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The Rime of the Ardent Gunner

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Part I: The Gunner's Plight

The Ardent Gunner² raised his hand.
His question was arcane,
And though the class was sick of him,
He'd ask it just the same.

Professor looked him in the eye
and said, "You bother me.
Now drop your hand. We must move on!"
Eftsoons his hand dropt he.³

For to that point the gunner posed
Pedantic questions four,
And not a soul inside the room
Could tolerate one more.

But after class he seats himself
And verbally assails
The student who should dare pass by,
And tells his peer his tale.

"I was a normal undergrad,"
The Gunner states with pain,
"But lo! I studied liberal arts
Then hopped the law school train."

The student harbored sympathy,
But had to leave for class.
The gunner held him captive though;
The student could not pass.

¹ Portions of this poem are loosely based off of *The Rime of the Ancient Mariner* by Samuel Taylor Coleridge.

² A "gunner" is a somewhat derogatory term for a law student who tends to ask esoteric questions with distracting frequency. While some might scoff at the gunner as a socially inept egghead, this poem suggests that the gunner's behavior stems from an underlying uncertainty or perhaps an insecurity, and it is better to comfort the gunner than to ridicule him. After all, most law students have a little gunner in them.

³ This line comes directly from *The Rime of the Ancient Mariner*. Samuel Taylor Coleridge, *The Rime of the Ancient Mariner*, in WORDSWORTH & COLERIDGE: LYRICAL BALLADS & OTHER POEMS 208 (Wordsworth Editions Ltd. 2003). I include this footnote because I am a quasi-neurotic law student with an intense aversion to plagiarism. While the line is linguistically identical to line 12 in Coleridge's poem, the context and effect of the line in this poem are much different.

“I fear thee, Ardent Gunner,”
The poor student stated plain.
“The highlights in your contracts text
Suggest that you’re insane!”⁴

The gunner simply carried on;
The student could not leave.
Until the tale was told in full,⁵
There would be no reprieve.

“My bags were packed; my books were bought,
And I was filled with glee.
My destination thrilled me so:
The university!”

“An English major I declared,
And all went well at first
Until the market’s well ran dry,
Until I felt the thirst.”⁶

“I had good grades, and I was smart,
but who would hire me?
Though my diploma read B.A.
B.S. was my degree.”⁷

⁴ Highlighting is a popular law school activity in which a student uses special, bright-colored markers to underscore those portions of the text that she deems important. However, over-highlighting is a common problem. Symptoms include an inability to resist highlighting entire pages, frequently running out of highlighters, and yellow-stained fingers.

⁵ This sentence caused me to become physically ill because I had to use the passive voice to retain the rhyme scheme. A devoted scholar of legal writing, I cringe at the very notion that the passive voice is sometimes necessary, and I sincerely apologize to the readers for the pain that the passive voice in this poem will surely cause.

⁶ The perception that English degrees are not useful in today’s technology-driven economy is at least partially the cause of the Gunner’s plight. However, many technology startups are looking for English and other humanities majors to help advertise and market new products. See Michael S. Malone, *How to Avoid a Bonfire of the Humanities*, WALL STREET JOURNAL, Oct. 25, 2012, at A17. In light of these new options for humanities majors, when an interviewer asks, “So, why did you decide to go to law school?”—the answer, “Well, I was an English major”—should no longer be sufficient.

⁷ “B.S.” is both the abbreviation for “Bachelor of Science” and the shorthand for the excrement of non-castrated male cattle. This line of the poem plays off of the double meaning to highlight the misconception that a Bachelor of Arts is useless. See *supra* note 6.

“Ardent Gunner, your eyes suggest
Your sanity is lost.
Now are you cursed?”—“Just risk averse;
I gave up Robert Frost.”⁸

“I bought an LSAT study guide;
The studying was tough.
Through all my fear, I persevered.
My score was good enough.”

“But that was just the iceberg’s tip;
I had to be the best;
A gunner I’ll forever be,
For it is Fate’s behest.”

Part II: The Student’s Response

The student interjected then;
He felt he had to say,
The gunner’s tale was but a wail
Of a tired, old cliché.

“I’m sorry that you feel that way;
I’m moved by your sad song.
You fail to see the joys of law,
You’re prima facie wrong.”⁹

“There is no doubt that Robert Frost
Is talented indeed,
But poems don’t hold a candle to
Hawkins v. McGee.”¹⁰

⁸ This exchange between the student and the Ardent Gunner mirrors the line in Coleridge’s *The Rime of the Ancient Mariner* where the Mariner tells his listener that he senselessly shot an albatross, which caused him to become cursed and endure a perilous journey. Here, the Ardent Gunner’s great immoral action is giving up Robert Frost, which leads him on a perilous journey to law school. The comparison of the slaying of a majestic bird with the forsaking of an American poet exaggerates the Gunner’s plight.

⁹ Although it may be tempting at times, using Latin phrases in normal conversation is socially unacceptable. Many law students learn this the hard way.

¹⁰ *Hawkins v. McGee*, 146 A. 641 (N.H. 1929). This case is one of my favorite cases, and I place it in a category that I affectionately refer to as “natural selection cases.” *Hawkins* involves a father who contracts with a doctor to remove some scar tissue from his son’s hand. *Id.* at 641-43. The doctor has the ingenious idea to do a skin graft from the poor boy’s chest, a procedure that the doctor completely botches, resulting in the infamous hairy hand. *Id.* All of the parties in this case will likely experience the wrath of natural selection. The doctor is an idiot for grafting chest skin onto a hand; the father is an idiot for allowing the doctor to perform the procedure merely to remove scar tissue; and the son is an idiot for going along with it. Natural selection is nature’s idiot removal device, and the *Hawkins* trio never stood a chance.

“For when you get right down to it,
Most poetry is bland.
I’d rather read a contracts case,
About a hairy hand.”

“And if you must have English Lit,
Just channel Frankenstein
When reading Constitution text,
And claim that it’s alive!”¹¹

“Law school class is thrilling, too,
And ready you must be;
The students will play Euthyphro,
Professor, Socrates.”¹²

“Adrenaline will spike your pulse;
You’ll learn to deal with fright.
You’ll hit your stride, be satisfied
When your answer’s somewhat right.”

“You’ll use complex analysis,
And as you think things through,
You’ll find new ambiguities
In things you thought you knew.”¹³

¹¹ Despite the mistaken belief to the contrary, Victor Frankenstein did not say, “It’s alive!” when his creature came to life. See MARY WOLLSTONECRAFT SHELLEY, *FRANKENSTEIN OR THE MODERN PROMETHEUS* 42-45 (Cornhill Publishing Co. 1922) (1818). Instead, the line was popularized in Universal Picture’s 1931 film: *Frankenstein*. See *Frankenstein (1931 Film)*, WIKIPEDIA (Dec. 15, 2012, 10:50 PM), [http://en.wikipedia.org/wiki/Frankenstein_\(1931_film\)](http://en.wikipedia.org/wiki/Frankenstein_(1931_film)). The line in the poem refers to the method of constitutional analysis that relies on the idea that the Constitution is a living document. However, Justice Scalia would probably agree that injecting life into the Constitution has a similar effect to injecting life into a creature consisting of an amalgam of body parts: it may seem like an interesting idea, but there is no telling what atrocities the animated creature will commit. See Lisa K. Parshall, *Embracing the Living Constitution: Justice Anthony M. Kennedy’s Move Away from A Conservative Methodology of Constitutional Interpretation*, 30 N.C. Cent. L. Rev. 25, 33 (2007) (discussing Scalia’s rejection of the idea of a living Constitution). As a side note, there will be few instances in my legal career in which I can acceptably cite Wikipedia, and so I cite it here with considerable satisfaction.

¹² See Plato, *Euthyphro*, in *CLASSICS IN WESTERN PHILOSOPHY* 28-40 (Steven M. Cahn ed., 1977). In Plato’s *Euthyphro*, Euthyphro claims to know what makes something pious, but as he tries to explain his theory to Socrates, Socrates relentlessly questions him and pokes holes in Euthyphro’s logic. *Id.* The dialogue ends with Euthyphro, both annoyed and embarrassed, telling Socrates that he is in a hurry and must go. *Id.* at 40. Professors, often with visible enjoyment, play the part of Socrates by ruthlessly questioning students about their answers. Like Euthyphro, most students have only a tenuous grasp of what the professor would like to hear and would like nothing more than to claim to be in a hurry to escape the inquisition. Thus, law students share Euthyphro’s ignorance but envy his freedom to exit.

¹³ The analytical skills learned in law school are useful in other aspects of life, but it is possible to get carried away. Early on in my law school experience, I found it difficult to hear old sayings and proverbs without questioning their phrasing and interpreting them strangely. For example, there is great dispute over which came first: the chicken or the egg. Law school has taught me to think outside the box, and I think we all need to agree that the chicken came

“So can’t you see law’s benefits?
Do not be so headstrong.
They call us sharks; we’re more like larks.
They just can’t grasp our song.”¹⁴

Part III: The Resolution

The gunner’s eyes, ensconced in mist,
Grew wide and resolute.
He saw the student had a point;
And that it was not moot.¹⁵

“I thank you for your kindly¹⁶ words.
I see that you are right.
I won’t despair but will repair
This self-inflicted plight.”

“I’m glad I came to study law.
I’ll cast off all my woe.
I feel reborn; tomorrow morn
De novo I will go.”¹⁷

in the egg. For another example, I don’t like the saying, “The early bird gets the worm.” It may be true, but whose perspective am I to take? If the early bird gets the worm, shouldn’t the worm develop a strong tendency to sleep in? Cardinals are the most extensively regulated species of bird; you rarely come across a discipline that does not have a cardinal rule. If you have a lot of skeletons in your closet, one explanation is that you may be taking your protest of rising burial costs too far.

¹⁴ Larks are birds that have distinctive and elaborate songs. Alaine Camfield, *Alaudidae larks*, ANIMAL DIVERSITY WEB, <http://animaldiversity.ummz.umich.edu/accounts/Alaudidae/> (last visited Jan. 6, 2013). No one would fault a lark for being an elitist snob because his song is complicated. Yet the complexity of a lawyer’s work is probably partially responsible for the misunderstanding that lawyers are bloodthirsty, opportunistic sharks. Of course, the explanation for this might be that the lark’s complex behavior results in a beautiful melody, whereas the lawyer’s work results in a bill to a client who would often like to contest not only the number on the bill but also the location of the decimal point.

¹⁵ “Moot” is a peculiar word that has taken on two meanings. The archaic definition of moot is, “Open to argument; debatable.” BLACK’S LAW DICTIONARY (9th ed. 2009). However, today “moot” is often used to describe something that has “no practical significance.” *Id.* The two definitions are not necessarily contradictory, but they could easily lead to confusion. For example, it is a moot point that everything in law is moot. Any attempt to discern the meaning of the prior sentence would throw the reader into a rabbit hole that would cause even Lewis Carroll^{15(a)} to lose his sanity. In the poem, the Gunner uses the more modern definition of moot.

^{15(a)} Lewis Carroll is the pseudonym for Charles Dodgson, the author of *Alice’s Adventures in Wonderland*. In *Alice’s Adventures in Wonderland*, Alice follows a talking rabbit down the rabbit hole and has a whimsically nonsensical adventure. At the risk of recreating the rabbit hole with another improperly formatted, indented footnote, you’ll just have to trust me on this.

¹⁶ As far as I know, “kind” and “kindly” are both adjectives that mean the same thing. While the variation of the word appears to have little practical use, it is a gem for poets looking for an extra syllable.

¹⁷ See *supra* note 9.