

## Focus Questions for The Art of Memoir

These focus questions are intended to aid you in the active reading of Mary Karr's "The Art of Memoir," one of the books selected by the faculty of the Syracuse University College of Law to help prepare you for your time studying law. This book was chosen by Professor Aliza Milner.

The questions are written with the intention of helping you. You won't be tested on your answers and you can feel free to read the book without them should you choose. And there aren't any correct answers for these questions. It's more important to question the text and reflect on what the answers might be than to seek for a definitive "correct" answer.

The questions are designed to model the process of active reading, which is a skill with which you should already be familiar. Active reading is a crucial skill for doing well in law school, and the more adept you become at it before you come to school, the better you will do during your time here. If you would like to learn more about active reading, there will be content discussing the topic in more depth on the Legal Writer's Toolkit site.

You shouldn't assume that these questions indicate a point of view or that they're trying to steer you to answer them in a particular way. Rather, they're intended to provoke you to think critically about what you read and to help you form your own conclusions, based on the information the author gives you about the topics discussed in the book.

We hope you enjoy "The Art of Memoir," and we look forward to meeting you and working with you over the course of the next few years.

This book, unlike the others in this alternative reading list, is written by a master writer and teacher of writing who, incidentally, lives and works in Syracuse. So in addition to teaching you about her subject - the art of memoir - the writer is also teaching you about writing, a crucial area for all lawyers. There is no loose or unconsidered language in this book; every word and punctuation mark is carefully considered and is used to create an effect. If you read this book carefully, and with concentrated attention to not just what the author is saying but how she is saying it, you'll discover that in addition to being very informative, it's a master class in the art of writing.

### **PREFACE: WELCOME TO MY CHEW TOY**

1. Why is the author using a metaphor that makes her into the (undescribed) puppy that paws and gnaws at a chew toy?
2. Why does the author include the parenthetical phrase "(A better me, says the nattering voice in my head, wouldn't eat Oreos by the sleeve.)"? Do you have a similar voice in your head?
3. The author intentionally mis-spells a word: "boo-coup" instead of "beaucoup." Why does she do that? What impression of her is she seeking you to have? Note other misspellings the author uses and ask why she does this.
4. The author uses another dog reference ("like a Labrador dragging home kill in her teeth."). Why is she doing this? Do you think this is accidental?
5. When you read memoir, do you share the author's reaction that the fact that it's "outlived" rather than invented makes it more compelling than fiction? The author then goes on to show that memoirs are written carefully, not just "flung splat on the page." Does that change the way you think of memoir? What does the author accomplish by using "splat" here?
6. The author describes memoir writing as a painful experience. Do you think there is any kind of extended writing that is not painful for the writer? Do you think memoir is particularly difficult because it involves "the distance between your delusions about the past and what really happened?"

## THE PAST'S VIGOR

1. The author describes the moment of unpacking a memory as being like the moment circus clowns pour out of a car: “how did so much fit into such a small space?” Have you had a similar reaction to memory? Have you experienced, as the author describes, the feeling when one memory triggers an entire flood of memories associated with it coming back into your unconscious mind?
2. The author talks about the fallibility of memory in much the same way as did the author of *Being Wrong*. She even describes an experiment designed to show the problems with eyewitness testimony that could almost have been used as an example in that book. Are you surprised to read the same thing about memory from two different sources? The author here describes almost exactly the imprinting that happens when an agreed version of the events - or the picture of a potential perpetrator is shown - that the author of *Being Wrong* described. Did you expect to read so much unanimity about the flawed memories we almost all possess?
3. The author is writing a book that talks about how memoir is written, but at the same time she includes a lot of examples and anecdotes from her own life. Is she doing this to illustrate techniques for writing memoir or is she writing a memoir in the guise of writing about how to write memoir? Both? Does it matter?

## THE TRUTH CONTRACT TWIXT WRITER AND READER

1. The author uses an old-fashioned word to mean “between” in the title for this chapter. Why? What effect is she seeking to create? What connection is she hoping to establish between you and the text by using that word? Would a different effect have been created if the author had used another form of the word she chooses - “betwixt?” Do you think the author considered the two possibilities and chose as she did for a reason?
2. The author describes the different standards nonfiction writers have applied to the truth of their narratives. Had you realized that things were not always as they seemed in books labelled as “nonfiction?” Do you see that as lawyers, we cannot “choose [our] own percentage” of truthfulness when we write, and must write with 100% truthfulness and accuracy at all times?

## **WHY NOT TO WRITE A MEMOIR PLUS A POP QUIZ TO PROTECT THE BLEEDING & BOX OUT THE RIGID**

1. Does the heading of this chapter make clear to you what you are going to read in this chapter? If not, does it matter? Has the author made a promise to you that you might not understand what this chapter is about now, but that you will by the time you've read the chapter? If so, and if the author is right, will you trust the author more as you read later chapters? Is this perhaps a technique that helps to establish trust between you and the author?
2. The author describes the physical trauma suffered by many writers - including the author - during and after the writing of their work. Do you think this experience is limited to writers doing the kind of work the author describes? Do you think a legal writer, writing a brief for an appellate court, might experience similar symptoms?
3. The author suggests that she uses a fine-line, razor-point pen when she writes? Do you think this is true? Do you imagine anyone uses pen and paper to compose these days or does everyone use a computer and word processing program?
4. The author writes that a writer "needs to seek out a calm, restful state of mind where your head isn't defending your delicate ego and your heart can bloom open a little." Does this advice apply to a legal writer as well?

## **A VOICE CONJURES THE HUMAN WHO UTTERS IT**

1. The author emphasizes the importance of voice in memoir. Have you considered the importance of voice in the writing you have done? Do you imagine voice will be important for a legal writer? The writer says that memoirists sound the same on the page as they do in person. Do you imagine that will be true of lawyers also?
2. The author writes of charm. Can legal writers charm their readers? Have you thought about charm in your own writing? Can you see ways you might be able to introduce charm into the work you write as a lawyer? Note what the author means when she uses the word "charm" here.
3. Consider the voice the author is using in this book. How would you describe it? Is this the author's natural voice, the voice she would use if you met her? What accent does her voice have? What is the author conveying to you through the voice she is using? Is the message being transferred effectively?

## **DON'T TRY THIS AT HOME: THE SEDUCTIVE, NARCISSISTIC COUNT**

1. In this chapter, for the second time, the author writes of carnality and clarifies that by this word she means “physicality, not sexuality.” If there is the possibility of confusion, such that she has to explain her meaning, why does the author not just use the word “physicality?” By her own description, it’s what she means when she writes “carnality,” so why not use the word she means? What does the author gain by using a word that could be misconstrued?
2. The writer notes that students who try to imitate Nabokov’s voice are generally unsuccessful. Is it helpful to imitate someone’s voice in writing if only to find out why it’s unsuccessful? Whose voice do you think you would copy as a legal writer? Why?
3. The author writes that most writers are better off with simple vocabulary - “the shorter, often monosyllabic words you use all the dang time.” Is this good advice for legal writers as well? What does the author gain from using “dang” here?

## **SACRED CARNALITY**

1. The author writes here of the importance of physical detail in constructing a narrative (to use an almost infinitely more boring way of expressing that thought than that used by the author). Again, thinking about her advice from the perspective of the legal writer, do you think this has relevance to us as lawyers? Can you think of ways the author’s advice can be adopted by us into the documents we write?

## **HOW TO CHOSE A DETAIL**

1. In this short chapter the author makes clear what she’s been hinting at throughout the book so far: she’s writing about how to write memoir, she’s writing memoir, and she’s showing, though her own memoir, how to write. Do you see how she’s doing all these things? And so you see how effortless it seems? How many times do you think the author rewrote and edited this short chapter?

## **HUCKSTERS, THE DELUDED, AND BIG FAT LIARS**

1. The author writes of Bruno Dössecker's unwillingness to admit that his book of Auschwitz memoir is false, "unbudded by physical evidence." If you have read "Being Wrong," does this unwillingness to admit error even when confronted by evidence sound familiar? What writing lesson can we draw from the author's analysis of Dössecker's writing style? What can we learn from the way the author's students responded to Dössecker's invented memoir?
2. The author writes about losing a job she wanted because she misspelled the name of the publisher of the publication she wanted to work for. Might the same thing happen to lawyers who apply for work at a law firm? Although this is to trivialize the point the author is making here, do you think lawyers will be held to the same - or greater - standards of accuracy and truthfulness as the writer of memoir?

## **INTERIORITY AND INNER ENEMY - PRIVATE AGONIES READ DEEPER THAN EXTERNAL WHAMMIES**

1. This chapter deals with interiority - something which legal writers carefully avoid. As lawyers, when we write we are not writing about, or seeking to express something about, or to discover something about, ourselves. Rather, we are writing to accomplish the goals of our clients. But given that, is there something from this chapter that is relevant to what legal writers do? Does our ability to understand, and perhaps express, the interiority or our clients' positions - even if they are corporate, not human - make us better legal writers?

## **ON FINDING THE NATURE OF YOUR TALENT**

1. Again, this short chapter might appear to have little to do with legal writers. But we have to adopt many personas in order to write for very different clients. Do you suppose that it helps us to do this if we know more about ourselves? If we try to answer the author's questions about ourselves, could we then try to answer them again as the people writing for client A or client B? Or would this defeat the purpose the author is trying to achieve here?

## THE VISIONARY MAXINE HONG KINGSTON

1. Does reading about writers like Kingston or Nabokov or Crews make you want to read their work more directly, if you haven't read it already? If so, why, and if not, why not?
2. The author writes "[f]rom the book's first breath . . ." Why use that metaphor? What is the author conveying by choosing those words?
3. The author describes Hong's work as "a feminist act, revealing secrets in order to force herself and the women of her clan from the silence and obscurity to which a misogyny thousands of years old would have relegated them." There is, of course, a tremendous difference between Hong's writing and that performed by lawyers. But given the obvious differences between the writing of a memoirist and a lawyer, do you imagine there will be differences between the way male and female lawyers write? If so, what do you think the effect of non-binary gender identification will have on a lawyer's writing style? Should gender be a necessary aspect of an individual lawyer's writing style?

## DEALING WITH BELOVEDS (ON AND OFF THE PAGE)

1. Again, there are differences in the ways the families of memoirists and lawyers are likely to respond to writing, but setting that aside, how do you think your family will respond to your writing? Will you show it to them? Suppose you are assigned in law school to advocate on behalf of a position your family members won't approve of. Will you show your writing to them then? Will they understand that lawyers must sometimes take positions on behalf of their clients to which they don't personally subscribe? Do you understand that? How easy or difficult will it be for you to have to write on behalf of positions you personally don't agree with?
2. The author quotes a writer as saying that "[t]o drag out the dirty laundry almost masculinizes a woman." Lani Guinier, a legal scholar and Professor of Law at Harvard, has argued that law is fundamentally a male preserve and that law school masculinizes women so that they can survive in that world. (This is, inevitably, a gross oversimplification of Guinier's point. If you are interested in reading more about this, you can look at her book "Becoming Gentlemen: Women, Law School, and Institutional Change."). What do you think of that concept? Since Guinier was herself a law student, the number of women in law school and in law practice has grown dramatically. Do you imagine that the law is still a male preserve?

3. The author writes about the way families react to being written about. How do you think clients react when they read what a lawyer writes about them and their situations? As a lawyer, does it matter how your clients react to what you've written, as long as what you write is factually accurate?
4. The author provides eleven rules for writing about others. Making the obvious adjustments for the different writing styles, could some of these rules apply to legal writers as well? Could these rules be distilled into one: treat others with compassion when you write of them? Is that a rule to which lawyers can, or should, subscribe? Should lawyers do this even when writing in an adversarial context?

### **ON INFORMATION, FACTS, AND DATA**

1. The author writes of the difficulty of writing about facts. Lawyers have to write about facts a lot as well. Do you expect that writing about facts in the legal context will be as difficult as the author describes? Will you pay particular attention to this chapter now you know how important facts are for lawyers?

### **PERSONAL RUN-INS WITH FAKE VOICES**

1. This chapter is about voice and authenticity, a subject that is more relevant to lawyers than you might imagine. None of you are lawyers yet, but you will be expected to write like lawyers almost from the first month of law school. How will you respond to that challenge? Do you think you will yourself be as inauthentic as the author was in what she describes as her "faux-punk Patti Smith façade?" What sources will you look to to find your attorney voice?
2. Reading the author's excerpt from her novel, did you notice her use of the word "presented?" Do you see why it's less effective a word than "gave?" Do you imagine that lawyer writing will be filled with long, multi-syllabic words, or with their plain, vernacular, equivalents? What does our choice of words say about our voice when we are writing?
3. The author describes her father describing the sound of a rainstorm. Of course, legal writers could never use a similar image in their writing, but note what the author says about a reader's reaction to that phrase: "[t]he minute you laugh at it, you become loosely complicit in the speaker's offensive speech. This binds you to the narrator. You've bought in." Do you see how important voice can be for any writer, especially



one who is trying to get a reader to rule in the writer's client's favor? If you can get your readers to buy in to what you're writing and to bind themselves to you, just by the voice you use in your writing, this is a powerful advantage. Do you imagine that skilled legal writers use writing techniques as a way to make their readers buy in to their analysis?

4. The author talks about ending sentences on prepositions, noting that it makes the writing "idiomatic and oral." Had you considered that you can generate voice by ignoring the "rules" of grammar? (There is, in fact, no "rule" of grammar that prohibits sentences from ending in prepositions in English. It's just a practice that has, over time, become frozen into a "rule."). As a lawyer, trying to sound like a lawyer, will your voice be more persuasive if you end your sentences with prepositions or will you avoid doing that?

## **ON BOOK STRUCTURE AND THE ORDER OF INFORMATION**

1. The author writes of structuring her books mostly in linear time. How do you think lawyers usually structure their writing?
2. One piece of advice the author offers to students worrying about structure is to "imagine sitting down to tell [their story] to a pal at lunch." Do you think this is advice lawyers could follow as well?

## **THE ROAD TO HELL IS PAVED WITH EXAGGERATION**

1. This isn't really a question, but do you see why the author's warnings against exaggerating or manufacturing details applies with even greater force to legal writers? If not, do you think you should be rethinking your career in the law? Memoir writers risk ridicule if they make things up, Lawyers risk disbarment.

## **BLIND SPOTS AND FALSEHOODS**

1. The author here writes about finding the real "you" as the focus of the memoir. Lawyers are writing about the clients, not themselves. But are the author's points about writing memoir relevant for lawyers also? Is the client - the "real" client - the appropriate focus of what lawyers write? What if the client is a large corporation? How can one write about a corporation as if it were a "real" person?

2. The author writes of a passage in Elizabeth Gilbert's "Eat, Pray, Love" in which a detail Gilbert reveals leads the author to speculate on many details Gilbert did not reveal. Do you see how this could be a problem for legal writers also? Do you imagine that our readers might speculate about some undisclosed details based on details we do reveal? How should legal writers respond to an awareness of this problem?
3. The author writes of the dangers of trying to sound like someone you're not. Lawyers, of course, sound like lawyers when they write. It might be strange for you to think it now, but by the time you'll be writing as a lawyer, you will be a lawyer. Does this mean that your lawyer self will be your only self? Or when you write as a lawyer, will some part of your other self creep in as well? Is this a bad thing? A good thing?

### **TRUTH HUNGER: THE PUBLIC AND PRIVATE BURNING OF KATHRYN HARRISON**

1. The author here writes, in part, of the difficulty of moving from one genre of writing to another - in the case she mentions, the difficulty of moving from nonfiction to novel. Do you imagine that legal writers face the same difficulty? If you are an experienced and fluent writer now, do you imagine making the transition to legal writer will be relatively simple? Once you are a skilled legal writer, do you harbor secret thoughts of becoming a novelist? Does what the author says here give you comfort, or does it disturb you?
2. In describing the critical response to Kathryn Harrison's book, the author quotes a Washington Post writer as saying that Harrison "claims" something and points out that this is an accusation of fabrication. Had you considered that such a simple word, used in this context, could, or did, convey such a meaning? Do you see how powerful words are and how crucial it is for lawyers to be very careful with their word selection?

### **OLD SCHOOL TECHNOLOGIES FOR THE STALLED NOVICE**

1. This chapter discusses some techniques for writing when writing doesn't flow easily. Has this ever happened to you? Do you think the techniques the writer will discuss here will be of use to you as a legal writer?

## **MAJOR REVERSALS IN “CHERRY” AND “LIT”**

1. This chapter deals to some extent with self-discovery through memoir writing, something that doesn't generally happen to legal writers who, by in large, are writing on behalf of other people of, or about, other people rather than themselves. The chapter also deals with the writing of sensitive subjects, and this can be something legal writers have to do. One thing to notice is the vocabulary the author chooses to use, something the author herself points out. Do you see why lawyers will tend to use colder, more clinical, vocabulary to describe these subjects, leaving the more personal language to come in quotes from the affected individual?

## **WHY MEMOIRS FAIL**

1. Although this chapter is about several things, one of them is the rewriting of drafts. Are you surprised to read how extensively the author rewrites? How often do you rewrite your work? Will you rethink your approach to rewriting now that you will be working extensively on your legal writing?

## **AN INCOMPLETE CHECKLIST TO STAVE OFF DREAD**

1. One of the differences between writers like the author and legal writers - and there are many differences - is the span of time over which we do our writing. The author says here that it takes her “three to five weeks to find a way in, though I've been in the weeds for a year at a pop.’ In five weeks, legal writers will have started, finished, and filed, many documents. We are blessed by having the narratives and details for our documents already prepared for us, but we are cursed by deadlines. Do you have any techniques for beginning writing quickly? Do you find that you can write quickly if you have to? Are you used to writing under deadline pressure? Do you enjoy that feeling or does it bother you?
2. The author's checklist is for someone writing in a different style that in which lawyers write. As you read this chapter, do the author's checklist items seem relevant to the writing you will be doing? Which ones? If they don't seem relevant, why not? Even if they describe a different style, is there something you can learn from the author's checklist suggestions?

## **MICHAEL HERR: START IN KANSAS, END IN OZ**

1. In the second part of this chapter, the author examines in detail the opening passage in Michael Herr's "Dispatches." While the text, and the lessons the author draws from it, are very different from the ones lawyers write, the approach she uses can yield valuable results for legal writers as well. So you have any of your (admittedly non-legal) writing available? If so, will you subject it to the same sort of analysis the author uses here? What results does this produce? Did you learn anything about surprising about your writing?

## **AGAINST VANITY: IN PRAISE OF REVISION**

1. Again, in this chapter the author talks about revision. She notes three "truths" she's heard from every writer. How true do you think these "truths" are for legal writers? How many lawyers do you think would select these three "truths" if asked to describe the process of legal writing?
2. The author writes of students in Syracuse's MFA writing program having "raised their taste beyond their own skill levels." Do you expect that to happen to law students? Should it?
3. The author writes of early drafts of something she's written as being "necessary, even if I wrote past them." Do you think that lawyers could say the same thing? Lawyers sometimes speak of the importance of writing something down so they know what they think. Have you thought of this benefit of writing before? If this idea is correct, do you see how important it is to edit and revise what you write?
4. The author writes that "[n]ot one page I've ever published appears anywhere close to how it came out in the first draft." Does this surprise you, coming from an award-winning writer and poet? Does it persuade you of the importance of editing and rewriting your work?