being a single word-line, might be read together with the next line to describe the metaphorical world of verses as “dimly lit”; but it might also be read to describe the craving that the persona has for that small, solipsistic world of verses (“for that world I crave/dimly”). Synonyms for “dim” include words “dark” and “stupid”; hence the way the word “dimly” is set off as a single line in this poem suggests an awareness that the persona’s predilection for reducing human encounters to poetry is perverse and dehumanizing, even as (or especially because) it is so humanizing, so pleasurable to the persona. Although he seems aware that something is lost in dimming the connection between the self and others (in a space created and regulated by law), the persona unapologetically chooses the realm of pure poetic imagination, unable, perhaps, to see how the law might be able to bring people together—for how could it, if the law is the binary opposite of that realm of absolute freedom, poetry?

If the first thematic strand portrays the law as corrupted, and the second portrays the law as a realm where individual liberty is limited, the third thematic strand portrays the law as restricted in its operation by social institutions and thus, unable to provide justice. Two poems representing this third strand were written by Simeon Dumdum, Jr., a lawyer, poet, and former judge. Both poems use a judge as persona and are set in a courthouse. In both, the judge-persona narrates an incident that disrupts the usual course of judicial proceedings.

In “First as Tragedy, Then as Farce,” mass media turns a dutiful judge into an insignificant character in his own courthouse and exerts an absurd power over the general public. The poem tells us that the media makes even the innocent look guilty. This harsh critique is softened by the persona’s tone. In the first line, the judge-persona coyly describes himself as “shy” and “modest.”¹⁶ One almost misses what the poem implies about our legal system: anyone who seeks justice from a court will not find it, since our society compels a judge to walk “behind the lawyer”¹⁷ as though he were that media-savvy lawyer’s servant. Are judges really as powerless as the persona would like us to believe?

In “Justice Aspires to a Condition of Music,” birdsong arrests the courtroom crowd and restores order in a way that the judge, with all his authority, claims he cannot do. The judge says he is “unable to hear the small still

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voice of justice.”¹⁸ The poem concludes with the persona claiming that the power of his office can bring about only a semblance of order. It does not restore human relations nor deliver justice: it is a sound outside the courtroom that silences the accused and makes the complainant “set to forgive.”¹⁹ As in the previous poem, Dumdum makes an ironic reversal of judicial power. Here, however, he foregrounds the sublime, gesturing toward “what exceeds human capabilities of understanding.”²⁰ This, too, makes it seem petty to question whether judicial power is as useless as he claims, or if real litigants prefer a less poetic vision of justice.

One might wish to read the judge-persona’s humorous disparagement of himself and his powers as a critique of law and institutions of justice—thus bringing Dumdum’s poems under the first two thematic strands. However, this desired reading is negated by the absence of protest against or criticism of legal institutions. It is this detail that differentiates Dumdum’s poems from the other poems in the canon, which set themselves against the oppressiveness of the law. In fact, the judge-persona seems to be unperturbed by the impossibility of obtaining justice from our legal system.

The three strands of poetry about the law presented above are remarkably consistent in portraying the law as failing to fulfill what it is meant to do. The first strand simply equates the law with oppression, thus foreclosing the possibility of obtaining relief from the legal system. Poems from the second strand appear to suggest that the individual cannot help but withdraw from the legal system, since the law restricts liberty and works against what is human. The poems in the third strand seem to facilitate readers’ acceptance of a justice system that does not work. Both non-participation in legal processes and the acceptance of a broken justice system preclude the possibility of working towards social change through the legal system.

Do these poems privilege the expression of individual feeling over careful observation of the social world? Ira Sadoff calls this type of poeticizing “decontextualized poetry.”²¹ Decontextualized poetry tends to present a world as the “I” perceives and articulates it without the complication of other voices or other people. Often idealizing beauty or some other universal value, they present a simplified, unexamined account of the complex context from which they arise. For example, “First Degree” reduces “law” to anything and everything that the subject deems oppressive. In “Permission to Leave, Sir,” the law/poetry binary shoehorns the persona to retreat into the realm of pure imagination, even as this obscures the sense of relation “between self and other, the inner and outer world, the personal and social worlds” that gives our lives meaning.²² Decontextualized poeticizing is

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particularly troubling when the lyric “I” turns away from a cacophonous social world and foregrounds a nostalgia for a sentimental, ahistoric, essentialist, and universal vision. In “Justice Aspires to the Condition of Music,” the persona ultimately speaks, not of the kind of justice a judge is expected to provide, but of the kind of justice he prefers. Arguably, foregrounding the judge-persona’s desire for the sublime turns the people in his courtroom into Whitman’s “dreams and dots.”

Reimagining the law

If one must struggle against the closed-off self, as well as one’s closed-minded ideas and expectations of what poetry and law might be, it is reasonable to assume that openness to a plurality of poetic forms and compositional tactics may be beneficial in reimagining the law. As Solmaz Sharif says, “Social quests for freedom have much to learn from freedom enacted on the page.”²³

The following section presents some ways in which I have experimented with various poetic forms and explored their potential in reimagining the law. The objectives of these exercises were to: (1) represent the law in a new and original way; (2) explore, through poetry, law’s sociality—its constitutive role in organizing social life—an aspect foregrounded in legal education and practice, but de-emphasized in Philippine Anglophone poetry; and (3) inquire into law’s potential to build community and solidarity.

1. Working with the lyric form

The lyric poem is a particularly recognizable form today. It is so ubiquitous that many people equate a “poem” with a text that possesses a speaking subject whose poetic utterance is “overheard.” The text purporting to be a personal utterance persuades us to reconstruct a speaker and context, an imitation of “real world” utterances. This leads readers to imagine the complexity of the speaker’s attitude, and treat the text as a dramatization of the speaker’s thoughts and feelings. Following this definition, the law-themed poems mentioned earlier might all be considered lyric poems.

The lyric form has been criticized as a form that subsumes the social world and the presence of other persons and voices into the single, unified authorial consciousness of the lyric “I”—the speaking voice that

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is often taken to stand in for the author. Language Poets of the 1970s and 1980s, for example, took to task the lyric's self-absorbed address to someone other than the reader that "overhears" it. Disagreeing with the widespread belief that emotive expression is the basis of poetry, they proposed poetry that foregrounded artifice.²⁴ Other poets have argued that the Language Poets' criticism of the lyric form is overbroad, and that lyricism does not necessarily mean conservative poetry. Solmaz Sharif, for example, has said that "failure in activism is often a deficiency of lyricism—an inability to collapse time and distance, a refusal to surprise or 'make it new,' a willingness to calcify into rigid and limiting expectations, a closure to self-transformation, an unconscious we or you ..."²⁵

I have found the lyric poem can be a fruitful site for interrogating the self and the way it connects, or refuses to connect, with others. Since what we hold to be true is contingent on our subject positions, self-interrogation is necessary.

Being a lawyer who writes poems, I have found it difficult to write poems that reject the law outright. It has also been difficult to write odes that praise it. I am a legal insider—I know why the law operates the way it does. I was schooled to understand how it is intended to maintain social order, a precondition for society to function smoothly. At the same time, I am not blind to its curtailment of freedoms, and how it is used to oppress many. A question I have frequently asked myself is: To what extent has my legal knowledge, my loyalty to the law, made me complicit in the oppression of others?

Exploring this question, I have attempted to engage with legal jargon, phrases, and specific provisions of the law. The poem, "Ignorance of the law excuses no one," is part of a sequence that explores what specific provisions of law mean, and what upholding them entails. In writing this poem, I wanted to both capture and undermine the law's claim to be absolute, perfect, and complete at all times and for all peoples.

To suggest the absolute power of the law, I chose to begin the poem with declarative sentences. In these sentences, the operation of article three of the Civil Code²⁶ (a codification of a popular legal maxim) is compared, by way of simile and metaphor, to hunger, mousetraps, and the actions of an obedient child. I had hoped that simile and metaphor, which suggest similarity but not identity, might undercut the certainty suggested by the declarative form. Hunger, mousetraps, and the trope of children's innocence were selected

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as points of comparison to bring high legal abstraction closer to what might be commonly perceived as more pedestrian concerns, objects, or beliefs. I selected comparisons that I thought would register as surprising yet apt.

To further destabilize the certainty suggested in the first seven lines, I chose to interrupt the persona's declaratives with a series of questions. The next seven lines may be read as questions that the persona asks herself or her addressee in earnest, or as rhetorical questions that communicate a coming of age that had entailed some form of coercive violence, which ultimately transformed "the children we were" into non-children who "legislate mousetraps" that ensnare and punish the "ignorant." The latter reading suggests the constitutive, productive (but in this case negative) power of the law: it turns children into non-children just as it can turn the accused into a convict or a free person.

When I was in the process of completing the poem, I initially wondered whether I should answer the questions the persona had asked in lines eight to fourteen. Ultimately, I chose to leave them unanswered, to suggest an equivocating, uncertain persona constituted by, yet also constituting, the law; a persona that is furthest from the single, unified authorial consciousness of a lyric "I"; a persona that might voice a more nuanced experience and idea of the law.

2. An experiment in traditional form: the sestina

Reading the poems of Dum Dum and Yee, both lawyer-poets, made me realize that one's knowledge of the law and legal system does not necessarily translate into poems that represent a more nuanced representation of the law. If the failure to write about the social world attentively is the cause of so much decontextualized poetry, one must find ways to render in one's work the social world, as well as the many voices in it. Is this possible?

Mikhail Bakhtin declared that poetry cannot represent "the natural and healthy state of language, which is a changing, socially stratified, multivocal clatter of discourses."²⁷ He believed that poetry was univocal and monologic: only one voice—the lyric voice—speaks in poetry, providing readers with information, but without exploration, clarification, or discussion; hence poetry cannot incorporate outside voices in a way that reveals or performs the heteroglossic nature of language. In Bakhtin's view, poetry is, by its very nature, authoritarian,

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oppressive, and unethical. However, scholars like Mara Scanlon have argued that dialogic (and therefore ethical) poems exist. Discussing Robert Hayden's poems, Scanlon argues that dialogic poetry requires, not just the presence of many voices in a poem, but a clash of voices and ideas—dialogism between characters, but also dialogism between the words in the poem. Moreover, the poem must invite a dialogic relationship between itself and its reader.²⁸

The poem, "Corpus delicti," is an exercise in imagining what formal shape a dialogic poem might assume. It employs a traditional form—the sestina—that allowed me to render a narrative account concerning a crime, as well as the voices of the people who witnessed and were affected by it. A sestina is a fixed form with thirty-nine lines and six stanzas. Six end-words are repeated in a particular order in each of the six stanzas. After the first stanza sets the sestina's six end-words, those same six end-words will appear as the end-words of the next stanza, but rearranged in the following order: six, one, five, two, four, three. (In other words, the end-word of the sixth line of any stanza will always be the end-word of the first line of the stanza that succeeds it. Meanwhile, the end-word of the first line of any stanza will always be the end-word of the second line of the stanza that succeeds it, and so on.) This process continues until there are six stanzas. Afterward, the sestina culminates with a three-line envoi, with each line of the envoi containing two of the repeated words.

Michael Bugeja suggests picking the end-words of a sestina carefully since they appear in every stanza—just in a different order.²⁹ When I was writing "Corpus delicti," I wrote the first stanza first, taking care to choose end words that were short and used in everyday language: "aunt," "highway," "found," "me," "knew," "happened." I chose words referring to the people who mattered the most in the narrative conveyed in the poem ("aunt," "me"); what had happened, and where it happened ("happened," "highway"); and the most important verbs ("found," "knew"). I wrote the first stanza, then began plugging in the end words according to the scheme for each stanza.

Bugeja also suggests that the sestina is particularly suited to convey topics that are "inherently repetitious," and describes the movement of the form as a kind of "unraveling."³⁰ These qualities of the form were helpful in conveying a situation of collective trauma. The length of the sestina allowed both for narrative and thematic development, both of which I found necessary to let other voices, and not just that of the persona's, enter the text, even if mediated through the persona. I tried to explore dialogism in the poem by having the

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persona state something as fact, and then qualifying that the statements were not fact but hearsay; the first reported account was not by any means the only one:

After they shot my uncle and aunt
they drove the SUV down the highway
like it was Sunday, and left it to be found
That's what the bystanders told me
not the police who already knew
the facts before they happened.

This destabilizes the stability and reliability of the poetic voice. In the succeeding lines, I endeavored to make it more difficult to distinguish between the voice of the persona and the voices of others:

...They could not forget my aunt
the sound she made when they shot him. Tell me

did they ask after me
whispered the child who knew
what they did to my aunt's
body. He did not want to be found.

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When the reader encounters “Tell me/did they ask after me” for the first time, she might assume it is the persona who is addressing the reader. However, the succeeding line forces the reader to revise this assumption, as it suggests that the persona is reporting what the child witness has disclosed. But because the words “Tell me/did they ask after me” appear before the child is mentioned, one might re-read the lines for a third time and hear, not the persona’s report, but the child’s voice. I use a similar strategy when I let the police address the persona directly toward the end of the poem: “You look just like your aunt.”

The repetition of words in each stanza provides the opportunity to build a multifaceted picture of a particular situation. In the poem above, for example, the persona narrates in each stanza what various people had said to her about her relatives’ disappearance: their neighbor’s account, the police report, the confession of a child. The lines in every stanza end with the same words, but never quite in the same order, just as the persona hears variations of the same event rather than a single account documented in a police report. Such a report would not have captured the complicated circumstances that attend and give rise to the commission of the crime and the denial of justice that follows—all of which I tried to incorporate in this exercise.

But even as sestinas can present different perspectives about a single incident as the poem progresses, the repetition of words emphasizes a sense of inevitability. In the poem, none of the accounts bring the persona’s relatives back to life, and neither does the truth that the persona says she learns by the end of the poem.

3. An exercise in mechanical form

A popular (though contested) view of the law is one propounded by John Austin, who said that law is a command backed by threats. He posited that each legal system has a sovereign that creates the law, and remains above it. People obey the sovereign because disobedience is threatened with punishment.³¹ Austin’s “command theory” of law has been likened to the order of a gunman robbing a bank, who is able to command the bank employees to hand over bank money by threatening to shoot them if they do not.³²

This is the kind of law portrayed in “The Tyrant,” by R. Torres Pandan, where the poetic “we” is “assailed by [Presidential] decree” and former President Marcos not only “impales our limbs” but “impounds the word in his palace.”³³ Anger at the law coexists with anger at the tyrant who has successfully coerced

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people into following the law using the state's monopoly of violence. Poets' disenchantment with the law, which is apparent in Abad's "Grave Thief," Roma's "First Degree," and Joel Toledo's "Layman's Terms," are all rooted in a concept of the law being allied with a sovereign who threatens disobedience with death or some other serious consequence or loss.³⁴ It is the threat of violence that compels us to accept the "rule of law"—not the law itself, nor its potential to bring about justice, greater freedom, or even just a better quality of living.

Though popular, this concept does not align with the idea of law and of the sovereign set out in the Philippine Constitution. In the Preamble, the Constitution declares it is "We . . . the people" that is the sovereign; it is the "people's will" embodied in the Constitution that our government officials ought to carry out³⁵—a point Abad makes, but does not develop, in "Grave Thief."

What would it mean if we took seriously the proposition that "We the people" are the sovereign and the source of all law? Would we "kill all the lawyers" as Dick the Butcher had prescribed, to free ourselves of their technocratic tyranny? What would we then do with the legalese that only they could understand, but which holds us in their thrall? What would we do with ourselves if we set ourselves free?

To suggest possible answers to this question, I considered writing poems that "involve a simple rule based on inclusion, exclusion, counting or some similar procedure." American lawyer and poet, David Orr, calls poems written in this way "mechanical forms." When reading poems in mechanical forms,³⁶ readers derive pleasure not from absorbing the emotions expressed by a lyric "I" but from talking about the "poem" and what it might mean.

In "In absentia," I took certain Latinate phrases that commonly make their appearance in legal rulings and briefs, even though Latin is no longer used in many other contemporary contexts. I freed these phrases from their legal context by arranging each maxim, one after the other, alphabetically, as though each were a line of a "poem." Where no Latin legal terms were available to correspond with the next letter of the alphabet, I typed the word, "in" on Google search, followed by a particular letter.

For some readers, the list of phrases only served to befuddle, initiating reflection on how legal jargon can be so perplexing and meaningless to non-legal folk. For others, the Latinate phrases, freed from their legal context, began to operate differently. They began to suggest a situation, if not a story, despite each line

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being no more than a fragment, and in spite of the fact that none of the lines suggested a singular speaking voice or persona. Somehow, the human mind is able to suggest a wholeness derived from the juxtaposition of these fragments—a wholeness that is not established or suggested by the phrases themselves, decoupled from their usual context. In both cases, readers related to the Latinate phrases differently: no longer as subjects of the law, primed to obey, but as subjects questioning what the Latin phrases might mean. In all cases, the text generated by the exercise began a discussion on what the poem might mean—the very kind of discussion I hope we might begin one day, about what the law might mean for us, as a people.

Conclusion

Poems about the law belie the claim that poetry and law are incompatible fields. Poets who write about the law have critiqued it, insisting that it ought to serve more than just the personal interests of lawyers and judges, or of the rich and powerful. This insistence, however, has not translated into new ways of imagining the law, particularly in Philippine Anglophone literature.

This project of reimagining the law requires not just the possession of legal knowledge and understanding; what would be most necessary are a poet's attention, the careful observation of the social world, seeing and listening to people and voices that populate and resound in this world, and self-interrogation. Without these, even poets who possess legal training and experience may fail to communicate the law's sociality, its transformative potential, and its duty to deliver justice and serve all people.

Contrary to the claim that poetry is by nature monological and authoritarian, and thus unable to apprehend anything other than the self, I presented samples of my own attempts at reimagining the law through poetry. I accounted for the way I was able to interrogate my ideation of the law as well as my subject position through the lyric form. I showed how elements of the sestina, a traditional poetic form, can provide poets with tools to attempt dialogical, rather than monological poetry. Finally, I presented how conceptual writing practices—exercises in mechanical form—can produce work about the law that engenders conversation about how we think about the law, and performs what we think the law ought to be.

Three poems by Christine V. Lao

Ignorance of the law excuses no one

as hunger exempts nothing
that crosses its path.
A trap does not inquire
into the business of what's caught
so too a child
who does as she's told.
Where did they go, the children
we were who scurried unfettered
in the dark?
In whose paths did they wander?
Whose eye it was that caught them?
Whose hand sliced these questions
from their tongues?
Now the words fall
from our honey-slick lips
to perfume the path that ignorance
means to choose.
Oh how we have grown
who legislate mousetraps
lying in wait

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for the nothing
the no one
that knows no law.

Corpus delicti

After they shot my uncle and aunt
they drove the SUV down the highway
like it was Sunday, and left it to be found
That's what the bystanders told me
not the police who already knew
the facts before they happened.

The men said their neighbors all saw what happened
The women all said they missed my aunt
The children, the dogs, the asphalt knew
who stopped them along the highway.
It's happened before, they said to me
The bodies were never found.

At the station, they asked what I found
as they handed a report declaring what had happened.
I told them that no one would talk to me
because I looked too much like my aunt
walking up and down the highway

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hoping they'd share what they knew.

Why did they care what we knew?

The message was clear: no bodies found
in the SUV stalled by the highway
just bullet holes where uncle might have happened
to sit. They could not forget my aunt
the sound she made when they shot him. Tell me

did they ask after me

whispered the child who knew
what they did to my aunt's
body. He did not want to be found.
No. He was not where it happened
not ordered to stand by the highway

to witness her scream traveled the highway
before she was shot they told me she
always asked what happened why why
why did they tell her all that they knew?
I told the police there was nothing I found.
They said, You look just like your aunt.

I left before you'd need to find me

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knowing now what my aunt knew
on the highway where it happened.

In absentia

In bad faith
In consideration
In my defense
In dubio pro reo
In excelsis Deo
In extremis
In fear of
In God we trust
In kind
In light of
In loco parentis
In memory of
In nomine Patris
In omnibus
In pari delicto
In pari materia
In perpetuity
In personam
In question

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In real life

In response to

In service

In status quo ante

In the end

In terrorem

In utter darkness

In vitro

In vacuo

In witness whereof

Notes

- ¹ Thomas C. Grey, *The Wallace Stevens Case: Law and the Practice of Poetry* (Cambridge, MA: Harvard University Press, 1991), 1.
- ² Jerry Boyle, "Debris: What Lawyers Can Learn from Poets," Poetry Foundation, originally published October 3, 2011, <https://www.poetryfoundation.org/poetrymagazine/articles/69744/debris>.
- ³ Geoffrey Chaucer, "From the General Prologue to *The Canterbury Tales*," in *Poetry of the Law: from Chaucer to the Present*, ed. David Kader and Michael Stanford (Iowa City: University of Iowa Press, 2010), 1.
- ⁴ John Donne, "Satire 2," in *Poetry of the Law*, 6.
- ⁵ William Shakespeare, *Henry VI, Part 2*, in *The Annotated Shakespeare: The Histories, Sonnets, and Other Poems*, ed. A. L. Rowse (New York: C.N. Potter, 1978), 2:121.
- ⁶ Percy Bysshe Shelley, "A Defence of Poetry by Percy Bysshe Shelley," Poetry Foundation, originally published October 13, 2009, <https://www.poetryfoundation.org/articles/69388/a-defence-of-poetry>.
- ⁷ Martha C. Nussbaum, "Poets as Judges: Judicial Rhetoric and the Literary Imagination," *The University of Chicago Law Review* 62, no. 4 (1995): 1478, <https://doi.org/10.2307/1600111>
- ⁸ Walt Whitman, *Leaves of Grass*, ed. Sculley Bradley and Harold W. Blodgett (New York: Norton, 1973), 340, quoted in Martha C. Nussbaum, "Poets as Judges," 1478.
- ⁹ Nussbaum, "Poets as Judges," 1478.
- ¹⁰ Rafael Zulueta Da Costa, *Like the Molave and Collected Poems* (Quezon City: A.S. Florentino, 1973); Raymundo Torres Pandan, Jr., "The Tyrant," in *Versus: Philippine Protest Poetry, 1983-1986*, eds. Alfredo Navarro Salanga and Esther M. Pacheco, (Quezon City: Ateneo De Manila University Press, 1986), 29; Gemino Abad, "Grave Thief," in *Bloodlust: Philippine Protest Poetry (From Marcos*

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to Duterte), ed. Gemino Abad and Alfred Yuson (Quezon City: Reyes Publishing, 2017), 15; and Dinah Roma, "First Degree," in *Bloodlust*, 122.

¹¹ Roma, "First Degree," 122.

¹² REVISED PENAL CODE, Act No. 3815, as amended, art. 248 (Phil.)

¹³ REVISED PENAL CODE, Act No. 3815, as amended, art. 363 (Phil.); The Comprehensive Dangerous Drugs Act of 2002, Rep. Act No. 9165, sec. 29 (Phil); An Act Further Amending the Provisions of Presidential Decree No. 1866, as Amended, Rep. Act No. 9516, sec. 4-A (2008) (Phil.).

¹⁴ Luis Cabalquinto, "The Ordinance," in *A Habit of Shores: Filipino Poetry and Verse from English, 60's to the 90's* (The Sequel to *A Native Clearing*), ed. Gemino Abad (Quezon City: University of the Philippines Press, 1999), 30-31.

¹⁵ Ernesto Superal Yee, "Permission to Leave, Sir," in *Covenants and Other Poems* (Quezon City: Giraffe Books, 1999), 49. All subsequent quotes in the paragraph are taken from the same source.

¹⁶ Simeon Dumdum Jr., "First as Tragedy, then as Farce," in *to the evening star* (Manila: UST Publishing House, 2013), 15.

¹⁷ Dumdum Jr., "First as Tragedy," 15.

¹⁸ Simeon Dumdum Jr., "Justice Aspires to the Condition of Music," in *The Poet Learns to Dance (The Dancer Learns to Write a Poem)* (Quezon City: Ateneo de Manila University, 2017), 1.

¹⁹ Dumdum Jr., "Justice Aspires," 1.

²⁰ Jonathan Culler, *Literary Theory: A Very Short Introduction*, (Oxford: Oxford University Press, 1997), 76.

²¹ Ira Sadoff, "Neo-Formalism: A Dangerous Nostalgia," *The American Poetry Review* 19, no. 1 (Jan. 1990): 7, <https://www.jstor.org/stable/27779971>

²² Sadoff, "Neo-Formalism," 7.

²³ Solmaz Sharif, "The Near Transitive Properties of the Political and Poetical: Erasure," *Evening Will Come: A Monthly Journal of Poetics*, no. 28 (April 2013), <https://thevolta.org/ewc28-ssharif-p1.html>

²⁴ Gillian C. White, *Lyric Shame: The "Lyric" Subject of Contemporary American Poetry* (Cambridge, MA: Harvard University Press, 2014), 12-13.

²⁵ Sharif, "The Near Transitive Properties."

²⁶ Civil Code, Rep. Act 386, as amended, art. 3 (Phil.).

²⁷ Mikhail Bakhtin, *The Dialogic Imagination: Four Essays*, ed. Michael Holquist (Austin: University of Texas Press, 2017), 287, quoted in Mara Scanlon, "Ethics and the Lyric: Form, Dialogue, Answerability," *College Literature* 34, no. 1 (Winter 2007): 1.

²⁸ Scanlon, "Ethics and the Lyrics," 10-11.

²⁹ Michael J. Bugeja, *The Art & Craft of Poetry* (Cincinnati: Writer's Digest, 2001), 298.

³⁰ Bugeja, *The Art & Craft*, 297.

³¹ John Austin, *The Province of Jurisprudence Determined*, ed. Wilfrid E. Rumble (Cambridge, England: Cambridge University Press, 1995), 21-22, 26.

³² Mark Tebbit, *Philosophy of Law: An Introduction* (UK: Routledge, 2017), 37.

³³ Raymundo Torres Pandan, Jr., "The Tyrant," in *Versus*, 29.

³⁴ Abad, "Grave Thief," 15; Roma, "First Degree," 122; Joel Toledo, "Layman's Terms," in *Bloodlust*, 144.

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³⁵ CONST., Preamble (Phil).

³⁶ David Orr, "Form," in *Beautiful and Pointless: A Guide to Modern Poetry* (New York: Harper Perennial, 2012), 59-96.

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