ART AS INTERLUDE AND PROTEST IN THE LEGAL FICTION OF LOWELL KOMIE

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In the legal fiction of Lowell Komie, art is present as both method and theme. Besides the narrative art with which the vicissitudes of life in the legal profession are described, the stories often include references to and depictions of works of art. Moreover, the actions of Komie's protests sometimes resemble theatrical performances, or "artistic happenings."

An example of the theatrical gesture in Komie's lawyer fiction is the behavior of Susan Eliofson in "The Interview." Stressed out by endless law firm interviews, Susan dives into a fish tank at the Baltimore Aquarium on a whimsical bet that she can touch a lawyer fish. After an unsuccessful interview she avenges herself by putting a leech that has latched onto her in the tank on the collar of her interviewer's "immaculate gray pin-striped suit." Similarly, the protagonist of "The Ice Horse," a Latina law student working at a large law firm, is disgusted by the cold-hearted refusal of the firm's lawyers to intervene on behalf of a political prisoner. She attends a dinner at a restaurant adorned by a large horse sculpted in ice. After the lawyers have drunkenly climbed up on the ice horse and fallen off, Cecelia

> looked down at each of them, and silently, gracefully, with almost no effort, ascended the ice horse and mounted it, wrapped her legs around it, and held her back very stiffly, and put one hand up. She sat there for a minute and then got down, and without saying anything, found her coat and left them for ever.

The gestures of Susan and Cecelia are both symbolic protests, in Susan's case against the rudeness of her interviewers, and in Cecelia's case against the world of the elite white lawyers whose ways she has learned to mistrust. Susan and Cecelia's gestures represent aesthetic and human values which help to give them some distance from the legal world of which they have set out to become a part.

In "Skipping Stones" the aesthetic protest is expressed by the protagonist, Martha Levine, through clothing:

> She often wore long silk gaily colored scarves to the office and loose tops, and now in late summer, full flowered skirts with jangling bracelets and strands of Indian or Oriental jewelry as necklaces. She didn't want to harden into a man; she wanted to keep herself feminine.

On a trip to Paris to get away from it all, Martha wins a glass figurine in a carnival and tells the man she is flirting with, "I think it's Jeanne d'Arc just before she was set afire." We also learn that she herself sculpts glass figures. After the evening out abruptly ends, she drops the figurine off her hotel balcony.

Back in Chicago, Martha learns that the head of the firm has died and that she is in charge of probating his will. The lawyer has asked that his ashes be scattered over Lake Michigan.

> She saved a small remnant of the ash . . . for herself in a Limoges jar, and then she put it into some special glass stones she sculpted. She called them skipping stones, and she filled them with tiny seeds of his ash and flakes of gold and miniature leaves with tiny bubbles of glass and swirls of color, swirling reds and blues that would mix with the water in which he sought immersion.

She then skips the stones into the water of Lake Michigan. We do not learn whether she will carry out her idea of opening her own office along with another woman lawyer who was also an artist: "There would always be flowers in their reception room, and their offices would be done in soft pastels, her glass sculptures would be there, and Marguerite's hemp figures."

Similarly, "I Am Greenwald, My Father's Son," begins with the description of a painting the protagonist has rented from the Art Institute.

> He particularly liked one picture, a large water-color and ink sketch of a group of angels carrying a shrouded figure of a woman. It was named *The Assumption of St. Catherine of Alexandria*. The angels were flat-faced Oriental princesses, almost Byzantine, and their robes were elegantly embroidered red silk, filagreed with half-moons and asteroids. The figure of St. Catherine was also flat-faced, with high cheekbones, and black vacant pinpoints for eyes. She was enshrouded in gray muslin, and the supporting angels flew with her corpse and held her gently like litter bearers. Below the angels were the rooftops of ancient Alexandria, tiny houses, cubes of ivory done in the bright sun colors of the ancient desert. When he looked from his desk across the room at the painting, he often imagined himself standing in the hills overlooking some exotic port city, looking down at the water and at the harbor. He knew, though, that he would never make it out of Chicago.

Greenwald, who does not have his father's "drive," considers a possible life beyond the legal profession. "Perhaps he should learn a craft. Like glass-blowing." At one point the painting returns:

> After a moment, he looked up at the paintings of St. Catherine, hoping the mosaic of the housetops would soon unscramble into his familiar dream. St. Catherine's eyes were slanted, even though shut in death.

> The eyes had a particular cant, a familiar configuration. And so did the angels' faces, the faces done in the same deep rose color of the intricate robes. There was no expression in the face though, not even the slightest trace of life in the faces.

The painting seems to symbolize both Greenwald's own lifelessness and the lifelessness that he feels around him, as well as the beauty that he misses there. After writing a satirical and whimsical memo on "Office and Other Problems," he again turns to the painting and considers joining the angels by jumping out the window. But he settles for writing LAWYER on his forehead with a purple grease pen—another theatrical gesture.

In "the Divorce of Petra Godic," art has a more complex function. Petra is married to a painter but is the family wage earner. The story concerns not a breakup of Petra's own marriage but a divorce case where her client, Kiefer, tries to avoid paying her fee.

At their first interview, Kiefer had crushed a Christmas tree ornament that had stood on Petra's desk. When she finally gets the court to order him to pay, he sends it to her in the form of a check which appears to have been written in blood. The check arrives curled inside a glass ornament which she has to break in order to retrieve the check. Petra shrugs: "So what? It would clear and she was through with Kiefer v. Kiefer." Here the theatrical gesture is that of a self-dramatizing and unreasonable client, who also destroys one minor work of beauty and places Petra in the position of having to destroy a second. She does so, having evidently accepted that to go on supporting art she cannot afford to let aesthetic values stand in the way of business. Possibly this is a kind of divorce for her, a symbolic divorce.

In "Who Could Stay the Longest," art plays a somewhat different, quasi-judicial role. The protagonist is a gay lawyer dying of AIDS. Throughout his career he has encountered discrimination, and his latest firm has fired him because his work performance has allegedly fallen off. He is out of money, and his only asset is a life insurance policy, the premiums of which he can no longer afford to pay. He decides to die before the next premium is due so that his partner and other heirs will have the proceeds. Drawing a last cash advance, he flies to London. In the hotel:

> He sat on the sofa in the lobby staring up at the grand balcony at a portrait of the queen above the huge crystal chandelier. She stared back at him down the regal, marbled staircase with the icy hauteur of the young, beautiful Elizabeth. She was dressed in a blue cape trimmed in ermine. She held two sceptres, one in each hand, one of Law and one of Equity. "Administer not Law so that thy should forget Equity." He

> smiled to himself as he remembered the rites of coronation.
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> "So," he said to her silently. "Your Majesty. I have a room on the seventh floor. Should I charge a bottle of Dom Perignon to my room? Take it upstairs. Drink as much of it as I can and just step out the window ledge? Would that be conscionable in Equity? My policy is paid for, I'm beyond the two-year period for suicide."

He carries out this plan. He writes a note consisting of lines that he heard at a performance of *The Merchant of Venice*.

> The quality of mercy is not strain'd,
> It droppeth as the gentle rain from heaven
> Upon the place beneath: it is twice blest,
> It blesseth him that gives, and him that takes . . .

He feels that he has encountered little mercy in his life, but that his death will be a merciful solution. He also thinks of a Whistler painting, "trailings of color from a comet gently falling," before throwing himself out the window. In this story, artistic images help the protagonist reach a decision which he believes will benefit those who will survive his death. Art here seems to be something like equity, a parallel system of judgment that runs outside the law.

In "Burak" artistic references abound, comprising much of the text and texture of the story. The protagonist, unlike several of Komie's central characters, appears to be a survivor (could he be the author's self-portrait?). He describes an office building across from his office as follows:

> [A]n ivory-panelled tower, a white cylinder built by a Chicago firm and French consortium: it has a beveled roof with wiper blades that clean the glass panels. It looks like a mammoth modern chess piece, a queen with wiper blades or a giant robot with a beveled forehead.

Through appreciation of the building's surrealist quality, the workplace is transformed to an objet d'art. The narrator shares with us that he has been reading John Updike's *Bech is Back*, which includes a reference to the horse Burak on which the prophet allegedly ascended to heaven, a piece of information that floats in his mind "like a loose luminous chip." Then he mentions that he has switched from Updike to Isak Dinesen who "wrote that birds are really closest to God and unlike people occasionally brush wings with angels."

This makes him think of an outdoor noon concert at which "waves of pigeons flew outside against the tall windows . . . the music and the flights of birds past the windows almost sometime in rhythm were a marvelous mixture. After answering the phone all morning it really calmed me." The narrator notes that, "My life as a lawyer isn't all concerts and exotic restaurants."

But one notices in this story that very little is said about the actual work of practicing law that goes on behind the glittering mosaic composed of these bits and pieces of observation and artistic pleasure. In the second-to-last paragraph, the narrator harks back to his early days as a lawyer:

> Another friend of my father's gave me a $20 gold piece when I sent out my announcements: "Never spend it," he told me. Within two weeks I had pawned it to pay my office bills.
>
> Now, many years later, I have learned about Burak . . . . I have also learned that I should not have pawned the $20 gold piece. It wasn't really necessary.

Unlike other protagonists who go crazy, commit suicide, or leave the world of law with dramatic gestures, the protagonist of "Burak" seems to maintain his sanity by means of small medicinal doses of artistic experience.

While it may not be necessary to give up one's artistic sensibilities when wandering through the maze of the law, the effort to balance law and aesthetics can exact a heavy price. In "The Honorable Alicia Beauchamp," the protagonist, a 36-year-old woman judge, is shown being suitably tough in the courtroom against a manipulative lawyer. She takes an afternoon off and goes to the Milwaukee Art Museum, where she admires some floral paintings by Emil Nolde, a German painter, and encounters a man who points out to her his favorite painting in the museum:

> He led her into another gallery where he showed her a large painting of a French peasant and a young girl, perhaps a grandfather and granddaughter, walking in the woods. The old man carried a large bundle of sticks on his back. The little girl had an angelic face and fine blond hair and walked just ahead of him picking wild flowers.
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> "'Père Jacques,'" he said, squinting at the painting. "Jules Bastien-Lepage, 1881. I think it's the most beautiful painting in the collection. The old woodcutter's face has the dignity of old age; his granddaughter looks like a young princess, standing in a field of flowers. She's such a beautiful child."

This exquisite painting, by a little-known painter (in an artistic coincidence, this writer purchased a reproduction of it a few months before encountering Komie's fiction) seems meant to exemplify an innocence and freshness seldom found in the world of law. Judge Beauchamp's appreciation for this painting portends a romance cut short by the man's return to his native India.

The last scene in the story places Judge Beauchamp again in the courtroom; "she was back and nothing had changed." She muses, "Black is the color of justice. Black will always be the color of justice." In her work as a judge, Alica Beauchamp is obliged to exercise abilities which men find threatening; her ex-husband had called her "Medusa," and the comment still rankles. Again, as with the protagonist in "Burak," there is a discontinuity between artistic and legal experience that Komie's feminine protagonists seem to have an especially difficult time accepting.

In "Ash," on the other hand, an aesthetic object seems to be part of what gives an African-American judge the courage to render a just decision in a case where he has been subjected to pressures that his vulnerable position as a member of a minority makes it especially courageous to resist. The object in question is a jade flower, the gift of a geisha for whom his skin color was not a mark of caste. The jade flower is a touchstone, preserving the memory of an unprejudiced encounter, and representing an integrity he refuses to sacrifice. Beauty seems here to be identified with integrity.

In "The Emerald Bracelet," on the other hand, the aesthetic object goes its own way, unguided by either legality or morals. An emerald bracelet is stolen from the wrist of a dead dowager who received it earlier in life from her partner in a brief extramarital affair. The thief passes it to a dancing girl, who passes it to her father, who uses it to bribe an alderman, who uses it to bribe a judge, who gives it as a political contribution to a ward committeeman, who happens to have been the former lover of the dead woman. He goes to the funeral home where she is lying and places the bracelet on her wrist. Here the bracelet stands for a moment of love that is outside the law. With the return of the bracelet to its original recipient, love and beauty triumph over corruption, even while successfully resisting subordination to the moral code!

In "Justine," which resembles a lawyer joke on LSD, Komie's baroque imagination pulls out the stops. We are confronted with an artistic work that reports to represent the Law itself: a "Hall of Fame for Lawyers" that takes the form of a ten-story glass tower in the shape of the Goddess of Justice, blindfolded and holding scales. The "colossal lighted glass sculpture"

> glowed blue and slowly revolved over the highway, lighted by spotlights from the ground below, which was a kind of park framed with trees and blossoms and a huge reflecting pool reflecting the figure of the Goddess on the water.

The developer, who has been served with a restraining order by his partners to enjoin him from opening the tower, brings the lawyer protagonist and his secretary to the building on the evening before the scheduled opening. Inside the building are panoramas showing scenes of legal life, including young people being painted with a gray cosmetic to make them look "sallow and gray faced," lawyers in the library of a Wall Street law firm asleep at four o'clock in the morning with their heads on their desk, senior partners on exotic vacations with their wives holding up parasols "to avoid the shower of money that follows the partners everywhere, even in cathedrals or museums," and various other exhibits of escalating zaniness. There is also an opportunity to send a fax to the deceased legal personality of one's choice; the protagonist chooses Kafka.

On opening day, the Tower is destroyed by crowds of poor people, who also burn the law books. On his way home, the protagonist has a vision of Kafka who tells him "there is no justice," and Justice is "nothing but trouble. You can never please her, she always demands perfection." Kafka goes on to say that, "In seeking justice and love we always demand perfection and we always fail." Obviously, the giant statue represents not so much justice as the failure of justice in contemporary society.

Not far beneath the surface of Komie's legal fiction is a dark view of the law as a mechanism that rarely produces equity and is often fatal to life, love, and beauty, which are represented in Komie's stories by aesthetic objects. The image of the butterfly—an ancient symbol of the soul—occurs in two stories. In "The Butterfly," a widow has gone to a lawyer's office for the opening of her suddenly-deceased husband's safety deposit box. They have always lived very modestly, and she does not expect that the box will contain much of value. In the box, she finds a small transparent envelope containing a butterfly specimen, as well as some loose papers that turn out to represent something like a $1 million in securities. All their lives they had scrimped and saved, and now it is too late for her to enjoy the wealth that he has hidden away from her over the years. "Then she thought of herself as the butterfly, trapped in a jar, her husband holding the jar and cruelly watching her futile wing beats as she fell to the bottom, leaving a pattern of wing dust along the edges of the glass." She decides to go on a cruise to the Orient. In Hong Kong she will have the butterfly "modeled into a pendant, gold latticework edged with jade and pearls" which she can wear on her travels, "a magnificent piece of jewelry." (Here, the work of art is intermediate between the world of law/finance and the lost world of love and life: art preserves the vision of the latter but is a poor substitute for reality.)

The narrator of "A Commuter's Notes," between descriptions of his daily struggles, refers to the book *I Never Saw Another Butterfly* and also to the Auschwitz motto, "Arbeit macht frei." He considers the possibility that he looks like one of the "saddened exploited" women in Picasso's bordello painting. He consoles himself by visiting the Chagall mosaic: "You have to remind yourself of joy and how to be ecstatic and alive."

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The law that is thus starkly contrasted with Life and Art is, of course, only the law as practiced in this time and place. In the background of several Komie stories hovers a consciousness of Judaism. "Justine" evokes Moses, the Western Wall, and the Creator, Whose Name, following an Orthodox Jewish practice, is written G-d. In Judaism, the Law is considered not only Divinely given and authoritative, but also beautiful, energizing, and life-sustaining. "Open mine eyes and I will behold wonders out of Thy law." (Psalm 119). The most joyous moment of the Jewish year is the holiday of "Rejoicing in the Law." Moreover, from their different perspectives, the poet and the biologist would observe that all forms, including life-forms, are based on laws.[*] Law and aesthetic order are by no means essentially strangers. Perhaps someday a group of legal reformers will find the courage to take seriously Shelley's dictum that poets are the unacknowledged legislators of the world.

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[*] Leonard Borenstein develops this point in a poem called "The Lesson of My Life" <www.pointandcircumference.com/hexagon/ Borenstein.htm>.