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catch—with these riches come questionable content, free of any depth? If these are the themes righteous artists feel compelled to trumpet nowadays, maybe conceptual poetry and flarf are the best mediums to capture this preoccupation. And that is basically all Timmons does, piecing together a parodistic jungle of pseudo-intellectualisms and sound bites illustrating the shifting definitions of what constitutes the New in this post-’net society. Transition is the key thread tying his flarf together. Nothing is ever settled, and all that is hep and happenin’ is already morphing into the next new, or The New Next. Everything is passé, including (or especially) what’s hip. We are experiencing “the past of modernity.”

That’s not to say Timmons flirts incessantly with Bob Dylan territory of “Look out, Kid” Subterranean Homesick Poetry. If so, he would start to read like tired slogans. And although admittedly he does come close to that at times (such as “The New Concept”’s in-your-face anti-industrial spin and the most blatantly flarfy “The New Night”), generally Timmons achieves something truly remarkable: subtlety from the Internet. The wonderfully perverse “The New Kitten” rips apart our endless delight in such animal-themed crazes as LOLcats, revealing what’s really at the bottom of such kitschy fads: modern pet-owners displacing their maternal and paternal affections onto creatures pretty much incapable of returning human affection. We are growing increasingly incapable of coping with personal relations, finding in the wide, blank eyes of a numb, newborn critter a comforting substitute. The poem is a mash-up of random instructions gleaned from online cat experts, providing disturbingly cozy tips on how to warm the kitten up to its new environment, and vice-versa.

Remember that people (especially men) who are used to having dogs (not cats) may tend to play a little aggressively with The New Kitten. The best thing to do is to ignore the ruckus, and leave them to work it out on their own. It will take a while, and meanwhile, the worst thing you can do is force the situation.

Though Timmons’s quotes are taken directly from websites centering around feline care, the text here eerily recalls information found on websites for step-parents learning to cope with children from a spouse’s previous marriage. “Pets as replacement progeny” is not a terribly novel concept, but the theory that The New Kitten is also The New Sensitive *Stepchild* aptly captures The New Family Dynamic.

Perhaps most surprising of all is, quite simply, how beautifully the poetry often reads.

The poems tie together in surprisingly knowing—creative—ways. Many of his headings are left empty (all listed alphabetically, like a proper encyclopedia of expanding knowledge), perhaps to capture just how quickly one New skips to the next. However, it might be no coincidence that he writes nothing beneath “The New Label”’s title, but the empty poem quickly transitions to “The New Language.” In “The New New York School,” Timmons assigns Kehinde Wiley the role of “talking about that other contact sport, Flarf....” Wiley is no flarfer, but could be called a *visual* conceptual artist, painting Harlem youths in poses famous in Renaissance art—ultimately, inserting The New into an already established form. Even Timmons’s call-outs serve as tenuous branches in the Conceptual Family Tree. He is creating The New Connect-the-Dots.

Perhaps most surprising of all is, quite simply, how beautifully the poetry often reads. Timmons breaks with the conceptual notion that the words in flarf don’t matter, that emotional responses are irrelevant. He weaves his carefully chosen words together in such well-measured fashion that they result in unexpectedly heartfelt prose. Such pieces as “The New Ideal Reading Experience” and “The New Old” employ deliberately wistful ellipses coupled with brief spurts of emotion, evocations of nostalgia and classic art. And how are we to reconcile the idea that conceptual poetry only touches the mind, never the heart, when we read “The New Physicality?” “The New Physicality will come in the form of Dance, The New Physicality that no

choreographer has explored, as dance, just as Isadora Duncan’s earth-bound movement foretold The New Physicality of Martha Graham.” I was entranced by this section. Partly because Timmons steps back from dry cynicism (which he does do well), in all probability discovering a blog or two earnestly in love with dance, Isadora, and Martha, and he captured the original writer’s isolated passion. Plus, like all great literature, this is written in such a way that’s it’s just a joy to read for the sheer sake of letting the words sink in, without immediately appreciating any overarching meaning. As Mrs. Ramsay reflects in *To the Lighthouse* (1927),

And she opened the book and began reading here and there at random, and as she did so she felt that she was climbing backwards, upwards, shoving her way up under petals that curved over her, so that she only knew this is white, or this is red. She did not know at first what the words meant at all.

Is this purely aesthetic reaction one of the goals behind conceptual writing, fascinating the reader with a work’s style (and creation of that style) without exploring beneath the surface? Or is that the opposite intention, and conceptual poets expect their audience to look at the lines only for their technical virtues, of where the words came from and the mechanics of the process, without necessarily experiencing the incidental beauty of the work’s prose? If the former, Timmons captures the very best of conceptual poetry: he allows the reader’s intellectual gratification, not only with the seamless submersion of memes and ’net lingo, but also with the very sound and feel those words create when meshed together. If the latter, Timmons redefines conceptual poetry by courageously involving both the intellectual and the aesthetic (emotional) reader. He very well might usher in The New Poetic Evolution.

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Poetics of Guilt

Anna Moschovakis

**TRAGODÍA 1:
STATEMENT OF FACTS**

Vanessa Place

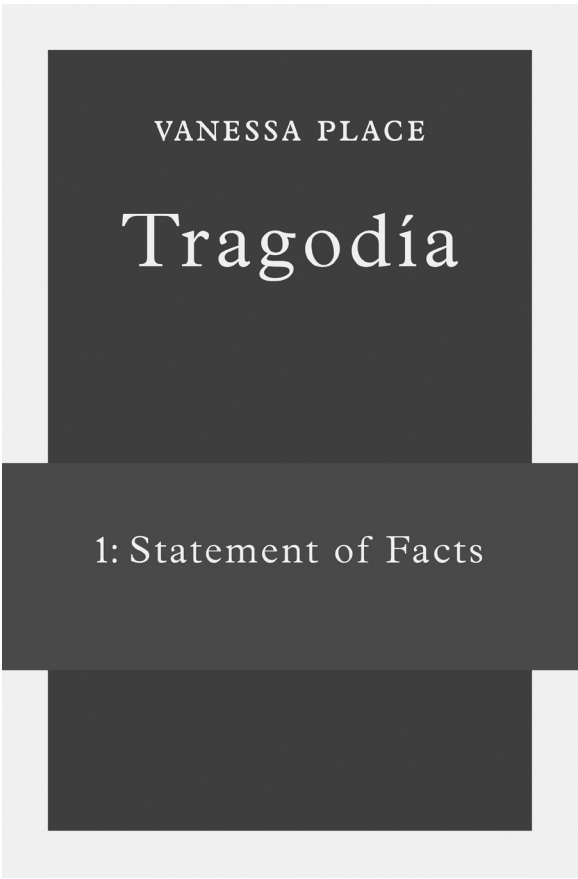
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The distinction between an ethical and a moral approach to guilt, suggests poet and appellate attorney Vanessa Place in *The Guilt Project: Rape, Morality, and Law* (2010), is this: while the ethical “wonders what the collective us is doing” when we do what we do (to “innocent” citizens and convicted criminals alike), the moral “is hot and murky, circling the question of what makes us human.” *The Guilt Project* presents a nuanced argument about criminal law, specifically the counter-intuitive laws concerning rape; it is aimed at the concerned and curious lay reader, whom it leaves bursting with ethical

wonder. By contrast, Place’s *Tragodía 1: Statement of Facts* plunges its reader hard into the murk. There is no evident polemic, no well-deliberated thesis, in *Statement of Facts*, and this is precisely the point: it earns its moral weight in spite of, and because of, its status as conceptual poetry.

Like *The Weather*, Kenneth Goldsmith’s 2005 book of New York City weather reports transcribed from the radio, *Statement of Facts* can be seen as an example of what Goldsmith terms “uncreative writing,” an anti-Romantic methodology that emphasizes the importance of the idea or concept above other literary considerations, producing texts in which “all of the planning and decisions are made beforehand and the execution is a perfunctory affair.” It is certainly (again like *The Weather*) an example of appropriation, a technique in which language is lifted by the writer directly from another (often non-literary) context with another (often more utilitarian) use. Unavoidably reminiscent of Marcel Duchamp’s readymades—in which an object becomes art by virtue of its placement in an

—————*Moschovakis continued on next page*



art context—appropriation is also a technique that Place and her co-author, Robert Fitterman, locate on the “pure” end of the continuum laid out in their primer on conceptual writing, *Notes on Conceptualisms* (2009).

All this alone is enough to turn some readers on or off, depending on their proclivities and aesthetic allegiances. But content, too, matters. Duchamp’s *Fountain* (1917) may not have made the same splash had it been a slop sink instead of a urinal that the artist signed and installed in a gallery. Unlike *The Weather*, which deliberately takes as its subject the least taboo topic in our culture, *Statement of Facts* deliberately takes up one of the most: sex crimes, in all their gory and mundane detail.

According to the book’s jacket copy, a statement of facts is “a legal document which sets forward factual information without argument.” The statements that comprise the book pertain, apparently, to convicted sex offenders who have registered an appeal (in each case, the offender is referred to as “Appellant”). I say “apparently” because, apart from the minimal jacket copy and blurbs, there is no apparatus to ease entry into *Statement of Facts*—no introduction, notes, critical gloss, or explanatory gesture from the author. Just the murk, ma’am. And what murk it is. The book’s 430 pages contain tale after tale of touching, sucking, forcing, cutting, binding, stalking, hitting, whipping, burning, cajoling, drugging, abducting, imprisoning, deceiving, crying, apologizing, and raping, raping, raping. The victims are mothers, daughters, students, neighbor boys, wives, cousins, infants, employees, prostitutes, and the elderly. The appellants are gang members, pimps, drug dealers, dropouts, respected teachers, former police officers, members of the military, and psychologists. Most cases include accounts of the prosecution’s narrative, the defense’s narrative, and the prosecution’s rebuttal; some proffer additional sections of expert testimony or scientific evidence. While the writing style is consistently deadpan, sentences range from the plainly factual—“At the time of trial, Tye was ten years old; appellant is her great uncle”—to the patently interpretive: “Doe began cutting her arm in 8th grade as a way to deal with the abuse.” The variety in severity among the cases is notable, as is the order of their presentation (there is no obvious arbitrary order such as chronological or alphabetical): a consensual drunken grope-fest between teenagers (the girls under 17, the boys over 17) in which no injuries were reported is followed by a gang rape at gunpoint that landed the accused on

America’s Most Wanted (the defense told a different story, of a drug deal and consensual orgy turned sour). In some of the cases, no complaint of abuse has been lodged, but the State has stumbled upon some evidence—for example, a sex tape recording seemingly consensual sex that included rough play—and won a conviction, creating a victim where there was none.

Whether it succeeds as poetry is only as important as the question of what poetry is.

An obvious precedent to *Statement of Facts* is Charles Reznikoff’s 1965 *Testimony, The United States 1885–1890 (Recitative)*, in which the Objectivist poet mined American court documents, altering the recorded statements little but rearranging them into verse to form his poem. *Testimony* offered a revealing view of American *fin-de-siècle* society, especially with respect to race:

Williams—a Negro—Davis, Sweeney, and Robb
were in a saloon together. Williams was talking to Davis
when Sweeney jerked off Williams’ hat tearing a piece out of the brim.
Sweeney and Williams were having words about this
when Robb stepped up and found fault with Williams
for wrangling with a white man.

An even more apt precursor is Reznikoff’s earlier poem “Holocaust,” in which survivor testimony from the Eichmann and Nuremberg trials is given a similar poetic treatment. More apt because, while the crimes related in *Testimony* range from the trivial to the atrocious, “Holocaust” is a horror-fest from start to finish simply because of the setting. Today, with the popularity of *To Catch a Predator* and *Law & Order: Special Victim’s Unit*, possibly only a Nazi could occupy as reviled a social position as a sexually violent predator. (It’s worth noting that while the SVP label is embraced by the entertainment media, its validity is contested among legal and psychological professionals.)

One salient difference between Reznikoff’s works and Place’s book is that Place is appropriating herself. While Reznikoff takes found text and, through lineation, selection, and minor editing, makes it “read” like poetry, Place “finds” her own texts written with a different hat on. *Statement of Facts* is not only conceptual poetry written by a writer-slash-appellate attorney. These are appellate briefs written—the old-fashioned way—by a poet. They employ the techniques of assonance, repetition, anaphora. There are moments of literary resonance that seem almost to subordinate content to the pleasurable effect of some pitch-perfect irony, a subtly timed echo, a good last line. Take this passage from the case of an underage prostitute abused by her pimp:

She did not remember telling the detective appellant slapped her repeatedly, or that she dropped to the floor so as not to be hurt, or that appellant slapped and choked her and said not to get him mad, did she want him to go to jail. Or that they returned to the motel, or that the next day appellant asked Joncey if she was mad because he’d hit her, and to stop her from being angry, took her to Disneyland.

Or this one, from the story of Katrina, repeatedly raped and impregnated by her stepfather:

Katrina testified she found out she was pregnant when she was 14; it was a Fri-

day in August, and her brother was in the shower. After taking the pregnancy test, she and appellant had intercourse, and appellant ejaculated inside Katrina. They then went to get Katrina’s mother and go to a Thai restaurant.

There’s the old truism about conceptual art, most often applied to Andy Warhol’s movies: no need to see them; just knowing about them is enough. “Isn’t it better that way?” Warhol himself is quoted as saying. (Those who have watched *Sleep* [1963], *Blow Job* [1964], or *Empire* [1964] might argue that this is only half-true.) Conceptual poetry is putting up a fight against another would-be truism: the idea that poetry is, by definition, that which resists paraphrasing. *Statement of Facts* complicates both of these positions. After all, rape, torture, random acts of brutality, and systemic violence resist paraphrasing too. While a description of *Statement of Facts* may do a lot of the work’s work, this is a book to be read, not just to know about. There is something of Viktor Shklovsky’s *ostranenie* at work here: if reading *The Weather* makes descriptions of weather unfamiliar and therefore interesting, so you’ll never read the weather report the same way again, reading *Statement of Facts* makes a wide range of acts of sex and violence seem almost banal, altering habitual responses to a whole category of content. You’ll never read the news the same way again—and that is a good thing. So is the publication of *Statement of Facts*.

It’s ethically good because it asks “what the collective us is doing” while illuminating such arcana as the honor code of prostitutes (never look another pimp in the eye); the vagaries of DNA analysis (it’s not that reliable); and much about US criminal law.

It’s morally good because it offers no place to hide. Is there something titillating, pornographic, in these explicit tales? Is that OK? OK with whom? In *The Guilt Project*, Place recalls attempting to desensitize herself, as a young lawyer, by reading sex-crime autopsy reports while eating lunch, before discovering that such desensitization was neither personally possible nor professionally desirable. *Statement of Facts* offers the reader a shadow of that discovery—or, perhaps, a different but equally instructive one.

What does it mean to say that it’s aesthetically good, too? Certainly, *Statement of Facts* succeeds as uncreative writing. Specifically, it gives the reader—to appropriate Goldsmith’s words—“whatever information she needs to understand the work...framed in such a way that will facilitate this understanding.” Whether it succeeds as poetry is only as important as the question of what poetry is.

Anna Moschovakis’s most recent books are *You And Three Others Are Approaching a Lake* and *The Jokers*, a translation of a novel by Albert Cossery.

