



بورشيا في المحكمة: قصائد مختارة للمحاميتين الشاعرتين
بولي موراي و ميشيل ليرنر

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*Portia in the Court: Selected Poems by Pauli Murray and
Michelle Lerner as Female Lawyer-Poets*

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ملخص البحث

كثيراً ما يقال أن العالم تمليه قواعد القانون الصارمة بدلاً من مبادئ العدالة. فظهرت حركة القانون والأدب الأمريكية في عام 1973 التي هدفت إلى تغيير الصورة النمطية والتقليدية للقانون كعلم من خلال ربطه بالواقعية القانونية ومبادئ المساواة والعلوم الإنسانية من فن وأدب. ولما للشعر من دور في تعزيز الحواس الأخلاقية والمعنوية، لجأ العديد من المحامين الأمريكيين الراضين لتجريد القواعد القانونية من الشعور الإنساني إلى الشعر باعتباره وسيلة لتصوير الحياة الواقعية. فاستخدموا الشعر سلاحاً للتعبير عن الظلم والانتهاكات والتمييز العنصري.

تتناول هذه الدراسة قصائد مختارة لمحاميتين وشاعرتين أمريكيتين، بولي موراي وميشيل ليرنر. تهدف الدراسة إلى إظهار كيف وصلت المحاميات والشاعرات إلى أبعد ما يمكن أن تتحملة أرواحهن في القتال داخل النظام القانوني، وكيف رفضن الاقتصر على القصائد التي تنشر عن القوانين واللوائح وقضايا المحاكم. فكان هدفهن اظهار ومعالجة القضايا القانونية الأكثر تحدياً، لأنهم واكبوا الكثير من عمل النظام القانوني وتأثيراته على الناس. وبالتالي، فإنهن يقضين كلتا حياتهن المهنية القانونية والشعرية محاولات جهدهن الدفاع عن الفقراء والضعفاء ومن لا صوت لهم ومساعدتهم على معرفة وفهم حقوقهم.

Abstract

It is often said that the world is dictated by strict rules of law rather than equity. In 1973, a movement known as the American law and literature movement appeared. It aimed to change the traditional stereotype of law as a science through connecting it with legal realism, equity, and humanities, including art and literature. Since poetry contributes to enhancing the ethical and moral senses of readers, many American lawyers, who refuse to strip the legal rules of the human feeling, turn to poetry as a way to portray real life. They used poetry as a weapon to articulate injustice, segregations, abuses, and racial discriminations.

This study deals with selected poems of two female American lawyer-poets, Pauli Murray and Michelle Lerner. The study aims at showing how female lawyer-poets have gone, as far as their soul can bear, fighting within the legal system, and how they refuse to be limited to the scrapbooks published on laws, regulations, and court cases. Their goal was to show and address the most challenging legal issues as they kept up with of the legal system and its effects on people. Thus, they spend both their legal and poetic careers trying their best to advocate the poor, the helpless, and the voiceless and help them understand their rights.

Keywords: law, poetry, female lawyer-poets, Pauli Murray, Michelle Lerner

Introduction

Law was a frequent theme of Shakespeare, including his famous cry in *Henry VI*: "The first thing we do, let's kill all the lawyers." (Shakespeare, 2005,107) According to the play context, this phrase refers that "lawyers were especially powerful, and therefore to be feared." (Eberle and Grossfeld, 2006, 375) Shakespeare also presents the first lady advocate represented by Portia, in *Merchant of Venice* (1596-1597), whose name becomes a synonym to the "woman lawyer," (Dixon, 1994, 70) she successfully advocates "equity" to save Antonio when Shylock aims at using the "strict literal interpretation of a contract" (Solove, 2010) for malicious intentions. Erika Rackley in her article "Reassessing Portia: The Iconic Potential of Shakespeare's woman Lawyer," asserts that: Portia is no longer simply the ultimate woman lawyer, who leaves male lawyers (the Duke) trembling in her wake, but rather an exceptional (woman) lawyer whose disingenuous strategic deployment of law establishes not only her ability, but more importantly reveals her potential as an icon through which feminist legal scholars can envisage alternative understandings of lawyering and adjudication. (Rackley, 2003,42)

The great message of Portia as pleader is that "earthly power doth then show likest God's When mercy seasons justice." (Shakespeare, 2003, 154-155) The interdisciplinary realm of law and poetry is revived from the European heritage via law-literature scholars, and via lawyer-poets who strengthen this ancient relation.

Thus, the relation between law and poetry is not a new phenomenon. It has old and established roots in the Greek, Roman, and British literature and philosophy. With the publication of *Legal Imagination* in 1973 by James Boyd White, law and literature become a pedagogical movement in American law schools. The secret for this interesting affinity between two seemingly different fields is that both law and poetry are compositional activities. They employ language as their means of expression. The ends of both of them are always voicing the voiceless and advocating human issues.

They have a mutual effect on each other; legal cases all over history inspire many poets since many poems are informed by the law and have it as their topic. Simultaneously, a good lawyer needs to refine his knowledge of literary works, especially poetry. The best lawyer is the one who leads the most influential and eloquent argument, similar to reciting an impressive poem, before the audience of jurors, to attain (poetic) justice for his/her clients through persuasion. Being insiders to the American legal system, American Lawyer-poets employ actual legal cases and documents to apply their rhetorical translation into poetry.

Law and Poetry

The proclamation of the American political activist, Thomas Paine (1737-1809) that “in America the law is king,”¹ (Quoted in Ferguson, 1984,11) and the statement of the second president of the United States, John Adams (1735-1826), which evaluates the American government as “a government of laws, not people,” raise concerns about the particularity of American legal consciousness. In his book *A Vision of American Law: Judging Law, Literature, and the Stories We Tell* (1997), the Associate Justice, Barry R. Schaller (1937-), believes that:

While law has an important role in most societies, it has consistently been an unusually dominant force in American society. This may be so, in part, because of the absence of other prevailing systems of moral or ethical values in the United States, and thus the need for a substitute ordering system. It may even be said that law, in all its dimensions—as a code of rules, as an institution, and as a process—is the binding value. Law is the force that holds our political, social, and economic structure together. (Schaller, 1997,1)

Schaller argues that “[t]he language of lawyers, legislators, and judges does not provide the sole text of society. Many voices are absent from the institutions and processes of government. Literature can help in expressing a variety of viewpoints and emotions.” (Ibid., 5) John M. DeStefano, in his article “On Literature as Legal

Authority,” maintains that literature “dictate[s] the law’s development.” (DeStefano, 2007, 521) Depending merely on studying “legal issues in society...misses one important dimension,” i.e., “the emotional content of facts and events.” Interestingly enough, “one of the other disciplines that has been offered to provide law with the necessary understanding is literature.” (Baron, 1999, 1060) Schaller maintains that:

The imaginative literature produced by American writers adds this missing dimension. Because law has been constant as a dominant force shaping our society, it has emerged inevitably as a major theme in our imaginative literature. By incorporating legal themes and ideas in their works—either explicitly or implicitly—and by adding the missing emotional content to facts and events, American writers have had considerable impact on the shaping of American society. (Schaller, 2)

With the publication of *The Legal Imagination* in 1973 by James Boyd White, law and literature movement comes formally into being. The movement could be defined as “an interdisciplinary mode of inquiry designed to produce new knowledge of law, literature, and the cultures both inhabit.” (Anker and Meyler, eds. 2017, 35) These cultural, metaphorical, appealing for order and imagination factors are used in the language of both law and poetry as means of persuasion.

Law and poetry focus on forms of persuasion. Legal writing explicitly seeks to convince of an argument. Sometimes, it is intended to evoke emotion as well, to make clear why the outcome matters in the world. Poetry seeks to persuade as well. Sometimes to persuade to a point of a view, but often to persuade of an emotion or feeling. Perhaps 'convey' is a more accurate word for this than 'persuade,' but the end goal is to have the reader react in a particular way, feel a certain feeling, and this is in fact a form of persuasion.

Another thing is the importance of word choice, sometimes down to great deliberation over how to define or interpret a specific word or term. Using the wrong words in a legal argument can lose the case; text must be quoted correctly, the words used to describe fact patterns must be chosen to match the legal elements that need to be proved. Poetry, of course, is famous for the time spent on the details of every word, and even punctuation. So, to some extent, it requires the same kind of detail-oriented approach to language.

There is also a value in most legal writing and most poetry to conciseness and compaction. Legal writing is different from other prose in that it is meant to be very straightforward, with short sentences, conveying what needs to be said in as little space as possible, often within strict page limits set by the court. One of the ways poetry differs from prose is that it is also usually (though not always) more compact, that it too seeks to convey the most possible with the least number of words. That there is the sense that no word should be extraneous.

Tradition of Advocacy in American Poetry

The tradition of advocacy in American poetry goes back to Walt Whitman. “Song of Myself,” Whitman declares himself an advocate, but also insists on the primacy of other voices, which have been silenced for a long time:

Through me many long dumb voices,
Voices of the interminable generations of slaves,
Voices of prostitutes and of deformed persons,
Voices of the diseased and despairing, and of thieves and dwarfs,
Voices of cycles of preparation and accretion,
And of the threads that connect the stars—and of wombs, and of the
fatherstuff,
And of the rights of them the others are down upon,
Of the trivial and flat and foolish and despised,
Of fog in the air and beetles rolling balls of dung.
Through me forbidden voices,

Voices of sexes and lusts . . . voices veiled and I remove the veil,
Voices indecent by me clarified and transfigured. (Whitman, "Song
of Myself", 1993, 34)

Martha C. Nussbaum (1947-), a Philosopher and a Professor of
law, illustrates Whitman's lines through the lenses of advocacy and
sympathy. She believes that:

Whitman summarizes his account of the poet's democratizing
mission. It is a mission of imagination, inclusion, sympathy, and
voice. The poet is the instrument through which the "long dumb
voices" of the excluded come forth from their veils and into the
light....to give voice to the pain of the excluded, the intimidation of
the harassed—this is a norm of democratic judgment. (Nussbaum,
1995,119)

In his poem, "By Blue Ontario's Shore," Whitman "interrogates
prospective candidates for the role" of "the poet-judge," (Ibid., 120)
he asks "Who are you indeed who would talk or sing to America?"

Have you possess'd yourself of the Federal Constitution?
Have you sped through fleeting customs, popularities?
Can you hold your hand against all seductions, follies, whirls, fierce
contentions? are you very strong? are you really of the whole
People?
Are you not of some coterie? some school or mere religion?
Do you hold the like love for those hardening to maturity? for the
last-born? little and big? and for the errant? (Whitman, "By Blue
Ontario's Shore",209)

Nussbaum regards that Whitman's poet "sees in the blades of grass
the equal dignity of all citizens," and his judgment is "intimate and
impartial, loving without bias, thinking of and for the whole rather
than as a partisan of some particular group or faction." (Nussbaum,
120) She maintains that, according to Whitman, to achieve "poetic
justice" in literature, the poet needs "nonliterary equipment:
technical legal knowledge, a knowledge of history and precedent, a

careful attention to proper legal impartiality.” (Ibid., 121) In like manner, in order to achieve legal justice,

...judges must also be capable of fancy and sympathy. They must educate not only their technical capacities but also their capacities for humanity. In the absence of that capacity, their impartiality will be obtuse and their justice blind. In the absence of that capacity, the “long dumb” voices that seek to speak through their justice will remain silent, and the “sun-rise” of democratic judgment will be to that extent veiled. (Ibid.)

Whitman has many lawyer-poet disciples, they depict order, incorporate legal realism, insert legal terminology in their poetry; and many of them make their poetry the voice of the unvoiced by utilizing legal cases of their clients as their poetic theme. Some lawyer-poets choose to escape from the world of law to the calmness of poetry. The American Bar Association defines the American lawyer as “a public citizen having a special responsibility for the quality of justice.” (Quoted in Lee, 2005, 725) The American lawyer, Randy Lee, Professor of law, portrays that the “American lawyer goes into battle not with tools of the soldier but with the tools of the poet. Like the poet, as the American lawyer encounters his world, words are his only weapon, and his blade can cut only as deeply as the truth contained in those words.” (Ibid.)

Such two-world figures include poets like William Cullen Bryant, Wallace Stevens, Edgar Lee Masters, Archibald MacLeish, Charles Reznikoff, Lawrence Joseph, and Martin Espada. Yet, this interdisciplinary world was not only restricted to male lawyer-poets, female lawyer-poets held the responsibility of advocacy as well, such as Pauli Murray and Michelle Lerner among others.

Female Lawyer-Poets

Shakespeare depicts Portia, the "woman lawyer", as "intelligent and capable of interpreting the law in a highly sophisticated manner.... Certainly, as a judge her strict adherence to the letter of the law is

no different from what we might have expected from another (male) lawyer." (Dixon, 69) However, the only apparent transformation is that, in order to be taken seriously and to be offered the opportunity to articulate her defense, she has to make an outward change and to dress herself and act like a man. While outside the court, she is a typical female character at that time who only looks for love and marriage.

In the modern age, while women keep their lady attire and defend other people's rights, many female lawyers mobilize their legal experience and their poetic creativity in their battle against injustice. Female lawyer-poets have high awareness of the biases and the injustices of the legal system that urges them to combat the authoritative and coercive legal codes and taboos.

Mary Hall (1843–1927) is usually considered the first woman lawyer in America. In colonial Connecticut, women went to court to enforce their own rights and those of their families. She was graduated from the Wesleyan Academy in Wilbraham.

Massachusetts, in 1866, where she was known as a poet, winning a medal for her commencement poem. In her school days, she was considered an excellent poet, and as late as 1869, her poems were being published in the newspapers. (Berger, 2005, 30)

After Hall, the trailblazer, many female lawyer-poets appeared, especially in modern American poetry. They believe that they have a serious mission, and they attempt to balance their legal work with a rhetorical sense of the esthetic to expose their clients' cases.

Kristen Roedell (1968-), who graduated from Whitman College with a bachelor's in English in 1984, is also an attorney getting her degree from the University of Washington Law School in 1987. For thirteen years, family law was her branch of practice. Literary speaking, since 2009, her poetry has been published in more than fifty books and journals. In 2013, She won the NISA's 11th Annual Brainstorm Poetry Contest. (Tammy, 2015)

Her legal poetry represents her legal concerns as in her poem

"Family Law":

When the trial date arrives both sides
have found other relationships.
They are tired of meeting at Burger King
as neutral territory
when children are exchanged.
The judge splits the baby,
which the next door neighbor
could have predicted. (Roedell, "Family Law," in Elkins, 2013,
53)

Roedell is concerned about such cases of divorce and the miserable outcome that the children have to live in. In her poem "What Persist in Rising," she concludes that such cases of divorce "still called." She questions the "enigma [of]/how something so fair/persist in rising/from sorrow." (Ibid., 57)

Such sorrow represented in real life is, according to the lawyer-poet Laura Chalar (1976-), uncovered by poetry. Chalar was obtained her degree as a lawyer in 200. She believes that law and poetry are connected through "Words and ideas ... a passion for them, their possibilities, the worlds they uncover." (Musiyiwa, 2017) She supposes that:

[law and poetry] are connected by a deep interest (and involvement) in human lives and human minds. I think if you can make people understand and know about the refugee experience, then tolerance and compassion (both greatly needed in today's world) will be fostered and enhanced. And you might make people gain a greater appreciation of poetry along the way, which would be an added bonus. I want to be a part of the change for the better, part of the good in their lives, and literature seems like the most obvious channel, as writing is what I do best. (Ibid.)

Chalar's dedication to her clients and their legal cases is emphasized in her poem "Midnight at the Law Firm." She describes the busy and hard life of lawyers who connects their days and nights working on legal cases as she is always "ready to defend you/as to never let you go," and even "when you leave" the law firm, "you are guarded by the silent bivouac" and by doing this she has no time

even to have her meal as her "dinner/year after year gets colder."
(Chalar, "Midnight at the Law Firm," 2012, 247) She depicts the lawyer's dedication to his clients and their cases.

Such dedication is also shown in the poetry of Kathleen Winter (1960-) that can bring readers into other people's brains. Winter obtained her B.A. at law from the University of California-Davis School of law, and she became proficient in land use law in Northern California. She also has M.A. and B.A. degrees in English literature. She attempts at proving the fact that poetry can help enhance people's empathy, tolerance, interest and understanding. It helps readers realize how much they have in common with the strangers who surround them. ("An Interview With Poet Kathleen Winter," 2011) In her poem "In the Clutch," she feels that poetry surrounds her at college, court, and everywhere:

As my Wills and Trusts professor said,
When you carry a hammer,
everything looks like a nail.
When your hammer is poetry,
Everything's a poem. (Winter, "In the Clutch," in Gi:nzbert and Stout, 2006, 41)

Being overwhelmed by law and the legal profession is also shown in the poetry of Nancy A. Henry (1961-). Most of her career has been dedicated to her working in child protective law. She feels that this hard realm of law sticks to her like wax as in her poem "Wax":
Yet hideously various dramas
"In re: Girl X," "In re: Boy X,"
In all their sorry splendor and array.
I am not complaining.
I have chosen this domain
The public dumpster of judicial system,
Other people's mess,
Which seems to stick to me on days like these,
Makes me want to turn myself inside out
And stand out in the rain. (Henry, "Wax," 2004, 307)

She finds her outlet in poetry; yet, she keeps on translating her legal cases into poems to give voice to the voiceless. In her poem "Baby's First Bath," she denounces infanticide:

There is much ugliness you will live to see
Without my putting this dead baby
In your head.
Forgive me.
He cried so much in sleep
I thought he needed more people
To hear him. (Henry, "Baby's First Bath," in Elkins, 170)

She believes that poetry is a permanent cry against such crimes, and her poem will keep the cry of the murdered child till his voice is heard and justice is done.

Carrying the responsibility for justice, and the quality for advocacy, female lawyer-poets defy unjust categorization, uncompromising judgments, and shed light over the complexities of legal intrigues. They aim at regaining the deviated track of law and defend the rights of people whose interests are the lawyer-poets' concern.

Pauli Murray

A unique Lawyer-poet who struggles to defeat the stereotypes of race and gender is the African-American woman lawyer-poet Pauli Murray (1910-1985). Murray's life is "read as a litany of injustices":

She was denied admission to the University of North Carolina as an undergraduate because of her race. Undaunted, she arranged to live with relatives in Brooklyn and scraped up enough money to attend Hunter College. After graduation and time out to work to pay back her debts, she applied to Harvard Law School where she was denied admission because of her sex. She attended Howard Law School instead.... Throughout her career as a lawyer, she was dogged (and

often unemployed) by the double burden of being female and black. (Hiatt, 1988, 70)

Even before Rosa Parks (1913-2005),² “Pauli was arrested and jailed in Virginia in 1940 because she refused to move to the back of a bus.” These incidents of adversities pushed her towards civil activism, as “she organized lunch counter sit-in demonstrations by black students in the District of Columbia while she was at Howard Law School in the 1940s,” and sent a letter to Mrs. Eleanor Roosevelt (1884-1962), United States’ first lady between 1933-1945, in which she explained and criticized issues of racism. As a lawyer “she worked ceaselessly on civil rights cases,” like that of Odell Walker.³ Later, she calls for “including the word ‘sex’ in the 1964 civil rights anti-discrimination legislation.”⁴ She is “an ardent advocate for women’s rights, coining the phrase Jane Crow,” her feminist version of Jim Crow code, “to refer to women’s second-class status,” and she engaged in nonviolent protest in the 1940’s, serving as one of the founding members of the National Organization for Women in 1966.”⁵ (Butcher, 2004, 59) She is the first woman to be granted the “ordination to the Episcopal priesthood in 1977.” (Humez, 1990, 315) Her fight for justice and humanity are “more than an internally derived imperative;” it became, through a call to the priesthood, “an overt and institutionally recognized obligation” (Pinn, 1999, 27):
All the strands of my life had come together. Descendant of slave and of slave owner, I had already been called poet, lawyer, teacher, and friend. Now I was empowered to minister the sacrament of One in whom there is no north or south, no black or white, no male or female-only the spirit of love and reconciliation drawing us all toward the goal of human wholeness. (Murray, 1989, 435)

Murray’s efforts focus on having “sex” addressed as part of the “Civil Rights Act,” which is viewed as the significance of “spiritual need,” and “moral imagination.” (Pinn, 2013, 161) She characterizes “legal questions as moral and spiritual problems, thus

inviting scholars and activists from other disciplines to develop moral and legal analysis that may to help the law respond to embodied realities.” (Azaransky, 2013, 155) She addresses issues of injustice not only in her actions, but also in her poetry. She wrote a collection of poems entitled the *Dark Testament and Other Poems* (1943), “in response to the race riots of that year.” (Humez, 315) In her poems, Murray gives “voice to persistent and pervasive social problems.”⁶ (Peppard, 2010, 29) She navigates problems of segregation in her society to fill the gap of unrecorded history. In an interview with Genna Rae McNeil in 1976, Murray expressed the need for poetry:

I think the same thing that made me write poetry, *Dark Testament*, the same kind of ...I don't know whether to call it fire, the same kind of unrest, the same kind of response to situations, made me participate in activities. I'm inclined to think that when I could effectively act, I did not write. When I could not act, when I was blocked from acting, it came out in words. It had to come out in some way and being both a person who is moved to express in words as well as in the body, that very often it took both forms, but that in each case, I was striving for the highest form of action. (Murray, 1976)

In her poem “Harlem Riot, 1943” (from *Dark Testament*), she utters her “anger at systemic injustice interacts with a persistent sense of anguish about failures of equality in the United States” (Peppard, 32):

Not by hammering the furious word,
Nor bread stamped in the streets,
Nor milk emptied in the gutter,
Shall we gain the gates of the city. (Murray, “Harlem Riot, 1943,” 1970, 35)

Murray herself illustrates that “in my anguish, I realized that I felt the same intensely violent urge to strike back against the accumulated hurts, insults, and humiliations as did the rioters...who had reduced the area to smoking rubble.” (Murray, 1989, 214) In

her poem, she confronts the mistiness of the ways to achieve justice: I am a prophet without eyes;/ I do not know how we will gain the gates of the city.” (Murray, “Harlem Riot, 1943”, 35) Murray thinks that “widespread resistance to segregation was still decades away, and individual challenges to the system at that time would have been isolated and neutralized.” (Peppard, 32) She regards herself as a “solitary ‘prophet’ maneuvering unsuccessfully against culturally entrenched bigotry.” (Ibid.)

Her title poem, “Dark Testament,” surveys the historical continuation of injustice, through which she links ethical and social facts across time and space:

The Drivers are dead now
But the drivers have sons.
The slaves are dead too
But the slaves have sons,
And when sons of drivers meet sons of slaves
The hate, the old hate, keeps grinding on.
Traders still trade in double-talk
Though they’ve swapped the selling-block
For ghetto and gun! (Murray, “Dark Testament,” 1970, 24)

In her poem “Prophecy,” Murray advocates her people against racism and enslavement, calling for a new America that accepts all:

I sing of a new American
Separate from all others,
Yet enlarged and diminished by all others.
I am the child of kings and serfs, freemen and slaves,
Having neither superiors nor inferiors,
Progeny of all colors, all cultures, all systems, all beliefs.
I have been enslaved, yet my spirit is unbound.
I have been cast aside, but I sparkle in the darkness.
I have been slain but live on in the river of history.

I seek no conquest, no wealth, no power, no revenge:
I seek only discovery
Of the illimitable heights and depths of my own being. (Murray,
“Prophecy,” 1970, 71)

Her advocacy is not only limited to the Africans, in her poem “Psalm of Deliverance,” Murray is careful to note that all people who have been oppressed are treated unjustly: “We, the wounded and dead of former campaigns/ The nameless millions, native and immigrants.” (Murray, “Psalms of Deliverance,” 1970, 41) For her, poetry serves as “a way to articulate the darkness of silences redolent with injustice.” (Peppard, 33) Her commitment to attend law school, to participate in protests, to recount stories of her people made her a significant figure. In her, the lawyer, the warrior, and the poet are united. (Butcher, 73) Murray will always be recognized for pioneering civil rights, she is an advocate of African Americans, women, the poor, and all oppressed Americans.

Michelle Lerner

Another American woman lawyer-poet is Michelle Lerner, who acknowledges: “I am a lawyer. And a poet. This combination used to seem unique to me. However, over the years I have met a number of lawyer-poets..., leading me to believe that there are many legal advocates who either write poetry or could be nudged into doing so.” (Lerner, 2008, 1) She believes that “poetry is a powerful and well-suited medium for communicating the realities of [their] clients’ lives, and the impact of laws and policies, to public at large.” (Ibid.) She is influenced by “Charles Reznikoff and Martin Espada in particular” since they are among the best “professional lawyer-poets who have done this stunningly.” (Ibid.) As both a witness and advocate, Lerner used to write poems about her clients. In her poem “Mental, 1978,” she paraphrases fragments of the fact section of a court decision:

Three children were born
to Ana O. and Daniel R.
One died thirty-six days later
from an allergy to milk,
another was stillborn.
The third was a girl
and Daniel left, did not return.
But first he burned the baby's leg
with a hot iron. (Lerner, "Mental, 1978," in Lerner, 17)

She also advocates her poor and downtrodden clients, as in her poem "Courage":

In this city, the children live under courage/
like a roof/
in the absence of roofs/
in the absence of strong hands/
that haven't been battered/
and torn. (Lerner, "Courage," in Lerner, 4-5)

This poem focuses on the fact of where Lerner's clients came from, i.e., "In this city." The poem builds up feelings about the injustices that Lerner, as a lawyer, sees every day. She senses injustices that she was able to blunt to some extent for individual clients but which continued unabated in a larger sense, and even for the clients she was able to help. Her job was helping people get from extremely poor and homeless to somewhere to sleep.

Advocacy is also revealed in her poem "Homeless, New Jersey, 1987," which is taken "almost word for word out of the text of a published New Jersey lower court decision" (Lerner, 16):

Joan Smith became homeless
after she was evicted
from her East Orange apartment due to overcrowding.
She used to share this shelter with her aunt and twenty other people.
She then lived in various shelters and motels

through the use of Emergency Assistance funds. She now suffers from AIDS. (Lerner, "Homeless, New Jersey, 1987," in lerner, 16)

Thus, in "Homeless, New Jersey, 1987," Lerner takes language directly from the fact descriptions in published court cases and shaped them into short poems that threw into high relief the contradictions and injustices and racism in the American criminal system. In doing that, she hopes to influence the public and the lawmakers representing them so that this system would actually change, by putting facts and court decisions that no one but lawyers knew about in front of the general public, and the lawmakers, in digestible, impactful poems. Something hardly anyone knows about, and that no one other than her colleagues and the federal agency would ever read in its original form, condensed into a short poem with the case facts of such horrifying stories.

Lerner realizes that poetry is a powerful medium for getting to the heart of the types of crises she sees every day as a legal aid lawyer, precisely because it was not constrained in the way that legal writing was constrained and could bring the human element, and the visceral sense of justice, to the forefront. And focus on what her clients' situations really are about, how their humanity being diminished, their physical struggling and suffering, and the simple solutions that were in society's reach. Lerner, through her poetry, aims to project injustices, and sending a cultural and robust voice to the world to behold and pay attention. She confirms that:

Poetry...even when written by lawyers about their clients, is not exactly the same as legal advocacy. Poems do not generally seek or obtain actual relief for an individual client, the way a brief would; poems, when they are about clients, speak to the cultural and social heart of the issues facing the clients, rather than seeking individualized redress. (Lerner, 8)

She maintains that the goal of the poetry of lawyer-poets is to deliver a cry for reform addressed to law abiders and legislators: Poetry is a way to create and disseminate potent snapshots via the written word. It is a way to bear witness, to make an emotional impact on readers and to show them something they have not seen before or let them look at something familiar from a new angle. And in the end, this is something we need to create change, to transform the social norms that underlie court decisions, and to persuade legislators to change laws. (Ibid., 17)

The essence of the poetic-legal voice must at least in part be the hope of future judgment and equitable justice. If this hope survived in the circumstances adjoining the writing of the law-related poems, then the hope must truly run deep. One testimonial inference to be deduced from these poems, is that law itself is an act of hope, which by necessity rests on a faith in the will of the human community to re-create it. (Turner and Williams, eds., 1994, 239-240) Poetry has a moral impact on legal actors, thereby affecting the ethics of the law. (Ibid., 230) The claim is often expressed as the idea that poetry can act as an “ethical corrective” to the more scientific and technical visions of law by improving the empathetic senses of judges and lawyers. The essence of this claim is that reading literature can develop the moral faculties of lawyers and judges in a way that will affect their decision-making in the legal realm. (Thompson, 2012, 32)

Poetry sharpens a lawyer's eye and ear for the type of language that encourages critical reflection. Poetry teaches lawyers not to dilute their language. Intense arguments, especially when they stoke the emotions, are most persuasive because they focus both on the mind and the heart. Intensity can be expressed with wit, wisdom, or humor. In any form, appeals to reason are fused with reliance upon emotion and imagination. (Madigan and Tartakoff, 2000: 44) The poet lawyer sees the world in a nuanced way that demands it be addressed with a special language, language that calls attention to itself and sets itself apart by form, rhythm, and practice. Through

the unique lens of law and lawyers, law-related poems emerge as an effort designating “a hopeful sign that there, indeed, a literary pulse beating in the body of the legal profession.” (Abourezk, 1996, 626)

Lerner realizes that poetry is a powerful medium for getting to the heart of the types of crises she was seeing every day as legal aid lawyers. Precisely because poetry was not constrained in the way that legal writing was constrained and could bring the human element, and the visceral sense of justice, to the fore. And focus on what her clients’ situations really were about: their humanity being diminished, their physical struggling and suffering, the simple solutions that were in society’s reach, rather than whether the specific text of a regulation applied to them or violated state or federal law.

Lerner's aim is to convey to society at large, and political decision-makers specifically, what life is like for the poorest people in this country, what the misconceptions are about these lives, and how unjust certain parts of their legal and economic and social systems currently are. Her greatest aim is to convince lawmakers and the constituents who influence them (who they represent). By writing her poems, she puts facts and court decisions that no one but lawyers knew about in front of the general public, and the lawmakers, in digestible, impactful poems. Thus, by writing poems taken from the case descriptions in an administrative civil rights complaint, she has filed on behalf of the disabled who had lost welfare benefits due to their inability to work. Something hardly anyone knows about, and that no one other than her colleagues and the federal agency would ever read in its original form. She poetically condensed these stories into multiple short poems with the facts of each case (identity protected and names changed), with the main effect from the repetition, over and over, of similar horrifying stories.

Conclusion

Lawyer-poets bring their world of law in their world of poetry, and the jurisdiction of both law and poetry is the realm where language and human experiences meet. By the fusion of poetic imagination and legal realism, female lawyer-poets, like Pauli Murray and Michelle Lerner, embrace the issues that matter most in their world. They sense the wrongs and the arbitrariness of the legal system, which instead of bestowing justice, and uniting multi-ethnicities in the American society, it abuses the basic and natural rights of decent living, and deprives many people of their humanity and dignity. Their poetry adds to the sensitivity of the horrible details, and arouses emotional reactions and cultural consciousness against injustice and discrimination. The female lawyer-poets in this study utilize all the available means, i.e., their legal experience, and their literary creativity to create inviting poems.

Murray and Lerner spare no effort to advocate their clients and their issues. They revolt against obsolete principles to enhance the sense of restlessness of the justice seekers. The poems turn into a voice for the voiceless and the unheard, and document evidences against horrible crimes. The poets also become the witnesses of an unfair system, scandalizing the crooked means of law. The female lawyer-poets address inequalities, hoping to increase the chances for the downtrodden of a better future and more healthy perspectives. They try to make their poems a call for legal reform and legislative improvement. They believe in the power of poetry to effectuate changes, to decry legal brokenness, to defeat darkness in their society, to foreground wounds of injustices, and to transcend and heal the cracks in the world. Poetry could change legislators' minds, and inspire them. Yet, more likely, it can change the minds of the people who elect the legislators, the people who they represent, and eventually, in that way, change the context in which the legislators are legislating and enacting laws.

Notes

American law is classified into civil law and criminal law. Civil law¹ “embodies the whole area of the law that exists between persons or between citizens and their government,” it “could be considered either public or private.” While Criminal law “involves a wrong against the public as a whole. A person convicted of a crime has violated society’s standards of conduct.” See *NALA Manual for Paralegals and Legal Assistants* (Stamford: Cengage Learning, 2014), 14.

Rosa Parks, African-American civil-rights activist, was arrested in² 1955 for civil disobedience because she refused to give up her seat in the bus to a white passenger and by which she violated Alabama segregation laws, Martin Luther King represented her as her lawyer. For more information on Rosa Parks see Fred D. Gray, *Bus Ride to Justice: Changing the System by the System* (Montgomery: New South Books, 2013), 57-74.

In 1942, Odell Walker, black sharecropper, was “convicted by an all-³ white jury of killing a white man and subsequently executed in Virginia.” Hiatt, “Pauli Murray: May Her Song Be Heard at Last,” 70.

Elaine Caldbeck, “The Poetry of Pauli Murray, African American Civil⁴ Rights Lawyer and Priest,” in Rosemary Radford Ruether, ed., *Gender, Ethnicity, and Religion: Views from the Other Side* (Minneapolis: Fortress Press, 2002), 46.

For more information on Murray’s “Jane Crow,” see Pauli Murray and⁵ Mary O. Eastwood. “**Jane Crow and the Law: Sex Discrimination and Title Vii,**” *George Washington Law Review* 34, no. 2 (1965): 232-256.

For more information on Murray’s struggle see Christiana Z. Peppard,⁶ “Democracy, the Verb: Pauli Murray’s Poetry as a Resource for Ongoing Freedom Struggles,” *Journal of Feminist Studies in Religion* 29, no.1 (Spring 2013): 148-155.

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