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IN SEARCH OF FAULKNER'S LAW

Richard Weisberg*

FORENSIC FICTIONS: THE LAWYER FIGURE IN FAULKNER. By Jay Watson. Athens: University of Georgia Press. 1993. Pp. viii, 277. \$35.

Jay Watson¹ writes interestingly about the lawyer figure in William Faulkner. Using the helpful concept of "forensic fictions," or storytelling about the process of legal investigation, analysis, and rhetoric, his work will appeal to Faulkner scholars, as it constitutes the first book-length claim for the significance of Faulkner's interest in law. The book should also appeal to the many lawyers who already delight in Yoknapatawpha County's homegrown attorneys, litigious citizens, and horsetrading manners and mores. Watson's contribution to law-and-literature scholarship, as compared with his articulated debt to it, needs also to be considered. Before addressing this contribution and engaging his arguments, however, I will first mention two obvious paths that Watson chose not to follow.

Watson teaches English literature at Ole Miss, but he imparts no special regional flavor to his understanding of Faulkner's characters. Watson's approach relies little on biographical elements, although early in the book he mentions Faulkner's lifelong Oxford friend, lawyer Phil Stone — in whose copies of the *Mississippi Reports* Faulkner found ideas for some of his wittiest tales — and although Watson is fully familiar with such excellent Faulkner biographers as Susan Snell and Joseph Blotner.² More disturbingly, perhaps, Watson pays scant attention to the *literary* sources of so much of Faulkner's interest in law — to such regional writers as Mark Twain, to whose *Pudd'nhead Wilson* the clever and often hilarious relation of law and literature can in part be traced.³ Watson also largely ignores Dickens and Dostoevski, despite Faulkner's clear debt to their legalistic techniques,⁴ and

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2. Pp. 7, 9, 10-11; see JOSEPH BLOTNER, *FAULKNER: A BIOGRAPHY* (1 vol. ed. 1984); SUSAN SNELL, *PHIL STONE OF OXFORD: A VICARIOUS LIFE* (1991).

3. See, for example, Arthur Mizener's comparison of Gavin Stevens and Pudd'nhead in Arthur Mizener, *The Thin, Intelligent Face of American Fiction*, 17 *KENYON REV.* 507, 518-20 (1955); see also MARK TWAIN, *PUDD'NHEAD WILSON* (Grove Press 1955) (1894).

4. Watson also ignores Peter J. Rabinowitz, *The Click of the Spring: The Detective Story as Parallel Structure in Dostoyevsky and Faulkner*, 76 *MOD. PHILOLOGY* 355 (1979), although he does cite scholarship linking Faulkner's forensics to lesser known and probably less relevant local

hardly mentions Camus's contemporaneous and arguably more powerful forensics.⁵ Balanced against these omissions, however, is Watson's effective use of broader historical materials that emphasize the South's special place in the relation of law and letters.

Watson's book deals intensively with only two of Faulkner's many lawyer figures. The focus on Horace Benbow and Gavin Stevens is natural, as these are the best known and also the most widely found lawyer figures in Faulkner's fiction. Benbow's weaknesses cost an innocent client his life in *Sanctuary*;⁶ Stevens is far craftier and quickly takes over as Faulkner's principal lawyer figure, appearing in a host of stories⁷ and eventually a Hollywood film — *Intruder in the Dust*⁸ — over four decades of Faulkner's productive life. But one will miss, in a volume committed to this exclusive topic, wider treatment of the significance of such characters⁹ as the "little lawyer" Faulkner signals as important in *Light in August*,¹⁰ the invading lawyer with "the long pale nose"¹¹ who stereotypically infects the courtroom in *Sanctuary*,¹² and the justice of the peace whose property decision in the *Spotted Horses* episode is so essential to lawyers who want to know Faulkner's view of legal ratiocination.¹³ Moreover, other scholars have extensively analyzed Horace Benbow and Gavin Stevens along the lines of many of Watson's perceptions.¹⁴

Nonetheless, Watson contributes measurably to our understanding of Faulkner's legal storytelling, and he does so in both his manner and his method of textual criticism. Watson sets out to display Faulkner's sense that doing "good" — and not just "well" — in the law particu-

detective writers. P. 141 n.3. Meanwhile, Dickens is cast off in two passages and a footnote that reduce that seminal legal storyteller's characters to mere caricatures. Pp. 4, 89 n.13, 226.

5. Watson mentions Camus's appreciation of Faulkner but does not fruitfully set forth the omnipresent, tangible themes of the legalistic outsider and the law's proclivity to falsify through investigatory technique in a comparative way. See pp. 175-76.

6. WILLIAM FAULKNER, *SANCTUARY* (Vintage Books, corr. ed. 1958) (1931).

7. See, e.g., WILLIAM FAULKNER, *THE TOWN* (1957); WILLIAM FAULKNER, *INTRUDER IN THE DUST* (Chatto & Windus 1957) (1948); WILLIAM FAULKNER, *KNIGHT'S GAMBIT: SIX MYSTERY STORIES* (Chatto & Windus 1951) (1949) [hereinafter FAULKNER, *KNIGHT'S GAMBIT*].

8. *INTRUDER IN THE DUST* (Metro-Goldwyn-Mayer 1949).

9. Watson mentions most of these other forensic characters in a kind of string citation. Pp. 3-4.

10. See WILLIAM FAULKNER, *LIGHT IN AUGUST* 276 (Vintage Intl. 1990) (1932).

11. FAULKNER, *SANCTUARY*, *supra* note 6, at 296.

12. Watson gives short shrift to this "Memphis jew lawyer" (p. 76), strange indeed in a work both extensively covering the role of law in *Sanctuary* and also willing to confront themes of anti-Semitism elsewhere in Faulkner. See pp. 215-16, 257 n.5; see also FAULKNER, *SANCTUARY*, *supra* note 6, at 279-80.

13. See, e.g., Morris Wolf, *Faulkner's Knowledge of the Law*, 4 *MISS. C. L. REV.* 245, 248-56 (1984); see also WILLIAM FAULKNER, *Spotted Horses* (1931), in *THE FAULKNER READER* 433 (1954).

14. See, e.g., Richard H. Weisberg, *The Quest for Silence: Faulkner's Lawyer in a Comparative Setting*, 4 *MISS. C. L. REV.* 193 (1984) (discussing scholarship about Benbow and Stevens).

larly requires the skill of communication, that is to say, the lawyer's immersion in the *other* at the moment of verbal exchange. One who, like Horace Benbow in *Sanctuary*, consistently fails to reckon with the rhetorical needs of his various audiences — clients, witnesses, court, and jury — will be both a “loser” and, more importantly, a malefactor; Gavin Stevens, on the other hand, listens, evokes, and weaves tales that affect the audience. He wins, but beyond this he teaches, he delights, and he weaves meritorious chapters into the larger story of his community.

Watson artfully imbeds strong readings of individual passages from Faulkner within a tetralogical structure that, although not apparent from his chapter headings,¹⁵ elevates the significance of forensics in Faulkner to a virtual cultural commentary. I will employ Watson's four major themes as a structuring device to state what looms largest within his book.

(a) *Cincinnatus*. The legendary Roman soldier-citizen, who successfully defended his city against an invading army and then returned to private life, serves as an exhilarating model for the best in Faulkner's lawyer figures. For Watson, as for the sources on which he relies,¹⁶ American tradition locates Cincinnatus among the ranks of practicing lawyers. The first four-score-and-seven years of the Republic produced men, from presidents on down, who saw public service in times of crisis as a natural concomitant to their often homey and highly localized law practices. A striking number of these lawyers hailed from the South, and no small percentage of them also wrote stories.¹⁷

Although it is easy today to be cynical about Cincinnatus — and I will shortly wonder aloud about other of Watson's unabashed kudos to our beleaguered profession — I believe that the image evokes what Faulkner, at least, thought of southern law at its best. Gavin Stevens, like Cincinnatus, gains not only private satisfaction from public duty but also public competence from private relationships. His is not a model for late-twentieth-century American law generally, but perhaps

15. These are “The Failure of the Forensic Storyteller: Horace Benbow,” “The Emergence of the Lawyer-Citizen: Gavin Stevens,” “‘We're After Just a Murderer, Not a Lawyer’: Gavin Stevens in *Intruder in the Dust*,” “Colloquial Detection; or, ‘Discovering It by Accident’ in *Knight's Gambit*,” “Maieutic Forensics; or, *Requiem for a Nun* and the Talking Cure,” and “Reappraising the Forensic Figure: Gavin Stevens and His Discontents in *The Town* and *The Mansion*.” This explicit structure is largely unhelpful; it fails to leave the reader with a clear sense of Watson's conclusions about any central theme of his work. Even Gavin Stevens, the book's perennial focus, remains undefined, moving about from ineffectual babbler in *Intruder in the Dust* to sensitive forensic mentor in *Knight's Gambit* and *Requiem for a Nun* and then back to sophomoric middle-aged Romeo in the late trilogy. In addition, Watson never fully explains his use of the word *maieutic*.

16. See pp. 31-39 & nn.24-25 (discussing the role of Cincinnatus in American mythology).

17. See ROBERT A. FERGUSON, LAW AND LETTERS IN AMERICAN CULTURE 290-97 (1984).

it should be. Our media-driven society dichotomizes the public and private worlds; lawyers, like most folks, now tend to think of their public personae as disjoined from their personal lives, which are nuclearized bastions against the difficulties of the workday or even — to the extent they may be interesting in a Faulknerian sense — fodder for their professional enemies if brought to the light of day. Discourse in the public arena is carefully crafted and reveals little of the richness of the individual speaker's life and mind. What an impoverishment for culture generally — this elimination of the Cincinnatus, this destruction of the link between the interpersonal richness of the locality and the occasional civic-minded project! For the legal profession specifically, the late-century disjunction may be fatal, costing the field most of its colorful rhetoric and a good part of its vision and national leadership.¹⁸

Watson's focus on Cincinnatus assists us in fathoming Faulkner's association of regional humaneness and activist leadership. Because most of us know lawyers who periodically respond to the call of public service, bringing to it sensitivities honed by private practice and interpersonal awareness, this piece of the storyteller still offers hope for law.

(b) *Mentor*. More pronounced still in Gavin Stevens, but I think less typical of contemporary lawyers, is the proclivity to pass wisdom along to the next generation. Watson spends a considerable part of two chapters — Chapters Three and Four — describing Faulkner's favorite lawyer as mentor, emphasizing Stevens's widely discussed relationship with his nephew and lawyer-to-be, Chick Mallison (pp. 110-28, 167-69). Gavin, a bachelor until very late in Faulkner's *oeuvre*, simply cannot stop preaching to his sister's boy. Roundly criticized by most critics in this regard¹⁹ — especially when Chick's instincts serve to exonerate the innocent black suspect in *Intruder in the Dust* while his uncle's verbosity almost loses the case²⁰ — lawyer Stevens wins Watson's admiration until the very end of Faulkner's storytelling, when in *The Town* and *The Mansion* Gavin's fatuous relationship with the young Linda Snopes reverses his more laudatory tutoring of Chick and replaces advice with silliness.²¹

Still, Watson once again locates a striving in Faulkner's stories that is usually associated with law and that sets up a need for self-replication that is both human and humane. Faulkner clearly alludes to Mr. Jagers, perhaps the greatest forensic figure in English-language fic-

18. See generally RICHARD WEISBERG, *POETHICS: AND OTHER STRATEGIES OF LAW AND LITERATURE* (1992).

19. See, e.g., *id.* at 83.

20. See FAULKNER, *INTRUDER IN THE DUST*, *supra* note 7.

21. Pp. 208-31 (discussing WILLIAM FAULKNER, *THE MANSION* (Vintage Books 1965) (1959), and FAULKNER, *THE TOWN*, *supra* note 7).

tion,²² and one who takes the raw Pip of *Great Expectations* and transforms him, for better and worse, into a competent communicator and a potential force in the world of ideas and action.

As I have pointed out elsewhere,²³ successful forensic lawyers in mainstream nineteenth- and twentieth-century stories are almost always bachelors. Gavin follows Mr. Jagers down that path in which total commitment to the law leaves a gap that mentoring hopes to fill. Although the real legal world around Faulkner, like our world today, contained many fewer of these bachelors — and many more women — than his stories might indicate, the question of how legal values are transmitted from one generation to the next remains acute. The modern legal world is increasingly devoted to an idea of professionalism that risks diminution or total elimination of the teaching function of a liberal craft such as law. Here, as with Cincinnatus, Faulkner's stories helpfully address perennial issues that lie at the essence of a life in the law.

(c) *Champion of the Outsider*. Unique among his colleagues in traditional Western stories, the American lawyer possesses an idealistic streak that involves considerable self-sacrifice to an unpopular but worthy client or cause. Faulkner's regional lawyers, whose careers span a period of unprecedented social change in the South, are no less magnanimous. True enough, in *Intruder in the Dust*, Watson must struggle hard to find a Gavin Stevens in whom what other critics describe as passive verbosity becomes "[s]torytelling [as] a form of moral action that can raise as well as reflect the consciousness of its audience. It can save lives" (p. 152). Although to prove his black client's innocence Gavin needs the impetus of his nephew, of the latter's friend Aleck Sander, and of a feisty old lady — Miss Habersham, undoubtedly another Faulknerian reference to *Great Expectations* — Watson scores some points for the lawyer by establishing that Chick Mallison learned to strive for justice by listening to his uncle (pp. 117-21). This connection of ethics to language is a dominant theme in Watson's book, and I will discuss it below.²⁴ As to the Gavin Stevens of *Intruder in the Dust*, however, it is enough for now to concede that Watson corrects the often vicious attacks of other critics by reminding us that Gavin's defense of Lucas Beauchamp is both selfless and ultimately successful (p. 40).

Watson stands on far firmer ground later in his study when he analyzes the Gavin Stevens of *Knight's Gambit*. There, in the story *Monk*, Gavin partly redeems the reputation of Monk Odlethrop, a classical fictional outsider wrongly imprisoned for one murder and

22. Mr. Jagers is a central figure in CHARLES DICKENS, *GREAT EXPECTATIONS* (Oxford University Press 1987) (1860-1861).

23. See WEISBERG, *supra* note 18, at 55.

24. See *infra* notes 28-31 and accompanying text.

then completely vilified in connection with a second that he commits while in prison.²⁵ Like Camus's roughly contemporaneous portrait of Meursault in *L'étranger*,²⁶ a comparison that Watson should not have ignored, Monk stands ostracized by the law less because of his criminal deeds than because of his inability to *speak well*. He is by no means the first character in forensic fiction to pay too heavy a penalty because the real malefactor *speaks better than he does*.²⁷ This dominant theme of forensic fiction is perhaps storytelling's greatest challenge to legal reasoning, because from Dostoevski and Melville on, storytellers have recognized that even the most activist of lawyers will have a problem with a client, defendant, or witness who stubbornly refuses — or, indeed, simply cannot — speak or think in “lawtalk.”

Watson's own admiration for the ordered and eloquent narrations of the law shines through even as he strikingly describes Gavin Stevens's selfless quest to redeem a victim of the law's unjust demand for communication skills. As Watson notes regarding Stevens's insistence on the revelation of the true, manipulative guilt of Monk's prisonmate, Bill Terrel: “Here the lawyer-citizen's obligation to protect individual liberty, dignity, and expression (even Monk's homely form of it) overrides his allegiance to the formal institutions and representatives of law” (p. 157).

Why the parenthetical? Literary critics revere lawtalk, because at its ordered heights it looks like literature. But literary artists know better. Fortunately, Gavin Stevens at *his* height looks beyond words to find the truth.

(d) *Ethical Rhetorician*. Watson's last implicit structuring category is his most ambitious. He anguishes openly about the nature of legal rhetoric. Part of Watson's work is — rightly — indebted to the works of James Boyd White, whose notion of “constitutive rhetoric” finds within what I would call “lawtalk” the opportunity to build and rebuild communities through virtually every legal utterance.²⁸ I have been far more skeptical of talk alone — which White usually divorces from the preingrained value structure that always affects talk even when it is hidden or “considerate.” I am not sure that opening a legal dialogue in a circumstance of clear coercion has any ethical dimension beyond assuaging the more powerful party's need to look, sound, and feel rational or evenhanded. The examples of Vichy France, or South Africa, or of many contemporary American legal rhetorical moments

25. WILLIAM FAULKNER, *Monk*, in *KNIGHT'S GAMBIT*, *supra* note 7, at 40.

26. Faulkner published *Monk* in 1937, and Camus published *L'étranger* in 1942.

27. The obvious model, again not conjured by Watson, is in *Great Expectations*, in which the inarticulate convict Magwitch is brought down by his clever and wordy conspirator, Compeyson. See DICKENS, *supra* note 22, at 328-34, 412-24.

28. See JAMES BOYD WHITE, *HERACLES' BOW* 98 (1985).

come to mind.²⁹ Yet White seems to privilege talk on its own and for its own sake, virtually irrespective of the context: “[T]he lawyer,” James Boyd White emphasizes, “must always start by speaking the language of his or her audience, whatever it may be.”³⁰ What can “always” possibly mean here? Once a lawyer *begins* to speak a language that he knows to be vicious, what has history shown us is likely to occur? At best, we can expect changes at the extreme margins of law and behavior — at worst, acceptance of that which need not have been authoritatively confirmed to begin with.³¹

So another part of Watson goes beyond White and insists upon “the integrity of the community on whose behalf [the lawyer-citizen] speaks and acts” (p. 36). The lawyer, on this view, cannot be supported merely because he brings a rational, ordering eloquence to an argument; he must also seek and reflect what is *best* in the community that he represents, and he must do so in *their values*, not only in the values of the legal system that all too often produce words in the service of the bad. Watson strives valiantly to establish a Faulknerian norm of ethical legal rhetoric that conforms to this latter, rigorous sense of legal ethics.

Watson applies his assertion that a lawyer “must treat the legal code not as an end in itself but as a means to the greater ethical ends of individual freedom and social stability” (p. 36) to Gavin Stevens, the sole lawyer in Faulkner who even approximates this norm. Watson’s attempt here goes beyond his interesting, and I think largely successful, claim that Stevens deserves better from the literary critical community, although — given the weakness and even the odiousness of some of Faulkner’s other lawyers — it remains highly dependent upon Stevens. Watson pegs most of his study’s normative assertions about legal language in Faulkner on the following statement: “[Gavin] is introduced, it seems to me, precisely in order to establish, for the first time in Faulkner, the credentials of the forensic figure as a skilled, benevolent storyteller” (p. 79).

Watson regularly reinforces this positive view of lawtalk as his work proceeds. Naturally, his glowing assessment peaks when discussing the two works in which lawtalk arguably best demonstrates the three other qualities of lawyers that we have just discussed. Thus, Watson associates the practice of law in *Intruder in the Dust* with, as stated above, “[s]torytelling [as] a form of moral action that can raise as well as reflect the consciousness of its audience” (p. 132). In addition, Watson summarizes Gavin’s performance in *Knight’s Gambit* — including his redemption of Monk’s reputation — in elegiac terms that

29. See, e.g., Richard H. Weisberg, *Three Lessons from Law and Literature*, 27 LOY. L.A. L. REV. 285, 287-300 (1993).

30. P. 19 (quoting WHITE, *supra* note 28, at 33 (alteration in original)).

31. See, e.g., Weisberg, *supra* note 29, at 291-300 (discussing Vichy legal rhetoric).

blissfully soar above the average American's bitter distaste for lawyers and their language:

On this view law is less a reified code of conduct than the living action of a community and its members, a cultural conversation that takes place not in the courts alone but along folkways and speechways, the vital lines of contact that at once constitute and perpetuate social life. [p. 148]

No one — except perhaps White — recognizes this “cultural conversation” as any longer a part of the practice of American law. Anthony Kronman, for example, recently wrote of the loss of the “lawyer-statesman,” the eighteenth- and early-nineteenth-century figure so vital to the development of our Republic and of its civic language.³² Watson's formulation, if engaged abstractly, would offer a kind of romanticized ideal. In the final section of this review, I will return to it as such.³³ Yet, in the context of his more specific enterprise, Watson conjures for his readers, not a jurisprudential norm, but instead a central claim about *Faulkner's vision* of the law. I do not think that his claim can be sustained.

First, as Watson admits, Stevens alone among Faulkner's lawyers stands even a remote chance of linking the folkways and the speechways through the practice of law (pp. 40-41). Yet, by the end of his own book, Watson pretty much gives up on Stevens. In a chapter entitled “Reappraising the Forensic Figure,” Watson finds Stevens wanting in the very trilogy that brings him to center stage, first in *The Hamlet*, but especially in *The Town* and *The Mansion* (pp. 41-42). In his relationships with Eula Varner and her daughter, Linda, Stevens becomes the hopelessly sophomoric romantic so pilloried by the critics in earlier stories, those in which Watson salvages the Stevens who later disappoints. In his dealings with the increasingly powerful interloper Flem Snopes, whom Watson perceives as everything that Faulkner detested — greedy, rootlessly ambitious, manipulative, and above all, *silent* (pp. 208-16) — Stevens eventually yields and becomes speechless.

I see the Gavin-related developments in Faulkner's late novels very

32. ANTHONY KRONMAN, *THE LOST LAWYER* 3 (1993). Kronman's “lawyer-statesman” has elements of Cincinnatus, but the two norms are not identical. The lawyer-statesman does not need the intensely private world of personal and local relationships that is basic to Cincinnatus. In Watson's apt way of rendering the distinction:

Faulkner explored the image of the lawyer-citizen [in figures like General Compson, Judge Stevens, and Sam Galloway] with a characteristic blend of sympathy and irony. In the figure of Gavin Stevens, however, he created his most detailed version of the lawyer as Cincinnatus . . . a synecdoche for the entire private realm the good citizen willingly forsakes in order to answer the call to duty.

P. 35. Perhaps as an outgrowth of this distinction, Kronman's analysis underemphasizes the importance of *reading*, and of fiction more generally, to the well-rounded lawyer-statesman. Yet the twinned activities of storytelling and story listening were central to American law in its heyday, and these activities are of course also basic to the field of law and literature, which Watson creatively engages but which Kronman — in emphasizing law and economics and critical legal studies — distances from his analysis.

33. See *infra* notes 36-38 and accompanying text.

differently,³⁴ but for present purposes there is no need to rehearse my argument. I would only note that if Watson cannot find ethical power in the Gavin of the trilogy, then his earlier endeavor to redeem the lawyer seems quite futile. We are left with a verbose and often fatuous lawyer, at worst a racist — as the “Gavin-bashers” characterize his performance with Lucas in *Intruder in the Dust*³⁵ — and at best a benign influence on younger people, who probably would have developed sensitive personalities even without him. Thus, the Chick Mallison who finds the inner moral drive to help Lucas — *despite* his uncle’s overt reluctance to believe the black man — cannot credibly be associated at this crucial moment with Gavin’s rhetoric. Moreover, when Watson reminds us — correctly — of how much of Chick’s understanding of the world came from conversations with Gavin, he fails to note in the long list of quotations (pp. 118-19) their use of the *pluperfect tense* — for example, “*his uncle had told him*”³⁶ — and that usage’s clear implication that Chick’s dependence on Gavin is a thing of the distant past as the lad moves to his own sense of self, a sense that is powerfully unbound from language.

Lawtalk in Faulkner much too consistently brings about error, delay, and suffering. Watson admirably searches for an ethical legal rhetoric, and he is as good as the best defense counsel might have been in pushing our image of Gavin toward the good without — as I have done — recognizing that Faulkner finally permits that beleaguered character to break free from a dependence on language and to enter the world of justice through experience and an unmediated engagement of the other. As we complete Watson’s study, however, all that remains of an admirable forensic in Faulkner is what we also derive from Dostoevski, Melville, and Camus: the superb recognition *through the medium of the story* of the trickiness of legal language, of its capacity — even its proclivity — to harm, and of the absolute need to teach lawyers about the risks, as well as the potential, embedded in their professional discourse.

Perhaps because he knows this view of law is circulating — although he also sees that law and literature strives for a harmonic legal language and envisions attaining it — Watson pays his respects to a variety of postmodern thinkers, and this homage deserves mention. With the directly relevant Camus largely absent from his discussion, Watson instead focuses on two other Frenchmen of our century, Claude Lévi-Strauss — for his notion of *bricolage* as analogous to the lawyer’s ability to make do with whatever falls into his hands and to

34. See WEISBERG, *supra* note 18, at 86-91.

35. For my own personal list of distinguished “Gavin-bashers,” including Cleanth Brooks, Irving Howe, and Steven Marcus, see Weisberg, *supra* note 14, at 194-96 & nn.3-20.

36. P. 118 (quoting FAULKNER, *INTRUDER IN THE DUST*, *supra* note 7, at 42 (emphasis in original)).

tidy things up adeptly whatever the circumstances (pp. 21-25) — and Roland Barthes — for his view of law as storytelling imposed on reality (pp. 19-21), a provocative view raised in several excellent essays that Watson might well have contrasted with those of White.³⁷ Perhaps my skepticism about the insatiable urge of literary criticism (still) to embellish even traditional exegesis with postwar French ornamentation made me unable to see the direct relevance of these thinkers, at least in the context of Watson's enterprise.

Watson, however, in his use of Tsvetan Todorov (pp. 16-18) — a superb structuralist whose readings of stories always merit considerable attention³⁸ — hits a chord so close to his desires in this book that one immediately understands the reference. Todorov traces the emergence of rhetoric out of the courts of law, where the "importance of words exceeds that of the things they were supposed to represent."³⁹ Todorov has a way of naming a problem, and he does so here without resolving it. But for Watson, it is as though Todorov established an *epistemological* duality — between the thing represented and thing representing — and then decided that the latter always replaces the former.

Watson does not dwell on the implications of Todorov for his study. This omission is surprising, for Todorov does not write about Faulkner, and Watson must have cited him for some reason. Is Watson conceding that legal rhetoric always seeks to master, but inevitably leaves in its wake, the reality about which it pretends to speak? The rest of his book tries to pull away from that view. Indeed, Watson makes perhaps his greatest contribution in suggesting, perhaps without proving, that postmodern storytellers do not stand arm in arm with postmodern critics.

37. Two collections of Barthes's essays include ROLAND BARTHES, *THE EIFFEL TOWER AND OTHER MYTHOLOGIES* (Richard Howard trans., 1st Am. ed. 1979), and ROLAND BARTHES, *MYTHOLOGIES* (Annette Lavers trans., Hill & Wang 1972) (1957).

38. See, e.g., TSVETAN TODOROV, *THE POETICS OF PROSE* (Richard Howard trans., Cornell Univ. Press 1977) (1971).

39. P. 17 (quoting TSVETAN TODOROV, *An Introduction to Verisimilitude*, in *THE POETICS OF PROSE*, *supra* note 38, at 80, 80).