



New Mexico Law Review

16 N.M. L. Rev. 495 (Summer 1986 1986)

Summer 1986

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Recommended Citation

Heather R. Wishik, *Reverie*, 16 N.M. L. Rev. 495 (1986).

Available at: <https://digitalrepository.unm.edu/nmlr/vol16/iss3/5>

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REVERIE¹

HEATHER R. WISHIK*

August 1975

I am in a hospital room. I am talking with my Jurisprudence professor about how I am going to “teach” the first Jurisprudence class, scheduled for the next day. I am a student in the course; the professor is ill. I am going to be “the teacher” until he is well. We are talking about Bishin and Stone, about what they are up to in their book, “Law, Language, and Ethics.”² We are talking about all the things people must talk about when they try to talk about what Bishin and Stone are up to. We are talking about what it means for me to “teach” a course in which I am a student, and what it means for the sick professor to “teach” a course in which he is not supposed to be a student.

Fall 1975

During the Jurisprudence course, which I am taking and teaching in the fall of my third, but not last, year of law school (it took me four years to get through) I write several poems. I write poems all the time, but this fall the poems are linking to jurisprudence. Early they are cynical, toward the middle of the semester they get more serious, later, giddy. Some survive in my manuscript book:

ILLUSIONS

Do not assume the thumb
you suck is your thumb,
or a thumb at all, or not
an asp whose bite
is already darkening
the vision at the corners
of your eyes.

HRW 1975

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1. “Reverie is that simple state where the work takes on its convictions by itself without being tormented by censorship.” G. BACHELARD, *THE POETICS OF REVERIE* 160 (1969).

2. W. BISHIN & C. STONE, *LAW, LANGUAGE, AND ETHICS: AN INTRODUCTION TO LAW AND LEGAL METHOD* (1972).

THE SPACE BEHIND THE EYE

I am shivering, or
the prickle of a foot
gone to sleep has spread
over my body. This has
little to do with cold
or sleep, but rather the time
just before a dream, or
at the movies when you know
blood is going to spatter
and you should shut your eyes
but don't.

I have crossed my arms
to press my skin into quiet
Just as last year
when I felt the milk
let down in my breasts.
I am hugging myself
and rocking like a lunatic.
Motion is all that is left.

We are not brave enough
to make love under the table,
or dance on it
when our words have lured us
into the corners of the room.
All that keeps us here now
is imagining the fit of our hands
holding each other.

HRW 1975

TANGLES

I am
finger tied
and tongue toad
some kind of
social disease
they tell me
rest cures are
impossible, the toes
only elongate
the knots in the fingers
play with themselves.
I would try massage
but cannot keep the tangles

under control, one rub
of the ankle and the pinky
wraps the ring finger
once again-
it is called keeping one's fingers
crossed, dangerous when done
double.

In the night
strands of hair
whisper to their roots.
All things go backwards
eventually.

It does not matter
if this is nonsense.
You need not understand
word by word.

HRW 1975

Fall 1976

This time the Professor and I decide to teach the whole course together. We are feeling brave, brave enough to abandon Bishin and Stone and put together our own materials.³ We start with music and songs: a sonata by Samuel Barber; "Love is Just a Four-Letter Word" by Bob Dylan. We play recordings during the class. We include poems, essays, cases, letters, slides of paintings and buildings, cartoons, things students bring in, including a bag of dirt from one student's garden. One assignment includes an untitled, authorless poem:

We forthwith
acknowledge our awareness
of the sensitive
and emotional nature
of the abortion controversy,
of the vigorous
opposing views,
even among physicians,
and of the deep
and seemingly absolute
convictions
that the subject inspires.

3. Wishik and Wohlmut, *Jurisprudence* (1976), (unpublished classroom materials available from the author).

One's philosophy,
one's experiences,
one's exposure
to the raw edges of human existence,
one's religious training,
one's attitudes toward life
and the family and their values,
and the moral standards
one establishes
and seeks to observe,
are all likely
to influence and to color
one's thinking and conclusions
about abortion.

In addition,
population growth,
pollution
poverty
and racial overtones
tend to complicate,
and not to simplify
the problem.

No one in the class recognizes the text. They want to know what it's from. I have put a paragraph of Justice Blackmun's opinion in *Roe v. Wade*⁴ into free verse. We talk about how the form alters our approach to the text. We talk about role. We talk.

May 1977

I am valedictorian of my class. I am seated on the stage looking down at my 260 plus classmates. I am dressed in black. Virginia Woolf's lines about all the "male processions"⁵ are repeating in my head. It is my turn to speak. I stand and take off my black mortarboard and robe revealing the beige peasant blouse and Indian print skirt that had been my "uniform" during law school. I tell my classmates I have taken off the robes as a way of reminding us, all of us, that I am still myself. That I am not someone different from them just because I am on stage, nor am I separate from the person I have been during law school. I tell them I hope they are themselves and have managed to resist the professionalization that law school has pushed at them. I tell them I don't have a job, valedictorian that I am, and that I think I don't have a job because I am a single mother

4. 410 U.S. 113 (1973).

5. V. WOOLF, *THREE GUINEAS* (1938).

who is willing to be honest about her refusal to be a workaholic. I ask them to stay human. They give me a standing ovation. I applaud them. My mother says, "Why do you always have to make trouble."

Winter 1978

I have taken a legal job and the workload has gradually risen to 70 or 80 hours many weeks. I am the first and only woman attorney in this office. I have more cases than do the male attorneys. My son is often asleep under my office conference table as I work at night. My sick son is playing under the conference table as the federal agents walk in to talk with me about a case. They are not willing to talk with him present. I steer them into the office library where we talk and my son, his sleeping bag, toys, snacks, and pillow stay under my conference table. My son tells me one night as we walk into our unlit apartment, "Mommy, this isn't our house. We're only here in the dark." After weeks of battling I win the "right" to work three-quarter time. My pay drops but my caseload stays the same. I leave the office every day at 3:00. The weekly attorneys' meetings are still held at 4:00. I resign. On my last day I am asked to explain my cases to the other attorneys. The meeting for this purpose is scheduled for 4:00. I call my babysitter and tell her I'll be late. I talk the three men through all my cases and hand them a transfer memo for each case. When I am finished, my boss says, "If that's all, you can go now. Us attorneys have work to do."

1978-81

I have been teaching and learning with adult learners, mostly women, for two years. The students pick their studies. I help them figure out how to do the studies they pick: poetry writing; women's history; domestic violence; basic grammar. I am exhausted by the year-round, low-paying work, but I am learning and so are the students. Women feel transformed by this work we do together. Then money problems jeopardize the program. As one of the administrators, I am asked to request that my staff take repeated pay cuts. Finally I refuse and resign. I spend three months on unemployment, job hunting and writing poems. Then I write appellate briefs for indigent criminal defendants. My boss is also a poet.

1981-85

I join a law faculty. The first day of my first class I read the students sections of Paul Savoy's "Toward a New Politics of Legal Education."⁶

6. Savoy, *Toward a New Politics of Legal Education*, 79 YALE L.J. 444 (1970).

Over the years I stop doing that—it comes to feel like an empty gesture. I do not find ways to stop the debilitation my students experience in my classes and in those of other teachers. Instead I do help get experiential learning programs expanded and help start a full semester-in-practice for credit program so that students can experience the empowerment of learning in role. Only in my Women in Law seminar does the classroom enterprise feel mutual, sometimes. Sometimes we cry together, as when we watched a documentary about pornography. Sometimes we laugh. The Dean reports to me that I am said to be unfair to men in my classes. The senior faculty, in the years I wrote three major curricular reform proposals and shepherded them through the faculty, complains that I do not do enough committee work.

Fall 1985

I submit a solicited law review article and it is initially rejected partly because it is too “non-traditional.” Parts of it are in the first person. There is a poem in one of the footnotes. After many discussions the article is finally accepted. A second article is accepted by another journal. The senior faculty signal that my scholarship is not “substantial and ambitious” enough. One faculty member complains about the “narrow” point of view. I don’t know what these criticisms mean. The Senior faculty do not clarify in terms that have meaning to me. I do know that my articles, those published and those in draft, are about women and law, and are “feminist” in point of view. I resign eighteen months before the end of my current contract. I am out of consideration for tenure but am still teaching. I am job hunting. I am being polite. I say less and less in my classes about the politics of law teaching. I am imagining a life of writing. I dream repeatedly of the coast of Maine. When they ask, I tell my students I don’t know what I am going to do next.

February 1986

I received a manuscript by Scales and Johnson⁷ in the mail. I read it. I start remembering. I reread it and remember more. I write this reverie. I am smiling, perhaps a little giddily. I dust off my copy of Savoy. I bring along Johnson and Scales. Monday, perhaps we’ll sing. Thanks.

7. Johnson & Scales, *An Absolutely, Positively True Story: Seven Reasons Why We Sing*, 16 N.M.L. REV. 433 (1986).