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Trials and Verdicts: Narratives of Recollection in The Good Soldier and Lolita

Constance Elizabeth Holmes
University of South Florida

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Trials and Verdicts: Narratives of Recollection in *The Good Soldier* and *Lolita*

by

Constance Elizabeth Holmes

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
Department of English
College of Arts and Sciences
University of South Florida

Major Professor: Phillip Sipiora, Ph.D.
Pat Rogers, Ph.D.
Victor Peppard, Ph.D.
Silvio Gaggi, Ph.D.

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Abstract

This dissertation will apply the structure of a legal trial's procedures to two Modernist novels: Ford Madox Ford's *The Good Soldier* (1915) and Vladimir Nabokov's *Lolita* (1955). These novels position themselves as renderings of legal proceedings, the written memorial of metaphorical trials conducted by first person narrators who alternatively and simultaneously function as Plaintiff's counsel, Defense Counsel and finally as witnesses to the events of the story. All of these personae reveal evidence and testimony presented in the forum of a trial of the central characters who recollect legal events and whose narrations develop moral questions. Thus these narrations are the court record, from which there is no appeal, culminating in not only persuasive arguments about guilt and innocence of the central characters, but also demanding that a verdict or moral judgment be rendered by the reader of these behaviors and values of the individuals as well as the societies which these authors critique in their novels.

Ford Madox Ford in *The Good Soldier* (1915) and Vladimir Nabokov in *Lolita* (1955) create fictional artifacts which instill impressions of human life and present specific revelations of human nature in their art. Their narratives explain certain events in a temporal order, which communicate to readers a fictional world, its participants, and especially their emotions. These particular novels are early and late examples of

Modernism, and are very different from one another, yet both illustrate the characteristics that so clearly define the Modern novel: art's ability to engage not just the mind but the senses; the reader does not just read, but rather becomes immersed in the feelings of the characters in the story. The reader feels the dynamics between the characters through the narrative presentation as closely as possible to his or her being actually present in the fictionally created world of the novel.

Both novels present their stories in a thrice-told frame that allows the character/narrators to explore epistemology and justifications for their acts or inaction. These stories are recollections, so that each character/narrator is remembering his respective narrative after the facts; these novels are unique for this timing.

Introduction

This dissertation will apply the structure of a legal trial's procedures to two Modernist novels: Ford Madox (Hueffer) Ford's *The Good Soldier* (1915) and Vladimir Nabokov's *Lolita* (1955). These novels position themselves as renderings of legal proceedings, the written memoriam of metaphorical trials conducted by first person narrators who alternatively and simultaneously function as Plaintiff's counsel, Defense Counsel and finally as witnesses to the events of the story. All of these personae reveal evidence and testimony presented in the forum of a trial of the central characters who recollect legal events and whose narrations develop moral questions. Thus these narrations are the court record, from which there is no appeal, culminating in not only persuasive arguments about guilt and innocence of the central characters, but also demanding that a verdict or moral judgment be rendered by the reader of these behaviors and values of the individuals as well as the societies which these authors critique in their novels.

The Novels

Ford Madox Ford in *The Good Soldier* (1915) and Vladimir Nabokov in *Lolita* (1955) create fictional artifacts which instill impressions of human life and present specific revelations of human nature in their art. Their narratives explain certain events in a temporal order, which communicate to readers a fictional world, its participants, and especially their emotions. This medium is words which describes a certain period of time in a medium like none other – the Modern Novel. These particular novels are early and

late examples of Modernism, and are very different from one another, yet both illustrate the characteristics that so clearly define the Modern novel: art's ability to engage not just the mind but the senses, so that the reader does not just read, but rather becomes immersed in the feelings of the characters in the story. The reader feels the dynamics between the characters through the narrative presentation as closely as possible to his or her being actually present in the fictionally created world of the novel.

This ability of the reader to feel and not simply read words demonstrates that the modern author is compelled by the necessity to engage the reader in being an active participant in the experience of the art, thereby adding his or her own life's experience to the fictional presentation resulting in another manifestation altogether, one that conjoins the artifact and the reader into a third and different dynamic from the other two: the experience of the reader becomes paramount. Thus the author creates an artifact that is not a mere rhetorical exercise, but rather an exercise that must involve the reader and the reader's evaluation of the text. Arguably both of these novels are not necessarily pleasing; the experience of reading them may be uncomfortable. The eventual outcome of the experience of the reader is of little concern to these modern authors; they seek to provoke an experience, whatever it may be. This goal is achieved by careful rhetorical maneuvering of the elements of story, setting, and characterization via a particular structuralization that underlies the novel as a whole. Both novels are most noteworthy for their careful narrative structure which sweeps up the story, plot and characters into a *tour de force* that transcends its component parts yet stays true to conventional narrative theories while synthesizing them into a wholly other accomplishment, the Modern sensibility realized that must be experienced by the reader.

Narrative Construction

The Good Soldier and *Lolita* owe much of their virtuosity to their narrative structural features. The most important structural element lies in the use of first-person narration, or main characters who are also first-person narrators. Any novel that features the duality of a first-person narrator/character distinguishes itself from one in which third-person omniscient narration prevails because the reader is privy to this character's thoughts and motivations as well as his or her personal exposition of events. Yet this fundamental choice of structure nags at the reader because it is indeed the only point of view that he or she is permitted to see by the author. Thus this choice of structure provides intrinsic unreliability that permeates the entire work and one which is squarely aimed at the reader's experience of this duality.

The authors' choice of this narrative device prompts a focus on and an examination of the rhetorical devices employed by the character as writer, rather than the author as omniscient storyteller. Sometimes, this character's exposition is an attempt to reveal the "truth" of events and circumstances and to set forth a recording in writing of these so-called truths so that others may know and understand how and why such events occurred, despite the inherent one-sided presentation. Other times the character's own depths are patently revealed, thus adding to the overall story and experience of the novel's dynamics. And at yet other times, the believability of the character's presentation becomes seriously questioned in the reader's mind. First person narration by the main character imbues both novels with particular qualities that provide a basis for the structure of each novel and demand focus on this unifying form because it provides a unique dynamic of interaction with the reader.

While both novels have a beginning, middle, and an end, the temporal representation within the works is not so simply presented. The temporality of these novels is only revealed as a whole enterprise, a revelation that requires a complete and thorough reading and synthesis of the entire artifact rather than a linear progression. This arrangement is not at all unusual, and arises from the fact that they are both written after the fact, after the events described have taken place. Thus Humbert and Dowell's memories are the novels; the novels are constructed solely from their recollections of events that have already transpired.

These recollections are not presented in an orderly fashion because memory is not orderly; memory is a selective rendering, a re-collection of impressions felt at the time, which the mind recalls in its own particular fashion. Therefore, any re-collection of the stories' events is filtered through the mind of our narrators and cannot be taken as anything but their own rendering rather than any "truth" or objective presentation. This is similar to any attempt by any individual to re-collect that which has happened before its telling; the story, the events, the dynamics of any given situation can only be an impression, a version of the "truth" rather than any definitive version of events specifically because they have already happened and thus *must* be a re-collection of thoughts filtered through a very fallible person, despite his or her best effort to be accurate and "truthful." Time cannot be repeated but can only be "re-collected" impressions brought forth through memory and thus necessarily colored by the re-collectors.

The Narrators as Characters

Ford and Nabokov were well aware of the limitations of their craft; Nabokov's first person narrator Humbert Humbert exclaims midway through the novel: "Oh my Lolita, I have only words to play with!" (*Lolita* 32), and ends the novel with the declaration that "...the refuge of art...this is the only immortality you and I may share, my Lolita" (309).¹ Ford's first person narrator, John Dowell is more circumspect; he begins with "You may well ask why I write" (Ford 11), and he ends with "I don't know what to say" (162). Both characters are frustrated with the constraints of their mediums, words, as they wrestle with explanations, descriptions, and the conveyance of the *mise en scène*, to borrow from the film world. These narrators struggle even more to impart to the reader their memories of feelings, motivations, reactions and justifications for behaviors, theirs and others'. This is the difference and the *raison d'être* of modern authors that sets them apart from other classifications. The struggle is the art; making sense of it all is nigh impossible, so the best one can do is somehow to convey the angst and frustration of the attempt to do so, even if there is little or no understanding.

Humbert and Dowell have no answers, only the memory of their experience as they recall and record their thoughts in words, as if it were possible to make themselves and thus the reader understand the events that they represent on the page, while knowing full well that their feeble attempt will likely fail. This bittersweet taint of certain failure propels both novels' ability to not only demand the reader's attention, but also to permit a sympathetic identification with these narrators throughout, despite ongoing questions about their character's credibility, "truthfulness" and ultimately their entire moral structure as men of the world. In the end, the reader must make his or her own judgment

¹ Indeed, Humbert commences his recollection with: "You can always count on a murderer for a fancy prose style" (*Lolita* 9).

about these characters in order to interpret the events of the story presented. Thus these novels *require* the reader's complicity in order to construct the novels as artifacts and give them the life that the Modern author seeks to create.

Modernism

Most representation of human life via the Modernist style is motivated by their authors' "desire...to refurbish language, imbue it with new power through defamiliarizing outworn forms, reshaping words, crafting innovative narrative patterns" (Snow 1). Thus the Modernist sensibility's representations engage the reader in rhetoric that represents human life and human nature in an innovative way.

Aristotle tells us from the *Poetics* "[r]epresentation is natural to human beings...everyone delights in representation" (*Poetics* 2.1 (i) – (ii) 4). Any work of art is necessarily representative, and:

is an image of the impressions or 'phantasy pictures' made by an independent reality upon the mind of the artist, the reality thus reflected being the facts of human life and human nature...*Imitative art in its highest form, namely poetry, is an expression of the universal element in human life.* (from *Poetics*, Butcher 150)

While poetry to many is the "highest form" of representation, everyone's delight defined by Aristotle is the reason that people read novels – to experience a representation that resonates with each reader in a way that is pleasing, or at least thought provoking through each reader's understanding of the story - the narration of certain chosen fictional life events in some unique arrangement. The delight of reading a good novel cannot be overstated for those humans whose preference in representation is art created by words in

a narrative format. Literary Art *represents* life events that need not be experienced first hand, but rather are vicariously experienced through the author's words. Vicarious experience is often the focus of Modern authors' attempts to communicate to a sympathetic audience through their fiction.

Modernist authors direct their effort further into the concept of experience, aiming for an impression, a resonance and a sensibility that not only permits but also prompts a reader into feeling something resembling the exact same experiences rendered in their novels; theirs is a participatory art, not simply a vicarious distraction that requires suspension of disbelief. Modernist authors know that each reader's experience will be unique because it must be; they can only provoke and prompt reactions by and through the words that they write. Thus modernist representation is by definition innovative, and dependent upon the mind of the reader, as well as the artist, to reflect the words rendered, in hopes of sorting out any meaning that may be found and communicated by the author through the experience of reading the novel. Whether or not the reader is persuaded one way or another is immaterial; the art exists and provokes. This is the Modernist author's goal.

Law and Narrative

While literature relies on the skillful use of language, its rhetorically persuasive component may or may not be part of the author's intent. When speaking of the law, the term rhetoric always is the touchstone. Many people consider the law the ultimate practice of the art of rhetoric; rhetorical command of language for the purposes of legal argument is often seen as the highest and best use of language. However, literary types may disagree, asserting that literature is the ultimate expression of concepts via language,

and poetry the best use of all. In practice, the law benefits from the art of literature through useful metaphor and comparison, and literature benefits from the rhetoric of the law through the law's orderly process of investigation and description; their relationship is quite symbiotic when considered together rather than as separate disciplines. Many analogues between the law and literature have been examined by great legal and literary minds, giving rise to the interdisciplinary concentration of Law and Literature. The Law is everywhere in modern English and successively American society, thus many fictional representations, particularly novels, necessarily incorporate law as part of their overall depictions. Thus any examination of a fictional text can benefit from an overlay of legal principles and procedures as one way into an analysis, a deconstruction of the work that can illuminate the text from a particular direction in order to provide insight into it.

While opinions may differ about the function of the law, and about the political underpinnings of its focus, known as *jurisprudence*, or the philosophy of law,² law is present in every civilized society throughout the world since the commencement of human group living. Simply stated, law is the set of rules that any human group's members thoughtfully decide upon in order that their group may thrive, procreate and survive as a group. People who live with one another and necessarily interact and cooperate require some agreed upon set of rules so that the members of the group may live in harmony and progress.

² See Cornell Law: LII "The word *jurisprudence* derives from the Latin term *juris prudentia*, which means 'the study, knowledge, or science of law.' In the United States jurisprudence commonly means the philosophy of law. Legal philosophy has many aspects, but four of them are the most common. The first and the most prevalent form of jurisprudence seeks to analyze, explain, classify, and criticize entire bodies of law. Law school textbooks and legal encyclopedias represent this type of scholarship. The second type of jurisprudence compares and contrasts law with other fields of knowledge such as literature, economics, religion, and the social sciences. The third type of jurisprudence seeks to reveal the historical, moral, and cultural basis of a particular legal concept. The fourth body of jurisprudence focuses on finding the answer to such abstract questions as What is law? How do judges (properly) decide cases?"

Earliest civilizations relied upon leaders to create, communicate and enforce laws. These maxims were orally communicated via tales, fables, poems, lyrical songs, stories or other narrative forms of storytelling, often by elders to youngsters who understood the lessons contained in these oral renditions of tradition, and which communicated through illustration the laws of their group.

As civilizations became more complex, writing developed so that laws could be written down and understood via this medium, which was usually translated to the populace by elders, or chosen acolytes into oral renditions. The earliest known writing of Western law is the Code of Hammurabi; soon thereafter, the Old Testament provided detailed laws for living among God's chosen people, primarily contained in Leviticus and Deuteronomy. However, the Old Testament also contains a rich well of narrative – stories and alleged historical recordings of the actions, behaviors and the consequences of those actions and behaviors of the people for whom it was written as a guide for living a holy life. The Old Testament and the New Testament are the main sources of English and American tradition and law and are the basis for the rules of these societies even today.

Even though law has diverged from religion, and the separation of the two is constitutionally guaranteed in the United States of America, many find the law to be inextricably intertwined with “God's Law.” Indeed, most of the taboos and prohibitions in today's Western society are grounded in the Ten Commandments, which are seen by many to be laws higher than any state proscriptions.

In fact, the Bible is the most widely read work in the world even today. But Leviticus and Deuteronomy are not the favorite portions; it is the fables, parables, and other narrative stories that hold the attention of and appeal to its readers. These themes

are taken from life situations, and they present scenarios that anyone can identify with and thus learn from their illustrations and thereby know the law of God. Arguably, the compelling narratives that contain the lessons and rules they seek to instill can be credited with the Bible's singular place among written works.

Similarly, most early fiction was based on some well-learned religious theme, which generally paralleled life events, dilemmas and decisions, and contained an illustrative lesson to its readers. Lessons, rules and laws are permutations of the same ideas and thoughts – how to live one's life in harmony with others. Thus life and its narrative expressions remain drenched in legal thought; renderings of life and its vagaries cannot be so easily separated from the law's fundamental goal of regulating everyday life of all people who live together in civilized society.

Law's permeating and overarching presence in everyday life is considered beneficial by the people who are governed by it; otherwise, people often remove themselves from such a system and seek another. Of course, there are constant contentious issues within any legal system and process; if the system is a democracy, there is opportunity to present, discuss and alter laws as needed and as agreed upon by the constituency and/or its representatives. These discussions are prompted either by "what ifs", or more often, an actual fact pattern which challenges existing rules, or presents a situation for which there exists no appropriate or applicable rule of law. Thus law is an ever-evolving dynamic and complex system that draws its impetus to change from reality as well as from thoughtful proposition. Much political, social and economic writing is about the laws by which we govern ourselves. By association, fiction as

representation of human life contains reflections of these same concerns. The dynamics of novels are usually these very same concerns once again illustrated through stories.

The traditions and deeply held beliefs of our Judeo-Christian heritage are always lurking behind English and American law. These are deeply imbedded in the earliest oral narratives, and continue to be reflected in literary narratives, which has been the case for the centuries since first writing and then fiction developed. Laws are concerned with people and their behaviors; literature also depicts people and their behaviors. While law seeks to regulate, narrative seeks to illustrate, and a by-product of this illustration is a presentation of law in everyday life since civilized life *cannot* exist without law, so that any fictional representation will necessarily contain by implication law throughout the work, however inadvertently.

Law and Literature

The relationship of the law to literature is a developing interdisciplinary study, initially termed a “movement”, then a “theme”³ and sometimes a “Law *and* Literature project” (Dolin 10). This area of study concerns itself with a variety of applications of law to literature and literature to law; these various applications delve into approaches to the evaluation of language and its ability to structure a reality that must then be interpreted by the reader. Dolin attempts to categorize these approaches:

Law is associated with Literature from its inception as a formalized attempt to structure reality through language. Several such structures and associations have been identified by scholars working at the border of the two fields, including:

³ See Kim Lane Scheppelle “Foreword: Telling Stories”, *Michigan Law Review*, 87:8. Aug. 1989, 2073, Note 1.

- (i) literary representations of legal trials, practitioners and language, and of those caught up in the law;
- (ii) the role played by narrative, metaphor and other related rhetorical devices in legal speech and writing, including judgments
- (iii) how the supposed freedom of literary expression is contained and regulated by laws
- (iv) the circulation of legal ideas in literary culture, and vice versa in various periods and societies;
- (v) the effects of social ideologies such as race and gender in legal language;
- (vi) theory of interpretations;
- (vii) the use of theatricality and spectacle in the creation of legal authority;
- (viii) the cultural and political consequences of new technologies of communications, such as writing, the printing press and the Internet;
- (ix) legal storytelling or narrative jurisprudence.

(Dolin, quoting Richard Weisberg and Jeanne-Pierre Barricelli in “Literature and the Law”, 10-11)⁴

Much of the scholarship about Law and Literature concerns amplifying legal writing through the use of literary devices such as metaphor to increase understanding of legal principles and their application to presented facts, (ii) above.

Judges and lawyers routinely seek to clarify their pronouncements and arguments about the law by resorting to metaphors and stories. They do so because law is inevitably a matter of language. The law can only be articulated in words. While the order of a court

⁴ See Garibaldi, Joseph and Jean-Pierre Baricelli Eds. *Interrelations of Literature*. New York: MLA, 1982, 150-75.

will be imposed on the body or property of the parties of a case, it will originally have been spoken as a sentence. This is the fundamental connection between law and literature (Dolin 2).

Dolin illustrates this connection via the example of Justice Scalia's application of Robert Frost's poem 'Mending Wall' and its kernel of "'good fences make good neighbors'"⁵ to a case that relies upon the legal theory of separation of power (Dolin 2).⁶ However, Justice Breyer, while concurring with the ruling in the case, "qualified [the majority's] statement of the doctrine, and in doing so questioned [its] understanding of the poem" (Dolin 3). Breyer emphasizes the poet's caution, refusing to engage in any straightforward application of poem to law (Dolin 5). The complexities and nuances of the parable contained in the poem are rhetorically manipulated by both justices to serve their own purposes, not uncommon in judicial opinions. This example relies upon a connection that begins with legal ideas that are amplified through the use of literary illustration.⁷ Most of the categories itemized by Dolin, above, use the law as the departure point for discussion.

More interesting may be the categories named by Dolin, such as (i) where literature is the point of departure and the basis of discussion is then amplified by drawing from the law. Since law permeates everyday life and cannot be separated from

⁵ Dolin reports that Scalia describes the phrase as "'advice authored by a distinctively American poet'" (2), while completely neglecting the context of the poem (4). The parable has appeared previously in many forms, not just Frost's poem.

⁶ See *Plaut v. Spendthrift Farm* 514 US 211, 131 L. E. 2d 328 (1995). Briefly, the plaintiff investors alleged that the defendant had committed fraud and deceit when selling stock; the district court in Kentucky held the suit was time barred. After this judgment, Congress enacted a new section of the Securities and Exchange act, which allowed the plaintiffs to move for reinstatement of their case. However, the district court held that this new section was unconstitutional. The Court of Appeals and the Supreme Court agreed, relying upon constitutional principles of separation of powers – the "fences" of the "good neighbors" in Frost's poem. "In expounding legal principle and justifying his decision, Justice Scalia employs the rhetorical tools of metaphor and narrative. His metaphor of the wall represents the judicial power in the Constitution as a fortified city under hostile assault from a hostile Congress or executive" (Dolin 2). Dolin's discussion of Frost's poem and *Plaut* appears in his *Introduction*, 1-10.

⁷ Dolin concludes: "The judicial appropriations of Frost's 'Mending Wall' suggest that law and literature are adjoining fields, divided by a boundary fence that keeps breaking down, despite regular maintenance. This common ground of language resists the forms and divisions imposed on it" (8).

any representation thereof, utilizing the law to evaluate literature is a natural exercise, one that can profitably be used in literary criticism. Characters are often “caught up in the law,” or, stories contain legal events, consequences or outcomes dependent upon the law. For example, Jane Austen’s *Pride and Prejudice* as well as *Sense and Sensibility* both have at their core the legal theory of entailment, whereby formerly in English law the eldest living male relative inherited all accumulated wealth, which focuses Austen’s novels on the absolute need of women to secure a favorable marriage in order to determine their own life and very survival.

Even more scholarship interprets literary texts (i), above. Another example is William Faulkner’s *Sanctuary*, part of the Yoknapatawpha series, in which the novel culminates in a trial. One of the main characters throughout the series is a lawyer; much legal wrangling throughout many novels forms the central focus of the action in many of Faulkner’s novels. Many novels have at their center a trial, such as Dostoevsky’s *Crime and Punishment*, and Camus’ *L’Étranger*. Further examples abound, again because of the representational nature of fiction and the permeation of society by the law; many characters run afoul of the law and become defendants in criminal and civil proceedings, while other are victims and seek redress or some “justice” as plaintiffs in civil proceedings. The inclusion of legal events and representation is inevitable in fictional representations of life, and therefore an examination of the texts can profit from a legal examination in conjunction with any usual literary analysis.

The Novels *The Good Soldier* and *Lolita*: Legal Trials

In matters between private parties,⁸ or a forum for the state (either the Federal or State government) to attempt to prove a criminal's guilt;⁹ the accused in a criminal trial is innocent unless and until proven guilty by the government plaintiff – he or she need not prove his or her innocence.¹⁰ At the conclusion of these proceedings, which include the presentation of physical evidence as well as testimony¹¹ of witnesses, the trier of fact, either judge or jury,¹² is charged with the duty to render a verdict of guilty,¹³ (liability in civil matters), or of innocence (absence of liability in civil matters) - exculpating the defendant(s) entirely. More often the verdict is divided into many parts so that certain actions are condemned while others are discarded.

In *Lolita*, the narrator/character Humbert Humbert is purportedly writing the majority of the novel as “notes... at my trial” (*Lolita* 308); he has apparently been indicted for the murder of Quilty and is incarcerated while awaiting trial for this act. He is assisting counsel in the preparation of his defense by writing his recollections of events leading up to his apprehension immediately following his commission of the act of

⁸ “‘Civil trials’ concern the judicial resolution of claims by one individual or group against another...” (Cornell Law School, LII: Civil Procedure”).

⁹ “Criminal Law involves prosecution by the government of a person for an act that has been classified as a crime...In a criminal case, the state, through a prosecutor, initiates the suit...Persons convicted of a crime may be incarcerated, fined, or both...Crimes include felonies (more serious offenses – like murder or rape) and misdemeanors (less serious offenses...)” (Cornell Law School, LII: Criminal Law).

¹⁰ “A ‘crime’ is any act or omission (of an act) in violation of a public law forbidding or commanding it. Though there are some common law crimes, most crimes in the United States are established by local, state, and federal governments. Criminal laws vary significantly from state to state” (*ibid*). An example is that the death penalty is not in force in all states.

¹¹ “The evidence of a witness in court, usually on oath, offered as evidence of the truth of what is stated” (*Oxford Dictionary of Law*).

¹² A bench trial is where there is no jury; the judge must determine all questions of law and also be the trier of fact...Under the Sixth Amendment [to the Constitution of the United States of America], in all criminal prosecutions, the accused criminal has the right to a trial by an impartial jury of the state and district in which the individual allegedly committed a crime” (Cornell Law School, LII: WEX – trial). A jury is a group of people empowered to make findings of fact in a court proceeding, and usually also is empowered to render a verdict based upon these findings of facts, but is supervised by a judge.

¹³ “All statutes describing criminal behavior can be broken down into their various elements. Most crimes...consist of two elements: an act or ‘*actus reus*,’ and a mental state, or ‘*mens rea*.’ Prosecutors have to prove each and every element of the crime to yield a conviction. Furthermore, the prosecutor must persuade the jury or judge ‘beyond a reasonable doubt’ of every fact necessary to constitute the crime charged” (Cornell Law School LII: Criminal Law).

murdering Quilty. This recollection and preparation of assistance to counsel is Humbert's stated purpose of the writing we know as the novel *Lolita*. Thus, Humbert is effectively laying out his legal case to all who care to read about it; since he has subsequently expired, his writing is his testimony that he would have given at trial in his defense, but because his *aide de mémoire* is posthumous, and no trial will actually occur, he will not be heard other than in this recollection,¹⁴ *Lolita*. However, he consistently addresses the "Ladies and Gentlemen of the jury," always reminding the reader of his purported purpose. Thus Nabokov sets up his entire literary artifact in a legal framework, and any examination cannot discard this choice.

Although appropriate legal procedure would effectively have rendered most of Humbert's proffered "notes" as inadmissible testimony at trial, had it occurred,¹⁵ the reader intuits that Humbert is speaking to him or her from beyond the grave, demanding of him or her, rhetorically: 'You decide my innocence or guilt based on this writing; I leave it to you to be the judge and jury at my trial.' By directly addressing the imaginary men and women of the jury to whom his words are aimed consistently throughout the novel, he demands their attention to their task. The novel is structured as his testimony in his defense for the all of the acts he describes in the novel, not just the crime of murder that is the subject of the incipient trial.

Humbert renders his own decision: "Had I come before myself, I would have given Humbert at least thirty-five years for rape, and dismissed the rest of the charges" (308), further implying that that is what he wishes the reader to do as well after having

¹⁴ His written recollection may be admissible as evidence in another trial since it is a statement made by a person who is deceased.

¹⁵ See *Federal Rules of Evidence*, Cornell Law School, LII. Much of what Humbert writes is "hearsay" and his credibility as an impartial witness is often seriously in question, as is his sanity – another stumbling block to credibility. His inconsistencies rampage throughout the work, also a homing beacon for lack of credibility

read his “notes in toto” (308). Of course, any jury or judge could not and would not be so influenced by any such personal rendition of the accused’s opinion, but this process is fictive and anything can happen.

The novel’s narrative virtuosity nearly overwhelms the story; the reader only slowly learns that there is much more to Humbert’s purported legal “defense” for murder than initially indicated in the Foreword. Further, Humbert’s “notes” are not bound by the niceties of the law. He wants the reader to know what was in his heart and mind throughout most of life, and he especially wishes to communicate to the reader his motivation for the culminating event of Quilty’s death: “to save not my head, of course, but my soul” (308).

At the end of the novel, Humbert clearly shifts his focus; the reader sees the adjudication of his soul to be paramount to any legal decision-making. This shift is again accomplished by reference to the declaration of the posthumous publication of his words. Any adjudication by the reader can only be a moral one, but one that Humbert demands of his reader nonetheless.

In *The Good Soldier*, the narrator/character Dowell is more circumspect in his writing than is Humbert. “You may well ask why I write” Dowell declares (*TGS* 11). He speculates: “I don’t know how it is best to put this thing down – whether it would be better to try and tell the story from the beginning, as if it were a story; or whether to tell it from this distance of time, as it reached me...” But he decides that, “I shall just imagine myself for a fortnight or so at one side of the fireplace of a country cottage, with a sympathetic soul opposite me” (15). So he settles in to recollect from a position of hindsight all of the events “at the end of nine years and six weeks” and which were

revealed to him by others, he says, in “four crashing days” (11), and set down by him in a fortnight, and taken up again six months later. He regularly engages in direct address, often in the imperative tense, demanding that his reader pay attention

Primarily Dowell wants to get to the bottom of the events described in the novel as he recollects them; he too is writing from a position in time that is after the fact, so his writing is completely a remembrance. His inability to consistently recollect the “truth” he so ardently seeks illustrates a legal certainty - that eyewitness testimony is the least reliable of all evidence because no one recollects prior events without some alteration, thus it is notoriously inaccurate. His blindness is revealed throughout the novel, not only blindness to the “facts”, but also but his blindness to the covert machinations of his three closest companions for over nine years. The reader is hard pressed to believe that he could not know what was “revealed” to him in four days about those nine years, but his writing, the novel, is his stated attempt to do so. The events he describes, and particularly the timing of who knew what and when, especially by himself, are key to the novel

No crimes have been committed in the events of this novel,¹⁶ yet two people are dead and one is mentally diminished, and Dowell insists that someone must answer for these tragedies. Dowell’s apparent focus is on the morality of sexual infidelity:

I don’t know. And there is nothing to guide us. And if everything is so nebulous about a matter so elementary as the morals of sex, what is there to guide us in the more subtle morality of all other personal contacts, associations, and activities?...It is all a darkness. (15)

¹⁶ Much criminal behavior is alluded to, including assault, attempted murder, child abuse, blackmail and fraud. However, these are incidental to the story, which concerns itself with primarily poor moral behaviors that do not rise to criminal offenses.

He is adrift in all of life since he has discovered that, apparently unbeknownst to him, this important foundation of his morality has been betrayed by those closest to him over a lengthy period of time that he recalls initially as having been the happiest time of his life. He is stymied, and is writing in an attempt to regain his life's most basic moral foundation.

The reader senses that Dowell is driven by the need, even reluctantly, to lay blame, perhaps upon himself, for the morally heinous acts he describes in the novel. He explores the facts as if giving testimony before a court; he explains events from several points of view, often contradicting himself, not unlike a series of witnesses might testify at a trial.¹⁷ He probes, he dissects, he enquires; he wants to know the "truth," as if it were possible to know. At many points in the novel he declares "I don't know," which is perhaps the best approach of all since he throws all structure of any "reality" into hopeless confusion. His expurgatory writing seeks to establish the "truth" in an objective way, all the while revealing the truth of *his* character as well as that of his companions. He succeeds in rendering his story into words, and can only say that it is "the saddest story [he] has ever heard" (9), as if he were not the writer, but more like the Court serving its function of trier of fact. Dowell appears earnest, yet he seeks a "truth" which he failed to apperceive at the time of its occurrence, and is now hoping to reassemble the "correct" version at this later time. Then, perhaps, blame or liability will then also become apparent; he can assess blame about the events of his story through the process of writing about it.

¹⁷ Like Humbert, his credibility is consistently questionable primarily because of his opposite statements, regular inconsistencies and questionable level of competency throughout.

Dowell's inquiry is perhaps more like the legal system of many European countries, such as France.¹⁸ But he employs an adversarial posture to explore all the "facts", pitting one version against another, and even another, all the while advocating in turn for each. Yet, he cannot reach a decision; he is incapable of assuming the responsibility of a trier of fact, perhaps because of his own, however unwitting, role in the sordid tale. Thus he rhetorically passes this question to his reader, to whom, after reading his re-collection of events as told to his imagined sympathetic fireside friend, he then assigns the duty of decision maker: 'You be the judge of where to lay blame for this tragedy; you decide who is culpable, and I suspect it may be me, but I don't know, so you must decide for me.' Dowell earnestly wants not only assistance but complicity; he regularly demands via direct address that the reader assist him. He is unable to attend to this task himself.

This novel, too, is structured as testimony of the narrator/character who seeks the rendering of a decision about the facts, and asks the reader to make a judgment. His questions are about morality rather than criminal or civil issues, but they are no less pressing and disturbing to him, which is why he writes *The Good Soldier*. The narrative structure of the novel is its virtuosity because it presents layers of the proposed "truth," slowly and with exquisite attention to detail, so that, at the end, a complete rendering of Dowell's "testimony" is a summation but not a verdict. He cannot confess to much of anything or otherwise firmly affix blame upon himself or anyone else. This he leaves to the reader, begging him or her to do what he cannot – certify some version of the "truth"

¹⁸ Unlike the American and British systems of law, many countries utilize a system of inquiry by a team of investigators, judges and other personnel dedicated to uncovering the "truth" through investigation, rather than engaging in any adversarial posturing. Their duties encompass many that the British and Americans would consider to be under the purview of police investigation. The case of Princess Diana's death is a popular example of this system at work.

as finder of fact, and to finally lay blame, to fix liability for the crimes of morality he has presented. He needs the reader to act as a jury would in a trial, as finder of fact and renderer of a verdict of liability based upon the facts he presents in the novel.

Discovering the “Truth” in the Novels: The Legal Pre-Trial Procedures of Discovery

Much activity occurs before any trial proceeding is conducted with the legal system’s full panoply of rules and rights and drama in a courtroom. The preliminary matters leading up to a trial are often a long process, with many procedural departures and preliminary decisions presented for the court’s resolution, all of which are designed to slowly clarify the facts.

Most of this often lengthy pretrial adversarial posturing is the various methods of Discovery.¹⁹ “The purpose of [Discovery] pretrial procedures is to disclose the genuine points of factual dispute and facilitate adequate preparation for trial” (Schubert 738). This is an important method of narrowing differences between the parties about the “truth” of the events, so that a more precise picture of the facts can be clarified and thus can be more easily determined by the trier of fact, which is the function of the legal system.

The various methods of discovery are different avenues for securing information. A deposition is the oral questioning under oath²⁰ of any person who may have knowledge of the matters in question in the case at hand. This questioning is done by counsel, usually opposing counsel, but sometimes by a witness’s own counsel. The entire hearing

¹⁹ Discovery is “[a] pliant method by which the opposing parties to a lawsuit may obtain full and exact factual information concerning the entire area of controversy, via pretrial depositions, interrogations, requests for admissions, inspection of books and documents [including computers], physical and mental examinations and inspection of land or other property. ... Either party may compel the other party to disclose relevant facts that are in his possession, prior to trial” (Schubert 738). In fact, this process invites maneuvering, evasiveness and the results are often far from the rules’ stated goal. See FRCP Rule 26. *General Provisions Governing Discovery; Duty of Disclosure*. (Cornell Law: LII)

²⁰ “Under Oath” provides any party with the power of the court to enforce any claims of perjury – lying under oath, a criminal offense.

is recorded by a court reporter and hard copy is produced for certification by the witness. The latitude of questioning is quite broad, and is much more casual than the interrogation of a witness on the stand in open court; the Rules of Evidence do not generally apply, since the admissibility of information obtained at deposition into a trial proceeding is not generally allowed except in certain circumstances.²¹

Usually the witness is as uncooperative as possible without garnering sanction by the court, but often the exploration reveals that the witness knows little or nothing of the matter. An exception is the deposition of an expert witness, called by a party in support of his or her claim, usually for negligence of some sort, especially medical matters. Credibility is usually the focus of such a deposition.

Another method of Discovery is written answers to written questions, known as Interrogatories. The questions range from the simple to the very complex, and again are answered under oath. Similar are Request for Admissions, which are also written and attempt to narrow differences by agreement of the parties on some facts. Again, maneuvering is the order of this activity, with each side disclosing as little as possible in hopes of gaining some advantage.

An important method of discovery is any Request for Physical or Mental Examination; this is often needed when these factual issues are in question, and

²¹ "A *deposition* is witness's sworn out-of-court testimony. It used to gather information as part of the discovery process and, in limited circumstances, may be used at trial. The witness being deposed is called the "deponent." Depositions usually do not directly involve the court. The process is initiated and supervised by the parties. Usually, the only persons present at a deposition are the deponent, attorneys for all interested parties, and a person qualified to administer oaths. Sometimes, depositions are recorded by a stenographer, although electronic recordings are increasingly common. At the deposition, all parties may question the witness. Lawyers may not coach their clients' testimony, and their ability to object to deposition questions is usually limited. Depositions are usually hearsay and are thus inadmissible at trial. There are, however, three exceptions to the hearsay rule that are particularly relevant to deposition testimony. The first is when a party admits something in a deposition that is against his or her interest. The second is when a witness's testimony at trial contradicts their deposition. The third is when a witness is unavailable at trial. See Federal Rules of Evidence, Article VIII. Depositions may also be conducted by written questions. In this kind of deposition, the parties submit questions in advance. At the deposition, the deponent answers those questions and only those questions. Depositions by written questions are cheaper than depositions by oral questions, because parties' lawyers need not attend, but are much less useful, because it is difficult to follow-up on witness's answers. Usually, parties use interrogatories instead of depositions by written questions" (Cornell, LII-WEX).

especially in medical cases. A party must clearly state why it believes that such an examination will reveal evidence pertinent to the case. Mental examinations are often used in criminal cases, such as murder.

Both novels can be seen as a combination of these methods of discovery, as well as testimony in open court since the “truth” is revealed piece by piece, sometimes through the character/narrators’ own observations, sometimes by his asking questions not only of himself, but also of others and of the reader as well. Slowly, we readers receive bits of information not unlike a puzzle which we must assemble into a total picture based upon all the information conveyed throughout the novel.

The character/narrators re-collect information at different times in the novels, and convey a totality of remembrance that can only be experienced by the reader through the entire experience of reading the whole novel, perhaps many times, to assemble all that is presented piecemeal into a coherent story, with a timeline of events that makes sense of the events focused upon. Thus the reader must disentangle the ramblings of Humbert and the wanderings of Dowell so that each “fact” and each bit (or byte) of information can be deconstructed and reassembled as needed by each individual reader. This is the process of discovery by the reader, so similar to the various devices used in the legal Discovery process. Thus the reader is given these legal tools which extract information so that each reader can somehow make some sense of the remembrances that are the novels, and then discharge their duty assigned to them by Humbert and Dowell, that is to render a verdict after hearing all the evidence, all the testimony and all the answers to the questions asked, which comprise *The Good Soldier* and *Lolita*.

Verdicts in *The Good Soldier and Lolita*

Any reader of these two novels will come to some verdict asked for by the narrators Dowell and Humbert. This verdict is demanded by the character/narrators Humbert and Dowell; they have both written these works with this goal. The content and character of each reader's verdict is a personal rather a public decision. The narrators do not ask for a public stance, but rather assure their readers that this decision will be kept just between them. Taking the novels as a whole, the character/narrators convey to the reader that they know they can only obtain that which they seek by developing a personal relationship with their adjudicator. They humbly ask the reader to try to see the events of the stories presented as they have "seen" them; the vein of sympathetic entreaty runs throughout both novels, whether or not the narrators succeed in obtaining the sought sympathy.

This coziness between the character/narrators and the reader may appear to belie the public stance of Humbert's "notes" allegedly prepared for his very public trial. However, the ruse is quite transparent to the reader, and Humbert knows that the reader will gloss over this purported stance easily; thus the reader is in cahoots with Humbert from the beginning, a position that is constantly reinforced his direct address to the "Ladies and Gentlemen of the Jury" throughout the novel. Humbert makes a case for his intelligence by his articulate writing, regardless of the subject matter. He consistently justifies his actions in a very personal appeal to each reader, and flavors this appeal with humor and self-deprecation. That such a monster can be perceived as a sympathetic character is a tribute to Nabokov's genius, and thus the reader may be persuaded by Humbert, the character, if not convinced by the events of the story.

Dowell is perhaps less successful in achieving sympathy, even though he is no monster; he similarly achieves a personal rapport with his reader - the “sympathetic fireside listener” stance is immediately established in the novel and carried through successfully throughout its progression. But as his character is cleverly revealed by Ford, Dowell becomes a buffoon, a man who firmly and actively engages in a mindless aversion to and recognition of that which is right in front of him, qualities which do not endear him to the reader. Yet, he is sympathetic nonetheless, but only to a certain degree. It is what he has *not* done that the reader eventually adjudicates; his inaction and refusal to act become the basis of the answer to the questions he has asked of his reader, because he truly does not know. This in no way lessens the sadness of the story, which is the one “truth” that everyone can agree upon in the end. Thus Dowell’s assessment draws the sympathy he demands, despite this character’s shortcomings. Ford’s genius is the story rather than the man who tells it, and the verdict of the reader lies therein.

Finally, of course, the authors themselves have elicited whatever verdicts their characters and their stories may have prompted from a reader. By using legal tools, readers may more easily engage in the process by which they have been asked to complete their task—rendering a verdict on the works themselves. The novels via their unique character/narrators ask the reader to come along with them upon the journey; the process is the experience of reading what has been written. The conclusion to the journey is subsumed in the personal experience of the act of reaching the stated goal. Empathy with all of the characters and the narrators as people swept up in the events of the story rather than sympathy with the outcome is the result. And, whatever the reader decides is

dependent upon the individual who is reading, a true operation of the Modernist sensibility in two marvelous examples of The Modern Novel.

Chapter One

Narrative Theory and Rhetorical Narration

Story, Text and Narration

Narrative fiction²² prompts the use of an array of tools and analytical approaches in an attempt to at the least understand and at the most explain narrative fiction as art. Many schools of literary theory agree on basic areas open for discussion and strive to define these areas of focus in order to facilitate discussion and analysis. Narration is a useful rhetorical device in fiction, and a study of the story within a novel must closely examine this technique and its unique expression of the story through the text in any fictional work, and particularly the Modern Novel. For any analysis of literary artifacts, a set of definitions is needed in order to have a point of departure for such a discussion. These tools allow a flexible nexus to which any discussion may return; yet this nexus must also provide a basic vocabulary from which to begin. Many theorists have explored a system of tools in order to discuss fiction. A workable conceptual vocabulary of “story,” “text,” and “narration” are discussed by Rimmon-Kenan.²³

‘*Story*’ designates the narrated events, abstracted from their disposition in the text and reconstructed in their chronological order, together with the participants in these events.

²² “‘narrative fiction’ [means]... the narration of a succession of fictional events” (Rimmon-Kenan 2).

²³ Rimmon-Kenan acknowledges “the Formalists’ ‘*fabula*’ v. ‘*sjuzet*’..., Todorev’s ‘*histoire*’ v. ‘*discourse*’...Chatman’s ‘story’ v. ‘discourse’..., Barthes’ ‘*fonction*’, ‘*actions*’, ‘*narration*’...and Bal’s ‘*histoire*’, ‘*récit*’. ‘*texte narratif*’.” (Note 2., 150). In her Notes, she declares that “[her] object of study is at once broader and narrower than what is often called ‘narratology’” (Note 1., 150).

Whereas ‘story is a succession of events, ‘text’ is a spoken or written discourse which undertakers their telling...the text is what we read. In it, the events do not necessarily appear in chronological order, the characteristics of the participants are dispersed throughout, and all the items of the narrative content are filtered through some prism or perspective...

Since the text is a ...written discourse, it implies someone who...writes it. The act or process of production is ... ‘*narration*’.

It is through the text that [the reader] acquires knowledge of the story (its object) and of the narration (the process of its production)...Indeed, story and narration may be seen as two metonymies of the text, the first evoking it through its narrative content, the second through its production. (footnote omitted) (3-4)

This conceptual triad of story, text and narration focuses upon the interdependence of narration on the story as told by some narrator (whether implied or known) that is found in the text of a fictional work.²⁴ The succession of events demonstrates change over time, usually the result of cause and effect, and is the crux of any story, but, the narration of these events may or may not be chronological, and the characteristics of the participants in the events may be revealed piecemeal. The narration of the story in the text is always shown to the reader through some lens, usually that of a narrator.

The lens is the narrator’s point of view, whether this narrator is implied or specifically named. The identity of the narrator may change; the characteristics of any and all narrators generally become more apparent or perhaps more obscured as the novel

²⁴ But see Rimmon-Kenan: “It is arguable that history books, news reports, autobiography are in some sense no less fictional than what is conventionally classified as such” (3).

proceeds and his or her point of view may also change throughout the novel.²⁵ An example can be found in Melville's *Moby Dick*, which starts with "Call me Ishmael;" this direct address of a named narrator seems definitive, yet the narrative stance changes in the novel, apparently to an omniscient point of view, and then apparently to the narrative voices of several different characters, known and unknown, while Ishmael himself changes as the novel proceeds. At times, the reader is inevitably and necessarily uncertain of the identity of the narrator because of changing characteristics of the characters/narrators while the story is developing. The uncertainty experienced by the reader calls into question the credibility of these various narrators, and their credibility is further undermined because of inconsistent and contradictory assertions by these narrators, so that certainty about the narrative point of view also becomes suspect. Thus the complexity of narration of this novel furthers the story, and adds richness and depth to the text in a particular way unique to its narration. This complexity produces an exceptional artifact whose virtuosity is the result of the interdependence of story, text and narration.

The act of production of the text that contains the story, narration, focuses on any analysis of a narrator driven narrative, so that a touchstone for the story conveyed in the text can be solidified, and such an analysis can then proceed from one declared focal point, regardless of obvious interdependence among the three concepts, each in concert with the other two. Narration, story and the text converge while the author may privilege the narration by a narrator as he or she so decides.

²⁵ See Maurice Blanchot's *The Madness of the Day*: "I had been asked: Tell us 'just exactly' what happened. A story? ...I had to acknowledge that I was not capable of forming a story out of these events. I had lost the sense of the story[.]" (18).

Character Narration and Narrative as Rhetoric

The rhetorical underpinnings that propel the story's dynamic potential of this interdependence of story, text and narration rely upon the complex interaction of the text, the story and the narration. The rhetorical²⁶ story and narrative is expressed by the characters in the text, some of whom function as narrators, while others can be the characters who are a subject of the rhetoric of the narrator depending upon the author's text. The rhetoric of both characters and narrators can define the story.

The experiencing of a text occurs on many levels; the reader becomes fully communicative with the author and the text only when he or she has engaged with the text on multiple levels, and even more so when the author's rhetorical persuasiveness invites further exploration of the artifact. James Phelan in *Living to Tell About It* discusses at length his approach to "Character Narration and Narrative as Rhetoric." This work examines how persuasive the narrator's text becomes to any interpretation by the reader, also known as the audience. "[R]ather than focusing only on textual features and relationships, [the concern is] with the multilayered communications that authors of narrative offer their audiences, communications that invite or even require their audiences to engage with them cognitively, psychically, emotionally, and ethically" (Phelan, *Living* 5). The work offers six "key ideas" that examine the complex interaction between the author's narrators, characters, and the audiences who form the nexus of narrative as rhetoric, while in no way abandoning the narration, story and text definitions and their interdependence expressed by Rimmon-Kenan. The inclusion of engagement by the

²⁶ Here, "rhetoric" means the specialized literary usage of language and linguistic devices that is effective primarily because it is persuasive to the audience.

audience at the ethical level is a focus often missing or unarticulated in theoretical approaches to analyses of a text.

An expanded definition of narration focuses on rhetoric:

First, narrative itself can be fruitfully understood as a rhetorical act:

somebody telling somebody else on some occasion and for some purpose(s) that something happened...

Second, ...narrative as rhetoric assumes the possibility that different readers can share similar experiences, and it locates meaning in a feedback loop among authorial agency, textual phenomena (including intertextual relations), and reader response...[T]exts are designed by authors in order to affect readers in particular ways...through the language, techniques, structures, forms, and dialogic relations of texts as well as the genres and conventions readers use to understand them, and that reader responses are a function, guide, and test of how designs are created through textual and intertextual phenomena. (Phelan 18)

The author uses many tools to manipulate the rhetoric of his text in ways designed to influence the reader's experience of the text; readers' responses to the text are then a guide to the result of the author's techniques, techniques which are designed to elicit certain responses. The reader's response to the text and story is also a guide to any analysis of these techniques. This expansion of a nexus of interpretation furthers the concept of interdependence and includes the vital function of reader response.

A matrix for understanding character narration and narrative as rhetoric envisions a recursive relationship:

Third, this conception of the recursive relationship among authorial agency,

textual phenomena, and reader response entails the possibility of shared readings among different flesh-and-blood readers...The author designs the textual phenomena for a hypothetical audience, (what [is called] the authorial audience). (19)

The “flesh and blood readers” are prompted to a shared reading by the author through rhetorical narration; the author’s goal is a possibly shared reading among his authorial audience. While reader response is hardly a new idea, *how* this is achieved and how an individual reader is in fact drawn into the possibly *same* authorial audience by exploring and analyzing a work’s character narration and its narration as rhetoric is a powerful tool for analysis and evaluation. Persuasive narration, whether it is contained in the narrative itself or voiced through a character or a narrator or a character/narrator in the text and the story, can be isolated and identified.

Further, the loosely defined authorial audience may be difficult to identify, but this process of identification can present valuable opportunities to identify and analyze rhetorical narrative:

Rhetorical reading acknowledges that individual readers will find some authorial audiences easier to enter than others, and it stops short of ever declaring any one reading as definitive and fixed for all time. But it assumes that one significant value of reading narrative is the opportunity it offers to encounter other minds – that of the author who has constructed the narrative and those of other readers also interested in shared readings. (19)

The ease of a reader's entry into an authorial audience can be analyzed by evaluating *how* the author presents these opportunities to encounter various minds, often through the textual phenomena of rhetorical narration.

The task of evaluating "readerly response" is to find support for a certain response in the text as constructed, and to "test that response by considering other ways of construing the text and comparing ...the different understandings" (19). Various reader responses are likely, but analysis of a possible concurrence of understanding in an authorial audience is one tool available toward evaluation of the text as an artifact that utilizes rhetorical narration in specific ways.

The shaping of a reader's response can be the result of rhetorical persuasion by the text, or by the narrator's text, a response that can be shared by many readers by design, a device named a "doubling" of storytellers:

[T]he narrator tells [his or] her story to the narratee for [his or] her purposes, while the author communicates to [his or] her audience for [his or] her own purposes both that story and the narrator's telling of it[;]...the narrative act is doubled in this way..." (18).

The author uses the device of "doubling" in an effort to achieve certain responses from his or her readers who are responding to a more prominent narrator's story rather than to the text itself. Thus, one focus of examination in certain novels must be upon the author of the narration in the story. This technique prompts the authorial audience to focus on his or her reading about a character who is, in fact, the teller of the story and couched within the text by an author who has purposely receded in favor of this narrator.²⁷ Thus the author is purposely shunted aside in favor of the character/narrator as storyteller, and

²⁷ Examples abound, such as *Heart of Darkness*, *The Good Soldier*, and *Lolita*. See Snow generally.

it is he who is (allegedly) writing the text rather than the author; this “doubling” allows the rhetorical acts of the narrator to be foregrounded by the author if he or she so chooses, and usually the author does so for particular purposes not revealed to the audience, thus increasing the rhetorical value of the narrator’s story rather than the story within the text itself.

This particular rhetorical device, that of “doubling,” prompts an interpretation of the text based upon the story as presented in the text by the narrator(s). Similarly, the concern of any evaluation of the reaction of the audience to whom the story, via the text, is addressed by the author through his narrator(s), must focus on the narrator’s story since the text dictates this approach by its structure of the story to the extent that it particularly differentiates between the author and the narrator/storyteller. An evaluation of the extent of this recursive relationship illuminates this particular textual phenomenon of presentation of the story by a narrator, as well as the rhetoric of the narration of the text as a whole.

The conceptual matrix of character narration and the rhetoric of narration focus more intimately on the communication between the reader and writer:

Fourth, ...the rhetorical act of narrating entails a multi-leveled communication from author to audience, one that involves the audience’s intellect, emotions, psyche, and values. Furthermore, these levels interact. (19)

Any reading of a story naturally entails communication via the text; by the very act of reading, the author is communicating to the reader via words because the reader has chosen to receive the communication from the writer by reading his or her work.²⁸ From an author’s point of view, the act of reading must involve all the levels described above

²⁸ Many theorists have thought and written about the *process* of this communication.

or communication in its fullest sense has not been achieved. Most readers attempt to fully engage with their texts and often exhibit a proprietary interest in their own particular interpretation, and relish doing so, surely a sign of complete engagement on their part.

Communication from the author to the audience is often obviously rhetorical; he or she seeks to enfold each reader into a particular authorial audience that is carefully chosen by him or her through persuasive rhetorical strategies, hopefully with the “ease” noted above. At other times, rhetorical persuasion is much more subtle and hidden within other textual phenomena, demanding deeper analysis: the intertextual phenomena referred to, above.

Every serious reader understands that emotions are not the only level of communication between author and reader, despite much reader response to the contrary. Authors understand that the intellect and the psyche of a reader are integral to the interactive process of communication and many authors respect those sides of their readers perhaps more than any purely emotional response. Indeed, a complex text requires the active participation in the action of communication by the intellect and the psyche in order to achieve full communication of the story and to completely understand the narrative, whether it be the author’s or a narrator’s, such as Marlowe’s story in *The Heart of Darkness*. Such a text is complex; an author realizes that, in addition to the evocation of emotion and any appeal to the psyche, his or her work needs engagement of the mind at its highest level for a reader’s thorough appreciation of all a text has to offer, and especially for that “ease” of possible entry into any authorial audience.

An even closer focus on the values of a reader or audience is crucial to a complete understanding of the dynamic interaction of the text and the audience and that audience’s

response to the text. Values imply judgments that are inevitable, but judgments can be shepherded via narrative rhetorical strategies.

[The authorial audience's] values and those set forth by the narrator and the implied author affect [the authorial audience's] judgments of characters (and some narrators) and [the authorial audience's] judgments affect [its] emotions.

(19)

This dynamic interaction of text and reader's values inform judgments about the narrator, the author, and the characters, and these in turn affect emotional responses by the authorial audience to the text. The story propels the formation of judgments based upon values.

Readers have well established values that are in place at the time of the communication by the author to them through their reading of the text; authors communicate the values of their characters and narrators (and often themselves) through the text. An appraisal by the reader of the values of all characters, narrators and those implied to belong to the author must in turn affect the responses of the reader during and after the communication process – reading, and thus this appraisal must color the reader response to the artifact of the text. The alignment (or lack thereof) of character, narrator and authorial values with a reader's values can be evaluated. Because the process of appraisal coalesces into reader's judgments, rhetorical narration profoundly effects the process.

The process of judging necessitates an evaluation of the entire text as well as its component parts and its rhetorical phenomena *in toto*; a complete and thorough

communication between author and reader is required²⁹ in order for the reader to engage in any judgment, so that audience's intellect, emotions, psyche, and values are all appealed to in the narration of the story.

Judgments are formed usually upon completion of the reading process, although provisional estimations of characters and narrators, as well as authors, are formed throughout the process of reading. Any examination of the text through the lens of the personal values of the reader can only be done by that individual reader; however, if the author attempts to persuade the reader to seek an identification with a certain authorial audience, an appreciation of and an identification and description of those values appealed to are crucial to any success of an author's persuasive placement of a reader into a particular authorial audience.

Personal values consist of a complex interaction within the psyche, the emotions and the intellect; this interaction, while constantly being in flux, settles upon deeply held beliefs and ideas that become fixed over time. Consistent with an author's appeal to a particular authorial audience, an appeal is being made within the text to certain well-defined values of that audience. Values often drive the novel itself, such as in Hemingway's *The Sun Also Rises*, or F. Scott Fitzgerald's *The Great Gatsby*. The values are pre-determined and an audience who embraces these values becomes the authorial audience through the persuasive rhetoric of the text, which specifically appeals to these values of this chosen audience. The development of a novel's characters', narrators' and author's values follows the course of the novel's unfolding, so that this development is closely tied to the emotional response of the reader, a response which changes over the course of his or her reading of the novel's unfolding as well.

²⁹ Arguably, Nabokov tries to thwart this very process in *Lolita*.

The unfolding of the story through rhetorical narration is a process; “[t]he trajectory of [the authorial audience’s] feelings is itself linked to the psychological, thematic, and...ethical dimensions of the narrative” (19). The individual reader’s values and ethics are active considerations by the mind and overlay inadvertent evocations of emotion or any coloring by the psyche. An example would be a reader’s response to Hamlet’s vengeance against Claudius; an individual reader’s emotional response to Hamlet’s seemingly justified action will invariably be tempered with that reader’s religious and ethical values which may decry murder, since murder is abhorrent in most religions and societies. But, a multitude of interpretations have emerged over the centuries since *Hamlet* was written, and every interpretation is colored by the psychology, intellect, ethics and values of the individual who expresses his or her interpretation. These interpretations are linked to the same characteristics of the narrative; thus the trajectory of thought and emotion, or how any interpretation came to be, is itself worthy of examination.

These various levels of reader response to the psychological, thematic and ethical dimensions of the narrative may be roughly equated with *logos*, *ethos*, and *pathos*,³⁰ but the concept of values envisions a complex interaction of all facets of any reader’s, narrator’s, character’s or author’s personality, and these facets in turn are linked to similar provocative events in the text. These events of the story are usually not chronological, so that the trajectory of thought and emotion develops during the reading or communication process; all evaluations and interpretations, however incomplete, end with a judgment after the artifact is experienced *in toto*. As readers engage in reading,

³⁰ From Kinneavy, *A Theory of Discourse*: *Ethos* is a value system, political, religious, economic, moral, esthetic (222). *Logos* or logic is a particular set of rules, which governs sequential statements significant for an aim or mode (64). *Pathos* is the emotional appeal used in persuasive discourse (220).

their responses develop simultaneously within all of the levels of communication. The dynamic of the story engages the interaction of these levels, and the text propels the interaction through the narration of the story. This dynamic interdependence and interaction illustrate recursive notions, which endure throughout the matrix of analysis and encompass bringing all facets of the reader's life to each eventual and ultimate judgment of the text.

Any discussion about character narration and the rhetoric of narration includes the importance of narrative progression; this rhetorical phenomena can persuade and influence the reader's judgment of the text through a particular method of rhetorical narration.

Fifth,...the feedback loop among authorial agency, textual phenomena, and reader response comes together with the principle about the multileveled nature of narrative communication to give an important place to the concept of narrative progression,...the synthesis of the narrative's internal logic, as it unfolds from beginning through middle to end, with developing interests and responses of the audience to that unfolding. (20)

This concept is alluded to earlier; judgments are an ongoing process based upon the progression or unfolding of the story through the narration. Reader's responses are in flux throughout the narrative, which is not necessarily linear in time; revelation of characters and their values more often are not linear at all. The unfolding itself can be the text's most compelling feature; besides wanting to know *what* happened, an audience wants to see *how* the story comes about in its entirety. This dynamic process of internal logic compels the reader to constantly revise his or her assessments of characters, narrators and

authors, rather than any single part of the text's doing so. The story and its narrative progression results in an internal logical progression which develops into informed judgments by the reader.

Narratives typically proceed by the introduction and complication of instabilities, unsettled matters involving elements of story, typically characters and their situations, and/or tensions, unsettled matters involving elements of discourse such as unequal knowledge among authors, narrators and in audiences...or matters of different values and perceptions (as in narratives with unreliable narrators).

Narratives conclude by resolving at least some of the instabilities and tensions (narratives that resist closure will leave more instabilities and tensions unresolved than those that seek strong closure). (19-20)

Textual phenomena create the narrative, which arranges itself into the story. While reading, the reader develops his or her responses to the unfolding story, and his or her judgments begin to accrue, yet are not settled upon as final, since the story and narration are in flux. The audience's interests and responses are located in this flux of narrative progression; as it resolves, or not, the reader develops his or her judgments.

As audiences follow the movement of instabilities and tensions, they engage in "many kinds of responses: judging characters, developing hopes desires and expectations for them, and construction tentative hypotheses about the overall shape and direction of the narrative" (20). Narrative progression is the process of reaching a complete and multi-leveled reader response, which develops over time and is finalized by an eventual overall judgment of the text, the characters, the author and any other questions for which the author provides ample material for the reader to process. The narrative process strives to

situate the audience within certain parameters through this ongoing unfolding; as a narrative technique, narrative progression can become paramount in the telling of the story.

The delightful and interesting part of the ongoing process of communication between author and reader is the anticipation created by the author through his or her textual maneuverings. This anticipation forms hopes and expectations, while judgments are also being developed and adjusted through responses as the narrative proceeds.

Audiences develop interests and responses of three broad kinds, each related to a particular component of the narrative: mimetic, thematic, and synthetic ...

[D]ifferent narratives establish different relationships among these three components[;] ...developments in the progression can generate new relations among those interests. (20)

Many other theorists have envisioned similar components. “Responses to the mimetic component involve an audience’s interest in the characters as possible people and in the narrative word as like our own”. This may be described as realism or identification; many terms are used to describe this response, all of which focus on how well the story engages the reader in a world that seems real to the reader, as do the people that populate it.

“Realistic fiction seeks to create the illusion that everything is mimetic[,]...that the characters act as they do by their own choice rather than at the behest of the author” (20).

Authorial intrusion is absent and the fictional world is the setting of the narrative and the characters who create and live within it; thus reader’s responses are entirely evoked from this fictional world. Ethics and values exist in this world, and readers respond to events that occur in this mimetic world.

The thematic response is one that “involves an interest in the ideational function of the characters and in the cultural, ideological, philosophical or ethical issues being addressed by the narrative” (20). Every narrative differs; reader responses concerns themselves with an interest that revolves around the *character’s* ideas and their place in the narrative as well as the character’s expression of chosen ideas selected by the author and expressed in the text through the characters and the narration.

The synthetic component is always present, “because any character is constructed and has a specific role to play within the larger construction of the narrative.” “Responses to the synthetic component involve an audience’s interest and attention to the characters and the larger narrative as artificial constructs”. However, the synthetic may be more or less foregrounded (20). Every reader is aware of the artificiality of the text as a fictional construct. Any foregrounding occurs when some structure or character is privileged in the narrative, such as a text that features a first-person narrator, or a character/narrator rather than omniscient narration, or some fictional artifact is utilized, such as a purported memoir, will, or other fictive writing.

A reader’s interest in and responses to all of the components - mimetic, thematic and synthetic - interact. The developing interaction among these components during the narrative progression prompts readers to develop their own internal logic, assessments and preliminary judgments. Authors shepherd their reader, however unknowingly, via narrative progression, which, as discussed, is not necessarily a linear activity within the text. In the narrative progression contained in the text, characters’ situations ebb and flow; tensions among characters often revolve around unsettled matters. Many tensions involve elements of discourse such as unequal knowledge among the author, the narrator

and the audience. These tensions can arise from matters of different values and perceptions among these three personalities (as in narratives with unreliable narrators). Audiences are interested in and respond to the elements of the story that are mimetic, thematic and synthetic representations of these tensions. The narrative proceeds and the levels of tension rise and fall, resolve and complicate; characters' situations and motivations settle or evolve. Most importantly, values and ethics clarify in all participants in the communication process, including characters and narrators.

Since narratives typically proceed by first the introduction and then the complication of instabilities - generally unsettled matters involving elements of story, audiences anticipate and hope for narratives to conclude by resolving at least some of the instabilities and character tensions, and readers' ongoing interests and responses reflect much of the trajectory of their feelings. These, in turn, are themselves linked to the psychological, thematic, and ethical dimensions of the narrative. More layered and interwoven narratives resist closure, and will leave more instabilities that may or may not interest readers. An assessment of the degree of resolution can align with reader responses, and an evaluation of narrative rhetoric's effect on those responses must be considered.

Ideas about character narration and the rhetoric of narration must conclude with a specific discussion of ethics and real world considerations

Sixth, the doubled communicative situation of fictional narration... - somebody telling us that somebody is telling somebody else that something happened - is itself a *layered* ethical situation. Any character's action will typically have an

ethical dimension, and any narrator's treatment of the events will inevitably convey certain attitudes towards the subject matter and the audience that...indicate his or her sense of responsibility to and regard for the told and the audience. (20)

The layering of any ethical situation will provide the narrative an opportunity for an exploration of ethical issues. The layering of a character's ethical actions and attitudes with those of a narrator provides the situation where the characters' treatment of events may be aligned with or contrasted to those of a narrator. Any focus on treatment of a narrator's particular sense of responsibility can be foregrounded. This narrator's sense of responsibility or ethical matrix will be directed toward the other actors/characters in the narrative and the narrator's sense of ethics will develop in the eyes of the authorial audience as well. Ethical considerations can drive a narrative when a narrator is foregrounded in this manner.

Similarly, the author's treatment of the narrator and of the authorial audience will indicate something of his or her ethical commitments toward the telling, the told, and the audience. Further, the audience's response to the narrative will indicate their commitments to and attitudes toward the author, the narrator, the narrative situation, and to the values expressed in the narrative. (20-21)

Ethical values of the author will float to the surface of any narrative through the characters, the situations and the narrative itself. The audience responds to all levels of these ethical expressions, and conflates them with their own to formulate judgments.

All of the layers and components of the textual communication coalesce into an overall system of character narration and narrative as rhetoric that relies upon readers' values and ethics.

These considerations provide a way of discussing the ethical dimensions of the rhetorical communication...through ...attention to concrete particularities of human situations and their capacity to engage our emotions, [and] provide an especially rich arena for the exploration of ethical issues. (21)

This entire method of evaluation of reader response affirms the nexus of the story, text and narration, and extends these definitions to include the important facet of ethical considerations illustrated through the author's presentation of "concrete particularities" and "human situations" uniquely portrayed in fiction.

Every author, character, narrator and reader has values prompted by ethical considerations acquired over time. Each participant in the communication process carries ethical considerations through every aspect and dimension of themselves; these may be fictionally constructed such as in characters and narrators, or real world values such as those of the author (expressed via the narrative) and ultimately those of the reader. Every novel brings attention to the illustration of ethical considerations through real world situations that have concrete details and human relevancy that resonates with audiences collectively and individually, inducing reader responses that may value ethics above all other considerations. Certainly these ethical considerations as applied to real world situations demand judgments by any reader of the mimetic, thematic and synthetic events so presented.

The mimetic treatment of events in the story allows the reader access to “ethical commitments toward the telling, the told, and the audience.” Further, the audience’s response to the narrative will indicate their commitments to and attitudes toward the author, the narrator, the narrative situation, and to the values expressed in the narrative. Through the “concrete particularities” and “human situations” unique to each text, the audience is encouraged to engage his or her emotions, which then provides an “especially rich arena for the exploration of ethical issues.” This arena can be focused upon in an effort to establish a point of departure and to gain access to the levels and components demonstrated in the text, and especially the ethical themes and values of the author, the narrator, the characters and the audience.

Focusing on characters who are narrators and also who express themselves in a persuasive manner which results in a hyperbolic presentation is very different than the story’s unfolding via the point of view of many characters which results in a focus on the text and its representation of the story. This character/narrator approach requires the larger and more detailed vocabulary that focuses on the rhetoric of the text and particularly on the ethics of character narration. Ethical values are the centerpiece of many novels and therefore must be the focus of their consideration.

Chapter Two

Specialized Rhetorical Narrative Strategies

Key Ideas of the Modernist Sensibility and The ‘Modern Novel’

Modern fiction spans an expanse of years throughout which the artifacts placed therein developed a new way of telling the story at the centre of the work. “To understand a literary work, then, we must first attempt to bring our own view of reality into as close an alignment as possible with the prevailing view in the time of the work’s composition” (Scholes *et al* 83). The time of the composition of the Modern Novel is generally agreed to be from some time before 1900 through the end of WWII and some years thereafter; these are arbitrary yet useful parameters within which to examine the prevailing views at the time of modern fiction’s composition.

“The powerful tradition of Victorian fiction - moral, realistic, popular – began to die, and something different and more complex came to emerge: the tradition of what we now name the ‘modern’ novel” (Bradbury 1). As the Nineteenth Century came to a close, the whole world had changed, was changing and continued to change. The firm break with the past was sudden, irretrievable and ongoing.

The Industrial Revolution completely changed the demographics of Britain and America, forcing more people into the cities and hence into contact with many others who spouted a variety of ideas and notions; this existence was very unlike the isolated pastoral life that most people had led. In Britain especially, there were

critical farewells to the pre-Darwinian age and the rule of the Victorian paterfamilias, [which] made it plain that the theocentric age was over, a secular one in progress, and what came next was an age of machines, materialism, money. (Bradbury 72)

American sensibilities were soon to follow their European counterparts' urgency, although initially only among the higher classes.

Initially, the complacent, orderly and very romantic era of the Victorians was shaken to its core by a series of thinkers and writers in science and in philosophy who put into question religious, moral, scientific and philosophical ideas that had been settled for generations, especially in Europe. The reasons for the sweeping changes in life were many, varied and included all areas of life.

There were key social reasons: the growth of urban populations, the acceleration of technological change, the coming of improved education and literacy, the shifting relation of classes the expansion of leisure, the gradual increase in personal wealth. There were crucial intellectual reasons: the decline of religious teleology, and of the confident theocentric, progressive Victorian view, the rise of secular and scientific philosophies like sociology and psychology, the coming of a more material vision of life. There were important psychological reasons, as changing notions of the nature of the individual. Social life, sex and gender relations, and a rising awareness of the distinctive, increasingly mobile and fast-changing nature of experiences in a modernizing age gave a new, more fluid view of consciousness and identity. (Bradbury 3)

The first of the more radical changes were the ideas of Charles Darwin, a naturalist, whose *On the Origin of Species* was published in 1859, although he had conceived of its central idea in 1838. His theories of evolution directly contradicted religious notions of creationism so that people were no longer sure of their very beginnings as people. The deeply held belief of divine creation was questioned by careful scientific evidence, and an exploration and evaluation of the theory of evolution was a shattering experience for many; others merely discounted it as ramblings that could not hold value when compared to religious dogma. Whatever one's view, the experience of questioning one's origin in the universe was an unsettling matter, one of the preoccupations of modernity.

In 1890, the psychologist William James (brother to Henry James the novelist) published his 1200 page tome, *Principles of Psychology* that functionally addressed areas of psychology, physiology and philosophy. This epic work explored how people thought, how they formed ideas and how those ideas were not necessarily their own, but were ideas which were a product of a conflation of history, social pressures, individual physiology and certain philosophical principles. The very way that people thought was no longer their own, but was dissected and explained. Again, people at large were deeply affected by James's new ideas even if they did not accept them; the fact that such ideas were proposed was unsettling and a cause for alarm amid the general populace who were becoming more educated and concerned with the increase in the pace of life about them at the turn off the century, and who had no concrete foundation for how to live their lives.

A more radical idea, one about the human psyche, was put forth by Sigmund Freud, a neurologist whose 1899 *Interpretation of Dreams* purported to examine and

explain people's dreams. His work generally in the areas of hysteria and its sexual underpinnings were extreme, and now he invaded the privacy of a person's entire psyche, a radical and disturbing idea at the beginning of a century that was marked by change and uncertainty; now, even one's private thoughts were subject to analysis.

Similarly, Albert Einstein in 1905 was beginning to explain the physical world in terms of a new discipline known as physics. His writings explained the physical world by using mathematical principles; no longer did God create Heaven and Earth, but unknown forces beyond the ken of most ordinary people were responsible for the physical environment of life. While much of his work is unknowable to most, the general idea of explaining the physical world by science rather than religion was, again, unsettling to those living at this time.

Finally in concert with others and built upon the field of physics came Werner Heisenberg whose uncertainty principle of quantum theory destabilized all knowledge generally, stating in simplistic terms that the more precisely one property is known, the less precisely the other can be known. Thus knowledge itself was undermined by the very act of knowing.

These many ideas of scientific, psychological and philosophical theories reached every area of Modern life and probed the deepest recesses of the human mind and its ideas about itself. These scientists, writers and philosophers put into question every area of human existence, especially religious tenets, that defined not only the physical world around a person but also the interior of his or her mind and even touched on the elusive and core value of the soul.

Science was compelling; the ideas of these men and other men and women were being published, discussed and realized at a rapid rate at the turn of the Nineteenth Century into the Twentieth Century. This swirling morass of thought caught everyone in its whorl and destabilized society and smashed the orderly life of everyone. This kind of deep destabilization was alarming to many, especially older people whose entire world of experience and wisdom was no longer available as a source of comfort. Alternatively, this was an exciting time, especially for young people who embraced change as young people always have and always will. Yet, for most people, all areas of life became mysterious and unknowable, causing fear, apprehension when confronting this bewildering new life full of change. The world was rapidly becoming a place without foundational principles of ethics and morality, causing a profound sense of loss and isolation for those living in this time.

The *coup de grâce* of all of this destabilization arrived when tensions developed into WWI, a horrific scene of death and destruction. Fears that had been incubating were realized; all pretenses of romantic ideals were erased by the devastation of Europe and its people through the brutality of Germany and its allies. For many, this unspeakable reality solidified the ideas that nothing was any longer sacred and there were no more dependable touchstones by which one could lead one's life. Reality could not be ascertained and was replaced by complete bewilderment and incomprehension.

Writers living in this horrific time could no longer write as they once had; the novel itself was forced to change because:

to be modern meant something more, because suddenly modernity meant everything. It seemed to break the world in two, snapping all continuities with the

past, putting human character and life itself into a state of constant change. To keep up, the novel also had to snap and to split – to change. And so it became “the modern novel,” breaking with the past, making itself new, to pursue modernity into the future. (Matz 1)

The changes in society were profound and turbulent. The ‘modern novel’ thus changed radically from previous novels due to the exigencies and circumstances of life and of thought that preoccupied modern life --modernity itself. “‘Modernity’ is the world of the present, adrift from tradition and bound for the future, traumatized by conflict and wracked by doubt; but above all it is a world of change” (Matz 7). The modern novelist of this time struggled to convey modern life’s turmoil and its resultant emotional desolation in some way other than through the use of *realism*; any mimetic rendering simply could not convey the depth of the loss and despair being experienced by thoughtful individuals. “The established form of the novel –fictional prose narrative— was acquiring a different kind of writer, a different kind of writing process, a different kind of reader, a different social and economic foundation” (Bradbury 3). Reality could no longer communicate the changes of modernity through a description of reality since reality itself was now in question.

[A]ll relations between people and their institutions had changed, had become diverse, so that there was no longer any common habit of seeing and thinking to keep ‘reality’ clear. Always now reality would be a question – a matter of specific individual perspective and circumstance, something a novelist would need to inquire into rather than presume...All modern novelists would now

make reality itself no longer a given background to fiction but the object of its speculations. (Matz 6)

So, if all modern novelists begin with the belief that modernization has changed the very nature of reality, then fiction also has to change its very nature in order to survive (Matz 6). The very forms of the novel had to change because previous conventions could no longer convey the subject matter of the 'modern novel' – modernity itself. New ideas required new approaches to the novel itself as a means of conveying modern thought, ideas and feelings. The 'modern novel'

therefore does things differently – that it sets itself against literary norms and conventions. Experiment, innovation, and improvisation are its hallmarks. New styles and structures are the result, and these are often shocking, surprising and difficult. But the difficulty has its reasons: often, it makes fiction more like life, or makes modern reality more subject to awareness, scrutiny and understanding...or [the] fiction itself [is] complex, ...interesting, and as strange as modern experience. (Matz 6)

The artifact of the novel became itself a form of expression of the turmoil, uncertainty, loss, isolation and inability to discern 'reality' that characterized modern life. These differences in the 'modern novel' attempt to reflect the vast differences in the physical, psychic and moral lives of those who write, those who read and especially those characters who populate the changed world reflected in the new novel.

With the modern soul in fragments, with human character in question, with the mind a mystery, and with authority now uncertain fiction had to change, and 'the modern novel' refers to fiction that does so gladly, radically, and even with the

hope of making a difference. So we might begin ...with a simple, tentative definition: ‘the modern novel’ means fiction that tries for something new, in the face of modernity, to reflect, to fathom, or even to redeem modern life” (Matz 7).

The purpose of hope or redemption is key to many writers on modern novels. Somehow, in some new way, their aim or goal was not only to reflect modernism but also to make some sense of it in order to provide insight and some purpose for it all; these writers seek to explore the loss and isolation felt by so many and to work through these deeply felt emotional depths in hopes of bringing some resolution to the chaos the confronted everyone. Their strategies are as varied;

‘[t]he modern novel’ ...does not just refer to any and all fiction written in modern times, or to fiction that is recent or new. It refers to something more specific: fiction that experiments with ways to contend with modernity...fiction that tries for new techniques, new theories, new languages...new philosophies and psychologies..., fiction that tries for these innovations out of a sense that modernity demands them. (Matz 6-7)

Modernity demanded that modern novelist break from all stale traditions. Novelists were willing to try a completely new approach to fiction which involved radical new thinking and radically new forms of expression of this thinking.

To match modernity, however, was only part of the point, for the modern novelist also wanted to resist it – or even redeem it. The quintessentially modern novel tends to have some redemptive hope within it, some wish to restore meaning of wholeness or beauty to the modern world...[But] [t]his redemptive

conviction...is [n]ot universal; many modern novelists do not necessarily put the “pattern of hope” into their fiction. (Matz 9-10)

So redemption may not be the goal of all ‘modern novels,’ but this sense can be one focus of the novelist, while mostly he or she seeks to cope with modernity overall and to present some strategies for living in the new world. “The results are... narratives [such as *The Good Soldier* and *Lolita*][which are] characterized by what we now identify as hallmarks of Modernism: efforts to resolve bewilderment and isolation through narrative stratagems” (Snow viii). These and other modern novels “face [...] the problems and possibilities of modernity – the technological wonders, the social disorder, the psychological mysteries, the pattern of change – and making them fiction’s main challenge and inspiration” (Matz 13).

The theme of modernity is change; every facet of human life at this time was overwhelmed by a sense of loss but also accompanied with nothing to replace that which was lost. “Reality” no longer existed; it was replaced with struggle, and “efforts to resolve bewilderment.” The modern novel could no longer simply be mimetic or even reflective; it also had to change to convey these problems of everyday existence, of learning how to live all over again. The modern novel’s challenges and inspirations came from modernity itself. The techniques attempted ran a gamut of innovation and creativity as yet unmatched in literature. These “narrative stratagems” are complex and require thoughtful reading and innovative analysis in order to plumb the depths of the modern novelist’s needs, desires and goals. Only then can readers fully appreciate the near impossible task faced by authors to tell a new story in a new way about a new time in history and the profound new ways of thinking that permeated life – modernity.

Time and Memory in Narration: Focusing on Characterization

The changes in broad areas of thinking that Modernism brought to the world began in the sciences and affected the arts. Many of these changes were simultaneous, and time itself became a topic of scrutiny; the very idea of time was changing. As R.B. Kershner points out:

It is always dangerous to draw parallels between developments in the sciences and those in the arts, specially when, as with modernism, the developments in the arts can be said to precede those in physics. Still, it is tempting to find analogies between post-Einsteinian physics and novelists' experimentation with radically compressed or rearranged chronology. In fact, space and time in a sense are already interconnected for the novelist. The careful structuring and patterning of modernist novels make them less an art form to be experienced entirely chronologically, as a sequence of events, and more an example of ... "spatial form" --- a work of art that must be visualized simultaneously in its entirety, as if it were a painting. (footnote omitted) (Kershner 58)

Novelists in the burgeoning modern era began to conceive of different ways to arrange their novels' chronology in order to achieve something radically different that conveyed meaning unconstrained by notions of linearization. Modern novels rarely are chronologically linear; the story (and sub-stories) usually reveals its substance piecemeal or like the layers of an onion. Similarly characters are painted over the length of the narrative; the story can withhold crucial information until very late in the narrative, about both the events and the characters. While some stories utilize this narrative strategy to create rising action, a critical moment and then falling action, sometimes this strategy is

more complex and requires deeper understanding that comprises an assessment of the novel as a whole.

Time (in the temporal or chronological sense, as opposed to timing which is exigent time) in narrative is the chronological duration of the story, which may be generations, lifetimes, years, or a single day as in Joyce's *Ulysses*. Timing is when in the story and when in the text the reader becomes aware of certain information; as information builds, the story moves forward, often called "strategic time." This progress is sometimes referred to as narrative progression, or the actual linear order of events regardless of when they are revealed in the text, and the time of realizations by the characters of events that have occurred in chronological time, sometimes called "critical time." Chronological time may be very different from narrative progression; narrative progression often relies on implications and inferences, and therefore demands a canny reader whose knowledge and responses will develop along with the story's unfolding of detail, and its ongoing revelation, or withholding, of particular information about characters and events. Any analysis of the text, the story, and the narrative should be sensitive to issues of time and timing. The ordering of events, the presentation of characters' personalities and the secrets kept by the text all drive the narrative; the reader's response to the story is manipulated by these narrative strategies chosen by the writer, and reader response changes as time and timing rearrange the narrative.

When Romantic precursors to early Modernists such as Wordsworth in *The Prelude* (1850) (and its "spots of time") began experimenting with time, different ideas about representation of time in a narrative medium emerged, such as:

Pound's rationale for imagism – that 'an "Image" is that which presents an intellectual and emotional complex in an instant of time...' T.S. Eliot[']s]... notion of the "objective correlative" is quite similar. Novelists tend to be less theoretically inclined; but Hemingway, for instance explains that his goal is to capture 'what really happened' – 'the real thing, the sequence of motions and fact which made the emotion and which would be as valid in a year or ten years or, with luck, and if you stated it purely enough, always.' (footnotes omitted) (59)

The tendency was to envision life as "isolated, almost magical instants of intensity," as the late nineteenth century aestheticians did, "but modernists gave the idea a unique coloration." This notion was developed by many novelists, including Joyce's "epiphany," a brief prose passage representing an instant of perception, such as in *Ulysses*, and Virginia Woolf's declaration "most of our lives are made up of 'non-being', punctuated by brief flashes or 'moments of being', which she relates generally to art" (footnote omitted) (59). According to R.B. Kershner, these ideas culminate in Proust's monumental study of time and memory, the novel sequence *À la Recherche du temps perdu* (1913 – 1927; trans., *Remembrance of Things Past*, 1922 – 1931).

In all these cases the idea is that an image or action, rooted in physical sensation has the capability of encapsulating a larger experience, meaning, or emotion, or some amalgam of these, that has enormous artistic significance. The artist's role is to capture, create, or re-create such moments, in which a special, nondiscursive kind of knowledge is imparted. (59)

Ford Madox Ford more plainly expressed how he considered that the modern novel needed to change in terms of its representation of time:

[W]hat was the matter with the Novel, and the British Novel in particular, was that it went straight forward, whereas in your gradual making acquaintanceship with your fellows you never do go straight forward". To get a vivid impression of any strong character in fiction, "you could not begin at the beginning and work his life chronologically to the end. You must first get him in with a strong impression, and then work backwards and forwards over his past." (footnote omitted) (Booth 191)

While Ford's (and Conrad's) ideas became known as Impressionism, the general principles remained the same throughout an array of modern novelists; time itself simply was not unproblematic, and time needed to be represented in a different way in order to convey the new perceptions of modern life. The sense of a larger sensation, of conveying a whole experience, of "what *really* happened" led to the development of various narrative strategies to accomplish narrative progression in a less linear and mimetic way. An example is Joyce's *Ulysses* that uses time in a unique and non-straightforward way to convey story and characterization throughout only one day, yet the novel is lengthy. Another example is in Fritz Lang's film *Metropolis* (1926), where the hands of the clock are literally moved by the protagonist to different positions; the protagonist seems at the mercy of time since he cannot control it, and thus time becomes the focus of the film rather than an ancillary concept.

Laurence Sterne's *Tristram Shandy* (1759 – 1767) is an early example of a writer's use of a non-linear chronological presentation of text that is reordered throughout the work into an eventual comprehensive narrative progression. But, only after a complete reading can a reader make sense of it all since its disjointed and non-linear

presentation requires a reassembly of chronological time by the reader from the bits and pieces presented by the author throughout the narrative. Narrative progression that is not linear depends upon some type of layering of time of the events of the story through a narrative strategy. In film, events may correlate to flashbacks and flashforwards, fade-ins, fade-outs and overlays of images; but in novels, events in the story are returned to many times by different character and narrators, and usually from many points of view, so that characters and narrators often become privileged over mere description or the telling of events and action. Robert Scholes, James Phelan and Robert Kellogg in their *The Nature of Narrative* point out that:

[T]he essence of...incident[s] must lie in the psyche of the character. In a play, only speech or action can reveal character. In a movie the close-up provides a way of revealing more of the psyche than can be managed on the stage through mere expression and gesture. But in narrative only is the inward life of the characters really accessible...as Forster has remarked, "The novelist has real pull here." The most essential element in characterization is this inward life. (Scholes *et al* 171)

The depiction of a character's inward life depends upon the author's decisions about who will tell whom what, and when (or not), as well as how information, impressions and inferences are communicated to the characters and then to the reader, either together or perhaps one without the other.³¹ Therefore, characters in narrative and especially narrators themselves became the focus of some modern novelists' techniques of telling the story. The narrative strategy of focusing on characters and their rendering expands the possibilities for narrative exploration of the inward as well as the outward life of a

³¹ "It is 'unrealistic' to begin at the beginning and plod methodically through to the end...[T]here had ...developed a theory that a technique using flashbacks was more realistic than the old-fashioned, routine chronology" (Booth 191).

character throughout his or her lifetime, as well as beyond by those characters who knew the other character and can re-collect their remembrances of him or her.

The telling of the story can utilize time as a narrative strategy that is intrinsic to its structure, but while carefully controlling character development in the same way. Readers only know what they have been allowed to see by the author and exclusively through the characters, so that the fictional world, the story and its population develop through description, explanation and the action and interaction among the characters and possibly the narrators of the story and the events that they populate. But often, secrets lie within the narrative; deception permeates the fabric of the whole story so that not every character, and certainly not the reader, knows everything there is to know at any particular time during the course of the narrative. The reader does not consciously realize when and how the timing of the story unfolds; rather than its being directly presented, characters and their stories develop over the entire course of the novel. The clarity, or lack thereof, of the story relies on the timing of the author's revelation or withholding of pivotal events nearly exclusively through the characters and their interaction. The dynamics of these interactions propel the story and infuse it with its unique properties, a fictional work that is not linear, but one that uses time as a narrative strategy, and one which focuses on the characters and their telling of the story rather than the author's stance as a story-teller.

Many of the most successfully structured stories rely upon timing that culminates in a critical moment of revelation about one character or another; Brontë's *Wuthering Heights* has many critical moments when crucial information is revealed about Heathcliff, Cathy and others, and the story is propelled dramatically as a result. In

Fitzgerald's *The Great Gatsby*, certain events such as Myrtle's death trigger character development and in this way, rather than focusing on the event itself, the author's timing of character revelation propels the story. In Wharton's *The Age of Innocence*, Archer is on the verge of leaving his wife May for Countess Olenska when May reveals that she is pregnant so that he then cannot leave, a plan she had engineered knowing full well that her revelation would quash his burgeoning affair with the other woman. Thus we learn much about May through her actions and their timing. In contrast, Lily Bart in Wharton's *The House of Mirth* engages in a series of behaviors that lead to her downfall; hers is a study in character destiny rather than crucial moments, as if every moment is critical in the formation of the whole of her life and its inevitable and tragic end.

In other stories such as those of Hemingway, nothing *seems* to happen at all; there *seems* to be no critical moment or special event that furthers the story, or defines the characters, yet the sense that the story itself is important in some way remains in the mind of the reader. The sensation perceived by the reader is indefinite yet distinct, but not due to any obvious rising or falling action or any blatant critical moment. One example of this lack of critical moments is in his story "Big Two Hearted River." The relation of the days' events seems superficial and Nick seems devoid of purpose or even characterization. However, the story is powerful as an image of 'reality' and not of a rendering of pieces of time; the image of the story as a whole is the art. While critical moments are comparative, their importance or lack of presence in any fictional work is a carefully controlled strategy of the modern author who relies more on inward landscapes of characters than upon outward events. Characters and characterization become focalized and the story is advanced through these particular narrative strategies.

The timing within the text of its revelation of events, characters' actions, or lack thereof, is controlled by the author and this timing is a crucial narrative strategy in every fictional work. Control of who knows what and when (especially the reader!) develops many dynamic possibilities within the narrative, and authors utilize this strategy as Ford Madox Ford has suggested – to begin with an impression and to go backwards and forwards over the past lifetime of a character, doling out information that coalesces into the whole portrait of the character by the end of the narrative. The timing of revelations within the narrative's story of events and actions rely upon every person's sense of time, whether he or she is an author, narrator, character or reader. Time is a universal concept that everyone understands and one which all individuals use to order their sense of being in life. Life *is* time; in every philosophical, religious or theoretical discussion of life and its vicissitudes, life's beginnings and its end are always discussed and explained by an overlay of time. People measure many other concepts through their understanding of a lifetime of experiencing time. In fiction, an author relies upon this universal concept to build suspense, or to develop situations, and especially to develop characters throughout the novel. Since time itself was becoming understood in a different way, the modern novel presented time in new ways, and largely in terms of a person's 'lifetime' and its layers of experience that culminated in the effort to understand the whole of life rather than its separate events over time. Utilizing time itself as a vehicle of explanation of life dovetailed with new concepts of constant change at the heart of Modernism and expressed in the modern novel.

In modern narratives, the layering of time is how a person and thus a character remembers events and evaluates people that they have met and known over time, as Ford

discusses above. Time itself necessarily becomes scrambled and then rearranged by the rememberer. Thus time and remembrance bring a different dimension to the relation of events, breaking the bounds of linearization by utilizing a character's non-linear re-collection of previously experienced linear time. Characters do not remember in an orderly way; as explained by various authors, remembering is a disorganized series of impressions, moments, sensations that are assembled into an image of the whole. Thus, characters relay their impressions, assemble images, re-assemble and relate experiences, while commenting on all of these re-collected impressions and moments, often only inwardly. Therefore, characters in narrative can become the purveyors of all that occurs in the story and all events are recalled through their eyes. The depiction of character in narrative that privileges characterization is a narrative strategy that relies totally on characters' re-collections and remembrance of time. These re-collections are not labeled "remembrances" or "memoirs", but rather the technique is incorporated into the regular story.

The narrative's presentation of "real" events can become confusing to a reader. The discerning reader must differentiate among "what really happened" and what the character or narrator *says* occurred, or supposes, or speculates or reacts to; this conflation of "truth," "reality" and a character's relation of the same events adds immense depth and dimension to stories which primarily utilize character narration; sorting through the "facts" of the story can become a nearly hopeless endeavor for the reader. Thus the technique of layering time through privileging characterization in the narrative is a strategy that requires examination in relation to the whole work as an artifact and its impression as a whole on the reader who must work to ascertain "what really happened."

Much character development through characters' revelations relies on characters' remembering of events, their impressions and their evaluation of all of these carefully chosen (by the author) *aperçus*. Any remembrance necessarily incorporates point of view since any re-collection is accomplished by an individual, whether a character, author, or narrator. Many modern novels are, in fact, narrator dominated. Although this method is met with skepticism by some, the specific technique employs a ““method which dissolves reality into multiple and multivalent reflections of consciousness”” (quoting Auerbach, Scholes *et al* 203), and is a method of conveyance of the “truth,” as characters see it, the transmission of sensation of the characters and the total image of impression required by modernist authors.

The reflections of characters are infinite in variety and require a versatile reader who can apprehend the underlying need to convey the whole of the art:

One of the major trends in twentieth century characterization is away from the attempt to penetrate the individual psyche and toward a focus on the apprehension of “impressions” which claim no absolute validity as facts...The interior monologues and narrative analyses on which characterization rested in the great realistic fictions of the nineteenth century have been largely abandoned in the twentieth because, on the one hand, writers find them inadequate to deal with the important but sub-verbal world of the under-consciousness and, on the other, because writers have lost faith in the realness of realism. Much modern narrative is characterized by consciousness of a gap between the apprehendable and the true which makes realistic presentation of character far less necessary than it had seemed in the previous century. (203)

The factual accuracy of realism and mimetic rendering in the modern novel have given way to the effort to convey only that which can be known at any given moment and by any person as he or she remembers it, which is the best attempt at the “truth.” In actual fact, “truth” is an unknowable “reality.” Characters and narrators are defined by their own limited apprehension of “reality,” and cannot convey “truth” but only their perception of it at any given moment, which they then re-collect into inward and outward expressions in the narrative. As noted above, writers make no claim to be realistic because realism is not possible to a great extent because the senses cannot apprehend the truth but only some version of it. The characters reflect this imperfect apprehension and their characterization provides a closer rendition of reality rather than some definite didactic expression of the “truth” which is unreal, suspect, and ultimately impossible to know. The writer expects the reader to be aware of this impossibility of “truthful” rendition, and relies upon the reader’s own experience of imperfect remembrance. A reader must evaluate what is presented in the text as unknowable if fictional “truth,” yet useful in some way as a whole.

The reader therefore becomes complicit in formulating the “truth” of the novel; his or her ideas, experiences and understandings must be added to the mix of characters’ impressions and re-collected images to form the total experience of the story. The reader must respond to the techniques of any author’s characterization:

The ideal readers of narratives... must be prepared to respond to the emphasis of the narrative with respect to character, placing individuality or “typical” connection foremost to the extent which the narrative calls for such priority; but above all such readers must bring to their consideration of character a versatility

of response commensurate with the infinite variety of narrative characterization.

(206)

In order to fully evaluate a complex narrative, an analytical reader must be prepared to exercise his or her entire range of apperception, and to evaluate in an ongoing manner the characterizations presented by the writer. These characterizations are replete with inaccuracies, inward reflections in conflict with outward appearances, changing portraits of individuals, deepening of points of view and occasional diversions into madness, as well as betrayal of the reader himself by any character. As remembrance is flawed, so are the characters whose remembrances are presented in the novel. The “truth” of the matter becomes nearly impossible to ascertain, and evaluation is needed; characters are liars, and the fictional “reality” of the narrative becomes a separate “truth” from the one re-collected by the characters, one that the reader must work to clarify, thereby investing himself or herself in the text as a whole.

Evaluation of a text by a reader is ongoing, and requires his or her recognition of many longstanding narrative strategies. Point of view is a recognized intrinsic quality of narrative:

By definition narrative art requires a story and a story-teller. In the relationship between the teller and the tale, and that other relationship between the teller and the audience, lies the essence of narrative...As narrative art develops, new ways of handling point of view are conceived, and these new ways are quickly combined with older ones to allow still further refinements. (Scholes *et al* 240, 246)

Permutations of the relationship between the story and the storyteller can be achieved through first-person narration, “in [an] empirical narrative (the eye-witness narrator or the autobiographical confessor) and [through] the first-person speakers of fictional narrative (the characters who tell primary author-narrators their story, often leading to stories within stories and narrators within narrations)” (245-246). Examples of character/narrators of course are in Conrad’s *Heart of Darkness*, Ford’s *The Good Soldier*, and Nabokov’s *Lolita*. Each work employs a narrative within a narrative, and the narrators are relating stories (as they remember them) as told to them by characters (rather than authors) who are themselves remembering events after the facts have occurred. In turn, events so rendered require evaluation of the context in which the story is spoken and the character of the eyewitness, storyteller or narrator. Further, any evaluation of the story must take into consideration the disjointed time of each narrative presented because the story’s retelling is complicated by another layer of story-telling point of view from a narrator who relates the story told to him or her as he or she remembers its telling. This complex posture of story-tellers and audiences complicates and obfuscates the “truth” and forces the reader to constantly evaluate the point of view of the speaker, whether character or narrator or the most elusive – a character/narrator. The storytellers’ constantly shifting stance must be attended to by the reader in order to sort out their differing point(s) of view, if this is even possible, in order to once again determine “what really happened.” Eventually, the reader realizes that the “facts” become impossible to know since they are scattered between many sources; impressions and inward reactions stand-in for any accurate rendition of the “real” story. Naturally, the author is relying upon the reader’s tendency to forget who is actually telling whose story,

so that the conflation of points of view becomes a vehicle for the artistic rendering of a whole image rather than the parts of each character/narrator's story. The artistic rendering of these complexities is virtuosity in narrative at its best.

Comprehension of the increasingly complex story in some orderly fashion lies with the reader since characters and narrators cannot be trusted to present a logical and chronological ordering of events. Building story through careful characterization to achieve narrative progression demands the complicit reader who must constantly engage in assessment in order to understand the story and its logical thread without prejudice supplied by the characters or narrators or character/narrators. Unreliable narration has long been recognized in novels, and the character/narrator is the most suspect of all; the dual role creates an exclusionary point of view as well as a jaded participation in the events of the story. Both color the writing to an extreme degree. Readers must be vigilant to avoid being misled about the "facts" or the "truth" of the story in favor of the rendition presented by a character/narrator who has a particular and invested point of view, often despite his or her protestations and exhortations to the contrary. Increased vigilance is especially needed when the character/narrator uses direct address – he or she appeals to the reader directly, bypassing the layers of re-collections by story-teller(s), a narrative ploy that every reader must be wary of; the necessity of examination and evaluation of direct address in any story cannot be overstated. At the same time, the purpose of an author's use of this particular narrative strategy demands scrutiny. Direct address, although not that uncommon, adds complexity to the narrative that requires some unraveling of motive and purpose of the particular character/narrator during a reader's evaluation of the text.

The most powerful tool in an author's box of specialized narrative strategies is the use of irony. According to Scholes *et al*,

[t]he narrative situation is...ineluctably ironical. The quality of irony is built into the narrative form as it is into no other form of literature. What the dramatist can achieve only with considerable effort, and what is utterly alien to the lyricist, is the natural basis of narrative art. (240)

The apposite relationship between story-teller(s) and audience provides an inevitable disparity in point(s) of view that naturally disposes itself to the constant presence of irony. The audience becomes apprised of the narrative's stance and point of view as a whole, which is that of the author, all the while necessarily comparing it his or her own position. Similarly, character narrators provide their own point of view, thus:

[t]he uses of irony in narrative art range from a simple effect such as [exploitation of the superiority of the audience over the characters] to the effects of extraordinary complexity; and the control of irony is a principal function of point of view. (241)

The complexity of the story develops as many points of view, or their exclusion when expected, clash when characters and especially character/narrators express themselves through language and actions. The varying points of view provide the basis for unending irony;

[i]rony is always the result of a disparity of understanding. In any situation in which one person knows or perceives more – or less – than another, irony must be either actually or potentially present. In any example of narrative art there are, broadly speaking, three points of view – those of the characters, the narrator, and

the audience. As narrative becomes more sophisticated, a fourth point of view is added by the development of a clear distinction between the narrator and the author. Narrative irony is a function of the disparity among these three or four viewpoints. And narrative artists have always been ready to employ this disparity to make effects of various kinds. (240)

Viewpoints can regularly shift, ally, merge or diverge among the three or four parties noted above; varying viewpoints permit an author to maneuver his or her characters for a variety of effects, which become complicated because of the relationships between the various characters and narrators that turn on a reader's assumed sophisticated knowledge of irony and its potential. The reader's awareness of irony and its potential are crucial to an effective overall evaluation of that which is presented only by imperfect, biased, and untruthful characters and narrators. A reader's skills in perceiving and understanding irony are integral to a thorough evaluation of the text.

The maneuvering of a character's point of view is part of the writer's development of that character to be sure; often the writer specifically reveals a character's flaws, shortcomings and poor decision-making through ironic entreaty of the reader by the character/narrator – direct address. This sly narration is always contrasted with the “reality” somehow otherwise communicated throughout the narrative; however, what is “true” and what is merely supposition can become cloudy in the mind of the reader. If all the information he or she is given is only given by the unreliable character/narrator, how can the “truth” become known? While skepticism may abound, something is to be gained from the artifact as a whole, including perhaps the fallibility of anyone's impressions and recollections of events that have passed into a historical

position. The “truth” is not as important as the journey or the process of attempting to ascertain “reality”; a reader can separate the technique from the narrative progression, and realize that the “facts” are but one side of the story. A devoted reading can see past character/narrators’ inevitable maneuvering and attempts at controlling the narrative to the point of complete unreliability; this is only one aspect of the novel and the work must be assessed as a whole by the reader in order to gain full understanding of all that the narrative artifact has to offer.

A more analytical reader will be aware of narrative strategies that manipulate time and characterization, all the while enjoying the dimension that these narrative strategies bring to the text. Similarly, the task of keeping straight the various layers of story-telling and points of view may be a challenge, but worthwhile to a full understanding of the narrative. And, always, irony permeates the text. Since irony implicitly contains a point of view, a reader must understand that any character/narrator is engaged in evaluation when a stance or point of view is developed and expressed by the author through this character/narrator. Often such a stance is developed through characters’ impressions of recalled events and other characters. This recollection is a crucial transformation of the narrative when coupled with irony because any re-collection will contain an assessment along with so-called “facts” and “truth” of the matters and events recalled. This inward re-ordering is typical of people and characters alike, so that a determination of “what really happened” is severely hampered by the layers of re-collection, of inward processing and outward re-expression. The story can be sacrificed in favor of characterization and its privileging of a character/narrator, so an incomplete image of the

fictional world is likely, much to the frustration of a less than sophisticated reader. The reader must keep in mind that “literature keeps its secrets”; J. Hillis Miller tells us that:

Yet a feature of literary works follows from the condition that we can gain access to the unique world each reveals only by reading the words on the page.^[32] We can only know of that world what the words tell us. No other place exists where we might go for further information. A novel, a poem, or a play is a kind of testimony. It bears witness. Whatever the narrative voice says is accompanied by an implicit (and sometime explicit) assertion: “I swear this is what I saw; this truly happened.” The difference between literary testimony and “real” testimony is that no way exists to verify or supplement what a fictive narrator says. What a real witness in the witness box asserts can be, on principle at least, checked against the testimony of other witnesses by other means of verification. Such checking, however, does not disqualify the witness’s claim that this is what he or she thought was there to be seen, even if it was not. Gaps and omissions in real world testimony can nevertheless often be filled in. Literature, on the contrary, keeps it secrets. (Hillis, *On Literature* 39)

This is the allure of literary works and a special quality of modern novels; secrets are kept by the characters, the narrator(s) and the author. None would presume to “know it all,” nor would they care to tell the reader everything. Reality is a shifting sands that cannot be truly be rendered despite any attempt to do so, so realism is not a goal of the text’s creation or expression. Modern novels wish only to convey an image, an impression, an insubstantial yet meaningful knowledge that itself is nondiscursive despite the discursive medium of its expression.

³² “Oh, my Lolita, I have only words to play with!” Humbert Humbert, character/narrator in Nabokov’s *Lolita* (32).

Readers can, however, evaluate whatever is presented, all the while knowing that no outside verification as noted above is possible. Readers themselves must evaluate and verify, assess and determine the “truth” of the testimony of characters and narrators. Writers fully expect that a reader will engage in suspension of disbelief, but only to an extent that they are comfortable with. Since readers, must fill in any blanks left by the character’s colored (and often colorful) testimony, an evaluation must be made that is independent of the characters and narrators. Tools are needed to achieve this assessment, and the reader is left to his or her own devices to accomplish a full understanding of the text as an artistic expression. The artifact as whole can be deconstructed, but must be re-assembled by the reader. Only then will the image become clear, the impression fully realized and the “truth” be approached; only then can “what really happened” be determined. If an author is fortunate to have achieved this goal purely enough, the art will indeed be valid always as Hemingway fervently hoped.

Literary and Legal Analogies as Tools of Analysis and Evaluation

A reader can utilize any means available to evaluate a text; an approach must be based on some orderly set of foundational principles, such as those proposed by Phelan, above. An approach that utilizes legal principles provides a complement to literary assessment by analogizing teleological tenets of the legal world with literary observations in order to assess the strategies and goals of the text and the author. The discipline of the law provides a particular method of analysis that seeks to overlay upon literary efforts processes of legal analysis in order to assess and conclude some firmness and clarity of the text’s purpose and accomplishment through observations and reasoning based upon legal concepts.

The tools of legal definitions and classifications facilitate the discussion of texts through analogues of literary and legal designs and purpose. Such an analysis necessarily brings in the essential element of reader response detailed by Phelan because any literary assessment results in evaluation and conclusive determinations by a named adjudicator as do legal matters; in literature, the adjudicator is the reader. Analogizing literary precepts to those used in British and American legal systems particularly the adversarial posturing of these systems add a multi-dimensional tool to any textual analysis. By examining postures and positions of character/narrators as if they were courtroom officers and personnel such as witnesses and counsel, and finders of facts - the adjudicating entity such as a judge, a reader is armed with a logical approach to analysis of the text.

Legal trials seek to recreate events that have already occurred; the Court and its officers – the judge, and plaintiff’s and defense’s counsel - build an officially sanctioned retelling of previously occurred events in order to determine the veracity of those involved with the matters presented; an evaluation and an adjudication ensue. This sanctioned re-collection of events relies upon evidence, including the testimony of witnesses. Similarly, in evaluating texts with character/narrators who present alleged eye-witness testimony of events as well as inward reactions to these events and other story elements, an adjudicator needs to estimate the validity of this fictional testimony in comparison to other factual clues present in the text for purposes of verification and analysis in the context of the fictionally created world.

A distinction is made in the legal world between what an eye-witness, equivalent to a character or a character/narrator, ascertains using his or her own observance and that which a person has learned through others and by second-hand information. Any analysis

and evaluation of literary texts presented through a narrator requires the reader's discrimination between what is legally termed admissible eyewitness testimony of the narrator and "hearsay evidence," or the relay of the testimony of others, which is inadmissible in a court of law.³³ This classification of testimony is extremely useful to readers for purposes of discerning factual baselines and establishing order in the fictional milieu of the novel. Of course, the "facts" and the "truth" of any fictional matters cannot be conclusively determined, but readers need to establish some foundation of knowledge in order to build estimations and evaluation of the narrative's other elements, particularly the veracity of characters and character/narrators as well as the work as a whole.

Similarly, a reader must determine in his or her own mind what he or she will admit inwardly as evidence of the matters asserted by characters in the text and story. A determination must be made in a reader's mind about which utterances are a character's opinion, conjecture, reaction and impression rather than what the character actually observed or experienced with his or her five senses in the fictional world that the author creates. Using the legal distinctions of admissibility of evidence as valid testimony or inadmissible hearsay that is suspect can assist the reader in distinguishing alleged facts from opinions of the various storytellers and especially those of character/narrators. Some version of the "facts" can be settled upon by the reader thereby allowing discrimination between utterances and descriptions that are suspect in comparison to an ever-changing "reality" presented by the text. A reader dislikes being fooled, and constantly seeks to ascertain the "truth," however fictional, of the situation and the matters presented in a

³³ "Hearsay" encompasses a variety of utterances that are not admissible in a court of law, because of rules of evidence that permit only certain testimony. Hearsay Evidence: (1) Statements offered by a witness, based upon what someone else has told him, and not upon personal knowledge or observation. Usually such evidence is inadmissible, but exceptions are made, e.g., in questions of pedigree, custom, reputation, dying declarations, and statements made against the interest of the declarant. (2) A statement other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted. Fed. R. Evid. 801(c). Hearsay evidence is extensively discussed and defined throughout Court procedure and trial processes.

fictional world. Evaluation and assessment of characters and especially those of character/narrators are crucial to an overall view of the text. Distinguishing the hearsay of characters from actual testimony in the fictional world is a tool of legal analysis that can overlay and assist literary analysis in a fruitful way.

Another useful method of analysis in the law that can be overlaid upon a text is the many processes of legal discovery that occurs during the pre-trial process.³⁴ Discovery in the law can be applied to a literary text by employing the many avenues for ascertainment of factual matters in an examination of the events and character's assertions, which are then based upon some independent evaluation rather than information, opinion and reflection of a character or narrator. Thus a reader need not rely upon what the character or narrator wants the reader to know, but rather by analogizing parts of the novel with analysis that uses an overlay of the methods of legal discovery, a reader can attempt to sort out the varying points of view, ascertain facts versus opinions, and glean via these legal rules "what really happened," a concurrent goal of literary and legal enthusiasts alike.

The outcome of a legal analyses' overlaying a literary text is especially useful in determining issues of time; the law is very concerned with this aspect of "what really happened"; when it happened is crucial to a linear reconstruction of events after the fact of their occurrence. A focus on the "facts" can sort out the chronological complexities of the text, and clarify the timeline of events. Discrepancies in the various assertions of characters and especially of narrators about time and timing allow comparisons for

³⁴ Discovery is a pliant method by which the opposing parties to a lawsuit may obtain full and exact factual information concerning the entire area of their controversy, via pretrial depositions, interrogations, requests for admissions, inspection of books and documents, physical and mental examinations and inspection of land or other property. The purpose of these pretrial procedures is to disclose the genuine points of factual dispute and facilitate adequate preparation for trial. Either party may compel the other party to disclose the relevant facts that are in his possession, prior to the trial. Fed. R. Civ. P. 26—37. (Schubert 738) In Britain, the term used is disclosure, which tends to be less full, less tightly controlled and less important in the whole trial process than in the US.

purposes of the determination of character/narrator's veracity and integrity that are important parts of an analysis. Similarly, how the author chooses to arrange the narrative progression adds to a reader's understanding of the overall work.

Application of the rules of Evidence regarding admissible testimony and an examination of the information revealed by the methods of the process of discovery to a text results in an ongoing and lengthy evaluation; initial conclusions are fraught with misleading information. Character/narrators are often wily and intentionally deceptive so that a reader feels uncertain, uneasy and ultimately confused as he or she proceeds through the text. The lack of linear chronology coupled with colored assertions by character/narrators who have a vested interest in a certain perception of their actions by the audience requires an audience's attention to underlying motives associated with such assertions and deceptions made by character/narrators. As in many legal trials, motive is an important discovery that allows any adjudicator to wrap actions and events into a whole picture of the fictional world and its inhabitants. Then an informed reader can assess the characters' and character narrators' personalities and can explore the deepest recesses of their minds.

In a court case, admissibility of evidence and determinations of discovery parameters are regulated by a judge, jury or some sanctioned adjudicator. In the same way, a reader will make determinations as the text proceeds to unfold the story via a character/narrator who has complete control over the story. A reader must discriminate between the "truth" of the overall fictional world and the story set within it, and the crafty assertions of a character/narrator who cannot help but have some ax to grind. This is the duty charged to any adjudicator; in the literary world, the adjudicator is the reader. He or

she must make a determination, which amounts to a judgment of the characters' and the character/narrators' veracity, reliability, and consistency of testimony in order to come to a final adjudication of "what really happened." This final evaluation is demanded by the author through his character/narrator, who implores the audience throughout the narrative to see the "truth" of the matters presented from his or her point of view. Often conflicting evidence is presented, as in a court case, so that the reader becomes the finder of fact as well as the final adjudicator, since the ultimate decision is inextricably linked to "what really happened"; the final determination is the reader's.

Adjudication is the task facing the readers of Ford Madox Ford's *The Good Soldier* and Vladimir Nabokov's *Lolita*. The character/narrators of these texts weave fantastical stories that are centered on themselves rather than on the events that they re-collect and endeavor to re-tell to the reader. This is of course the point of the authors' novels. These are *tours de force* of characterization, while concurrently telling a gripping story that involves other compelling characters as well, all of which are combined into an artifact that elicits powerful readers' responses.

These characters/narrators, Dowell and Humbert, are storytellers who are telling stories as first person narrators and thus are appealing directly to the audience. But there is a layering of narrators; the reader needs to sort out the layers of narration, a complex task. However, quickly the reader realizes that the narrators Dowell and Humbert are ultimately appealing to the reader directly. These narrators regularly use direct address, prevailing upon the audience to understand and in some way sympathize with their version of the events and especially the character/narrators' motivations that they have relayed through their re-collections set down in the text, however it is framed within the

novel. The reader's challenge is to sort through the character/narrator's digressions in order to come to some internal order of all that the text may present.

These novels appeal to a reader's inner values, emotions and reasoning unlike many others; the authors expect intelligent readers, and their texts do not disappoint. In a way, the novels present puzzles that require the reader to solve in order for him or her to find out "what really happened" in the story, if this is at all possible, which may not be possible in the end. Therefore, a reader makes a judgment based upon a preponderance of the evidence, or, if a criminal matter, a judgment that is beyond a reasonable doubt in his or her mind. These judgments rely upon all the information, all the testimony and all the evidence presented throughout the text. The reader is ultimately being asked to adjudicate the character of the character/narrator who is at the center of the story. What he or she decides is not as important as the journey, the experiencing of the artifact of the novel as a whole, the goal of the modernist writer. This decision is the goal of the author, a reader response that may be uncomfortable, but one that nevertheless must occur because the author's character/narrator demands that the audience - the reader - render a judgment.

The character/narrator in each novel pleads his case to the audience, the reader. The text develops a rhetorical stance, and the reader must decide whether or not he or she is persuaded by the actions and testimony of the character/narrator. While legal processes may assist in this adjudication, ultimately the reader decides based upon the text as a whole; while uncertainty and confusion may exist in the reader's mind, he or she eventually bows to the elusive quality intrinsic to the art, and comes to a decision or response that is unique to each reader. This unique response is the enjoyment of reading a modern novel.

Chapter Three

The Verdict in the Trial of *The Good Soldier*: “The Saddest Story”

The Trial

In *The Good Soldier: A Tale of Passion* by Ford Madox Ford, John Dowell is the first person narrator as well one of the main characters around whom the events of the story swirl. The story is more of a pastiche of a melodrama than a serious consideration of the subtitle’s “passion”; ironically, any alleged passion in the novel is invented by Dowell himself about rather ordinary, if sordid, behaviors that are hardly descriptive of any passion whatsoever.

Edward Ashburnham is ostensibly “the good soldier,” an ironic label since he behaves immorally, and the novel has nothing to do with war. The other two main characters are Ashburnham’s wife, Leonora, and Florence, Dowell’s wife and one of Ashburnham’s mistresses; together they form an outwardly proper quartet of friends and travelers who spend nearly all their time together for nearly ten years before Dowell discovers all has not been as he thought, so that he endeavors to write down in a fortnight or so what he remembers in light of recent revelations. This recollection in a new light is the frame of Dowell’s story-- his recollection in light of new information recently told to him in the wake of Ashburnham’s and Florence’s suicide as well as Nancy’s descent into madness. The novel resembles a trial in its search for the “truth” and culpability or guilt

based upon newly discovered evidence about events that have happened in the past in hopes of explaining these deaths, and the whole “sad story.”

Dowell’s recollection resembles a trial because he insists that there must be reasons for the deaths (by suicide) of the two people closest to him and the madness of another. The implication is that responsibility must be assessed and punishment allocated accordingly. The metaphorical trial of the novel provides a forum for Dowell to seek answers through a quest for the “truth” and “justice,” and some motive for his world’s having been destroyed. Dowell wants answers, and a trial may indeed provide these answers. He forms the kernel of his quest early in the story:

If for nine years I have possessed a goodly apple that is rotten at the core and discover its rottenness only in six months less four days, isn’t it true that to say for nine years I possessed a goodly apple?...And if you come to think of it, isn’t it a little odd that the physical rottenness of at least two pillars of our four-square house never presented itself to my mind as a menace to its security? (*TGS* 12)

These two questions are a distillation of the many questions he forms throughout his story that he demands answers for, and that the trial process can adjudicate.

The most important participant in a trial is adjudicator, someone who decides the “facts,” the “truth,” and who then allots responsibility. Dowell through his story states much personal opinion, and explores a variety of points of view, all allegedly in an effort to ascertain “what really happened.” Why does Ashburnham die? Why does Florence die? Were they evil, or were they victims? But the only conclusion he regularly asserts to be his verdict on the events he is recalling is contained in the first sentence of the novel:

“This is the saddest story I have ever heard” (*TGS* 9).³⁵ This verdict is hardly any type of adjudication of guilt or of liability. Further, it immediately deflects any possible verdict from Dowell himself. Thus,

[w]ith this gambit, Dowell positions himself as a narrator who disavows responsibility for his narrative; it is not ‘his’ story but one he has ‘heard’ from others. (Gasiorek 14)³⁶

Dowell’s disavowal of responsibility for any verdict appears two sentences later: “when I sit down to puzzle out what I know of this sad affair, I knew nothing whatever” (9).

Dowell avoids responsibility for the entire narrative and therefore refuses to render any concrete judgment; ironically, he gushes sentimental astonishment and bewilderment instead. He consistently and effectively abdicates any responsibility as narrator to act as an adjudicator of the characters and events of the story that he positions as a trial, and thus recuses himself from functioning in this role. This recusal is from the impossibility of deciding the questions that he is asking. He effectively disowns his entire narrative.

His recusal, then,

is an astute move, which points proleptically to [the] truth [...] that will gradually emerge: that Dowell literally did not experience the story he is recounting since he had no inkling of what was happening around him... From the outset, then, we are confronted with the problems of ownership and authority—whose tale is this

³⁵ Regarding the title of the novel, Ford elaborates: “But I should like to say a word about the title. This book was originally called by me *The Saddest Story* but since it did not appear till the darkest days of the war were upon us, Mr. Lane [the publisher’s co-founder] importuned me with letters and telegrams – I was by that time engaged in other pursuits—to change the title which he said would at that date render the book unsalable. One day, when I was on parade, I received a final wire of appeal from Mr. Lane, and the telegraph being reply-paid I seized the reply-form and wrote in hasty irony: ‘Dear Lane, Why not *The Good Soldier*?’ ... To my horror six months later the book appeared under that title... I have never ceased to regret it... At any rate I have learned that irony may be a two-edged sword” (*TGS*, “Dedicatory Letter to Stella Ford,” 5-6). The first sentence was inserted at the beginning “as a kind of saving remnant” (Meixner 235), apparently by the editors without his knowledge, and adding to his horror about the title he never authorized.

³⁶ Gasiorek asserts that *The Good Soldier* has “two features that most clearly signal its modernism – its concern with questions of narrative and textuality, and its exploration of the discursive form of subjectivity... The novel foregrounds the problem of narrative and textuality from its opening sentence... Change is of vital importance in *The Good Soldier* – it is the subject of Dowell’s shifting perceptions and the motor that drives the text’s search for an adequate fictional form” (14).

and whom can we trust? Such questions are undecidable. It is Dowell's "story" in the sense that he is the narrator who ostensibly decides how to recount it; it is the other protagonists' "story" in the sense that he is only repeating what they have told him; but it is Ford's "story," since he is manipulating the strings that jerk his puppets into life. (14-15).

The implication, buttressed by Dowell's regular direct address to the reader, is that the reader must come to some conclusion and thus must function as the adjudicator of the events in the story as related by Dowell because he cannot—he wasn't really there and doesn't know what happened by his own admission. Dowell's admission shifts onto the reader the inherent responsibility to make all decisions about the issues that Dowell demands answers about; the reader must be the adjudicator in Dowell's admitted absence. The reader immediately becomes an active participant in Dowell's writing of the story rather than the usual passive reader and audience. The forced participation via abdication of the narrator of the audience in adjudication of the story's central issues is unlike most any other novel.

The reader is coerced into re-constructing the story from Dowell's wandering narrative, through purportedly impartial evidence and testimony; only then can the audience possibly agree with Dowell's initial assessment, and provide the answers he seeks. Dowell disclaims, abdicates and deflects in the first sentence, and the story proceeds with the assumption that some one else will need to function as the adjudicator because Dowell is unwilling and unable to do so. Dowell himself places this burden on the reader, his audience.

Since a verdict results from a trial, person or persons have committed some offense or are liable in the eyes of the law, and such offenses or actions demand impartial assessment and adjudication via the trial process. Dowell's initial assessment does not include guilt or liability of any particular person, but rather he in fact deflects any culpability or liability away from himself in the first sentence through its structure: he is hearing this sad tale from someone other than himself. Dowell's initial sentence confuses the "facts" through the tense of the verbs that distort the time and the timing of the events that have given rise to his opinion. Eugene Goodheart in "What Dowell Knew" elaborates on this perspective:

[There is] [a] confusing shift in tense from "know" to "knew," for there is no real difference between what he knew about the Ashburnhams nine seasons earlier when he and his wife first met them and what he knows now [...]. (12)

This lack of difference in Dowell's knowledge leads Goodheart to opine that "[t]he saddest truth in this the saddest story is that he [Dowell] 'knows nothing—nothing in the world—of the hearts of men' [*TGS*] (12)" (376). This assertion in the text of Dowell's "knowing nothing of the world and the hearts of men" is Dowell's own early assessment of himself as a character; he personally declares that he is incapable of assuming the responsibility for determining any guilt or liability, because he simply "does not know," as if he weren't even involved in the story he is relating. This stance is the source of endless confusion since Dowell is not truthful with himself or with the reader, greatly complicating his already unreliable narration of the complicated events that a metaphorical trial seeks to reconstruct.

Dowell the narrator seeks to know the “truth,” as a disinterested observer of a very sad story - someone else’s. By implication, the truth must be sought by the reader who must discover independent markers right from the beginning of the story. The ‘truth’ will be supplied by Dowell himself, the allegedly disinterested first person character/narrator, who will relate the events and reconstruct “what really happened,” even though he regularly insists that he “doesn’t know” because he is only repeating what others have told him. This is conundrum that cannot be resolved with any certainty.

Dowell’s problems stem from the inadequacy of language to tell his “story”; his is not a conventional narration. The various accounts of events provided by different characters parades the narrator’s perplexity, and refuses closure. He speculates about which narrative modes to adopt and interpellates the reader as a co-interpreter (Gasiorek 15). Dowell worries about modes of address, chronology, perspective, memory, language and structure. “Indeed, he acknowledges that to give these events the form of a story is to impose on them an artificial, falsifying order” (15):

I don’t know how it is best to put things down—whether it would be better to try and tell the story from the beginning, as if it were a story; or whether to tell it from this distance of time, as it reached me from the lips of Leonora or from those of Edward himself. (*TGS* 15)

Dowell is indeed perplexed about how to order his “story”:

in fact, he chooses neither of these options; finding it impossible to select a conventional narrative mode of any kind, he creates a new kind of narrative in which he combines the perspectives of all the main protagonists; shuttles back and

forth in time, giving both his initial and his correct impressions...and, renouncing the task of interpretation, invites the reader to make sense of it all. (Gasiorek 15)

The reader is a complicit storyteller because Dowell's quandary from the outset is how, as a narrator, to relate that which has been told to him by others without distorting the very information he wishes to convey: "I wish I could put it down in diary form" (*TGS* 141). "Who the devil knows?" (*TGS* 151). "I can't make out which of them was right. I leave it to you" (*TGS* 156). The reader must become the adjudicator of the story as a whole, while trying to answer Dowell's questions for him because he cannot.

Unfortunately for the reader, Dowell's remembrances are the only source of information in the story, the only source of information about "what really happened." His testimony and re-collection is the frame of a metaphorical trial's presentation of testimony and evidence. However, Dowell's constantly shifting points of view in his recollections and his alleged lack of awareness of ongoing and spectacular sexual shenanigans that were occurring for ten years, again allegedly unbeknownst to him at the time of their occurrence and only revealed to him much later, compels the reader to realize that his insistence upon his innocent bewilderment bespeaks his failure to recognize and to admit the obvious: that he knew all along that which he adamantly denies knowing.³⁷ Dowell's refusal to admit complicity destabilizes all of his testimony, and imparts confusion to all of his statement throughout the novel, further complicating issues of unreliable narration already present in the reader's mind.

A reader, while attempting to come to some knowledge of the actual events of the story becomes aware of Dowell's conflicting and conflicted stance, which varies,

³⁷ De Angelis refers to Neil Brooks, who "calls this type of narrative voice 'first-person witless – the narrator acts as if he is an impartial witness to all the events, but his story betrays his complete ignorance...[T]he repeated deferral of the subject at hand reflects not some sort of narrative "purity," but rather the narrator[s] inability to deal with the emotional issues [he] seek[s] to address unemotionally' (48)" (Note 22, 428).

depending upon the information Dowell needs to convey to further the story as narrator, and his need to develop his own character's distanced role in the story. As is often the case, the character/narrator's narrative choices paint the character of the narrator very differently than the narrator is attempting to paint his narrative self.

Dowell's possible choice of recollection from the "distance of time" is clearly a choice of telling the story from a point of view after he learned from Leonora and Edward in "four crashing days at the end of nine years and six weeks" (11) rather than any telling from awareness of events as they were unfolding. Dowell says he knew nothing at the time the events were occurring, and his writing is entirely at the distance of an after the fact re-collection about events that started nine years earlier; the assumption is that time equals some appropriate distance that provides clarity. Dowell is telling the story neither from the beginning nor from "this distance of time"; he is telling his own version(s) as he remembers it, and now colored by recent discussions with Edward and Leonora. The story, then, is a "thrice – told story...[since it] engages in a pattern of advances toward and retreats from the truth as his references and cross references to past, present and future occurrences and desires [that] move the story onward" (De Angelis 428). The constant shifting between times allows Dowell to go back and forth over everything he recalls many times, resulting in confusion and a murky re-collection that never gels into a clear picture of the "facts," because of the veil of Dowell's constant sham astonishment and ironic ongoing bewilderment.

In his search for moral guilt and/or culpability, Dowell as narrator is solely responsible for the relation of testimony and evidence about the other three main characters and sundry minor players, including Edward's six mistresses, one of whom is

Dowell's wife Florence, and one of whom is Edward's and Leonora's ward, Nancy Rufford. However, the reader is not initially aware of the relationships among these characters. As with all character/narrators, his choice of timing important factual revelations is calculated, and much remains a mystery until he chooses to reveal relevant information to the reader. The reader may feel as if he or she is jumping into the middle of a story about events that have already taken place, and are being re-told currently in the text in a jumbled recitation by a main character. The duality of a character/narrator can be problematical for a reader, but Dowell's dual role is especially crucial in this text. His misdirection, insistence on mystery and secretive postures, despite his assurances otherwise, are the pattern of his relation of events throughout the entire novel. Much of the dynamic of the story is dependent on timing of the revelation of certain information. Dowell as the narrator describes characters and events, along with personal assessments of characters and of himself, but then eventually revisits and contradicts his previous assertions and regularly concludes: "I don't know," primarily because he stubbornly persists in his stance that had no idea until after the fact of the "truth" about "what really happened," and is puzzling it out himself along with his audience in a fireside chat. This stance is a sham, and contributes to Dowell's characterization while furthering the narrative progression of the story, however slowly, yet shifting the burden of final adjudication to the reader.

The reader is trying to construct the some logical explanation of the actual story and its chronology from the ramblings and digressions of Dowell, and must also sort through Dowell's personal musings in order to come to some conclusion about the other characters, whom Dowell alternately praises, reviles, absolves, and then goes back over it

again. The reader must draw his or her own conclusions about the characters because Dowell refuses to do so; after all, he doesn't "know" anything. A reader is compelled to assess the veracity of Dowell's testimony and the evidence he presents in order to arrive at an independent conclusion free of Dowell's influence, a near impossible task to be sure.

Who is on trial in *The Good Soldier* and what are the charges? There are reports by Dowell of assault, domestic battery, child abuse, and blackmail, though he is not personally involved. Edward Ashburnham was charged with some minor crime for his part in the "Kilsyte case," and a trial of some sort apparently occurred, but Edward was merely fined.³⁸ Edward pays a substantial sum for the services of his mistress La Dolciquita, but his actions do not rise to any involvement in the crime of prostitution in those circles of society at that time. Similarly, Edward's wife pays to his colleague and husband of another of Edward's mistresses, Mrs. Basil, a sum on a yearly basis that could be considered blackmail, but Leonora's adroit handling of the matter precludes any legal action. Leonora refuses to divorce Edward despite his numerous and expensive infidelities, so no legal case of divorce occurs.³⁹ Dowell reports that the Ashburnham's ward, Nancy Rufford, suffers a violent childhood: "The first thing that Nancy could remember was seeing her father strike her mother with his clenched fist so that her mother fell over...and lay motionless." And he further reports that "Once, when she had been about twelve, Nancy had tried to intervene between the pair of them. Her father had

³⁸ Edward kisses and hugs a nineteen-year-old nursemaid in a railway carriage apparently against her will, and was tried for what is likely a charge of simple assault. Dowell says that Ashburnham "assured [Dowell] that he felt at least half-fatherly when he put his arm around her waist and kissed her" (101). "And indeed his [Ashburnham's] own world – including the magistrates – took that view" (104). "The law, practically, was quite kind to him. It stated that in its view Captain Ashburnham had been misled by an ill-placed desire to comfort a member of the opposite sex and it fined him five shillings for his want of tact, or of knowledge of the world" (105).

³⁹ Dowell reports that Leonora mentions divorce often, but her Catholic faith forbids or at least discourages her from doing so. Toward the end of the story, Dowell reports that Leonora says to Edward: "If you want me to divorce you I will," (136) but the context is more one of a bluff than one of sincerity, a last ditch effort of Leonora to scare Edward into relinquishing Nancy.

struck her full upon the forehead a blow so terrible that she had lain unconscious for three days” (86). While these are criminal acts in the twenty first century, sadly, no legal authorities would have been concerned about such purely domestic matters at this time in history and in this rigidly stratified society.

Thus the novel itself is obviously not a fictional trial of criminal or civil issues. But, the facts remain that two of the quartet of major characters commit suicide, and a young girl goes mad. Dowell learns that the man whom Dowell has previously only admired, Ashburnham, has had a string of mistresses, including Dowell’s own wife, “pimped” by his wife Leonora, the last of whom is a young girl who is the Ashburnhams’ ward. Further, Dowell’s wife has used him basely by not consummating their marriage, pleading “heart trouble,” all the while having lovers of her own, including some reprobate Jimmy, whom she knew before she married Dowell, and also carried on with thereafter, and, of course, Ashburnham. These are moral issues that the law does not generally concern itself with, but these are the very issues that concern Dowell, prompting his writing of “The Saddest Story.” The aura of a trial persists in the text as a whole, and the implication is that the reader will see that one or all of Dowell’s friends are responsible for heinous moral crimes, although Dowell consistently deflects any guilt from himself since he was allegedly unaware of all these morally despicable acts as they were occurring. Further, his testimony suggests he is a virgin, and is untainted by any such sordid sexual escapades. But suggestions and innuendo are not the foundation of a trial’s goal; other participants in the legal process are needed to assist Dowell to properly prosecute and bring to justice those responsible for the immoral acts he (mostly) decries.

When Dowell swiftly abdicates the role of adjudicator to the audience, the narrative is free to explore the depths of moral transgressions. “The truth that glimmers through Dowell’s resort to [the] cliché [of shocking immorality] lies buried earlier in the text” (Gaziorek 16). Dowell states his exasperation quite early in his story:

I don’t know. And there is nothing to guide us. And if everything is so nebulous about a matter so elementary as the morals of sex, what is there to guide us in the more subtle morality of all other personal contacts, associations, and activities? ...It is all a darkness” (*TGS* 15).

The very foundation of his moral compass is shaken so that Dowell is at sea about everything else in his life too: all is darkness. Dowell commences his story with the cloak of bewilderment surrounding the “more subtle morality” that governs the basic social relationships he has enjoyed for the last ten years, and he returns to this stance of bewilderment at every turn of his story.

It seems, however, that Dowell is determined to proceed to explore these alleged moral crimes contained within the events of the story (as related to him by others). Since Dowell is the sole source of all information for the audience, he assumes various personae of the trial participants at different times, depending upon the needs of the narrative to progress and the necessity of his development of the characters.

An essential role in the trial process is that of the plaintiff’s counsel (or the counsel for the state in a criminal matter), who builds a case against the defendant. The defense counsel represents his or her client against charges made by the state as needed. Both counsel in turn call witnesses and present evidence. Dowell functions as both counselors alternatively as needed. At once he prosecutes Ashburnham, Florence and

Leonora for the responsibility for two deaths (ironically Ashburnham's and Florence's suicides!) and the tearing apart of his world through their actions, again unbeknownst to him until everything crashes down in four days immediately prior to Edward's death by suicide, and Leonora's previously hidden revelations. He decries each person's deception and betrayal, and attacks and assassinates the character of each of these people in the narrative. He explains his ideas about the motives of these three characters in detail; Dowell focuses on motive extensively, while giving short shrift to actual language of facts and evidence. Motive is where Dowell dwells and flounders; he cannot quite sort out why the things he has come to learn have happened, but he knows that they did. Here the reader is on firmer ground because he or she is more able to differentiate fact from opinion – the character Dowell from the narrator Dowell, and the narrative progresses substantially in this way.

Dowell also acts as Defense counsel, vigorously defending all three characters from any liability. The conflicting personae of prosecution and defense counsel produce a spectrum of inconsistency in Dowell's own testimony. He relates at length a plethora of conflicting information about Ashburnham, less about Leonora and somewhat less about Florence, at once denigrating and elevating each character. To be sure, there are many sides to a person, and Ford's characterization is deftly handled through Dowell's rampaging raving one way or another about the Ashburnhams and Florence, as well as Nancy, who is blameless he reckons. But his contradictions in his descriptions and assessment and opinions of these characters further serve to undermine the credibility of his testimony to the point that the reader is confused to distraction. The reader longs for a coherent answer to his or questions, but is compelled to wade through Dowell's colorful

meandering about each character, which contains meager morsels of truth amid much opinion. This is the beauty of the text and Dowell's unconventional narrative; a reader cannot form an opinion one way or another because of the narrative's mode of explication.

In most trials, the plaintiff(s) and defendant(s) themselves are usually present for any trial. While the defendants' identities are only implied, and the eventual culprit may be society itself, there is little doubt that Dowell is the plaintiff, standing in for Moral Rectitude, demanding that someone pay for the deaths, the madness and his shattered life. He acts, as does the State, in place of a victim of a crime. Dowell feels he is a victim, and acts quite aggrieved throughout much of his story. He is generous to himself in his all-encompassing declarations of philosophical ignorance of the ways of the world, thereby feigning lack knowledge of other characters' motives for their actions. Even though he remains at the center of inquiry, the mood persists that he is distancing himself and depersonalizing the entire matter, letting some moral high position stand-in for the true victim – himself.

Trials necessarily require evidence, primarily testimony of eyewitnesses to events under consideration. Although Dowell switches back and forth between character, narrator, defense Counsel and prosecutor, he is primarily a witness – the only witness to the events that he is remembering and telling the audience despite his stance that he is merely relating the stories of others. This is the function of a storyteller – to stand as a witness to events. As mentioned, such a narrator is notoriously unreliable, and Dowell is no exception. Therefore, if he were testifying at a trial as a witness, he would be subject to relentless questioning by counselors - defense and prosecution. His credibility as

witness would be attacked at every turn by their pointing out inconsistencies in his testimony, or any other equivocation they can find in order to disprove the veracity of his testimony. Here Dowell falters badly; his testimony and his credibility cannot survive together intact. He takes a bad beating when readers compare his various versions of testimony because he is consistently inconsistent. Dowell's credibility and reliability as a witness are seriously undermined, and he does this to himself in his personae of prosecution and defense counsel. However, Ford handles this well in the text, and an astute reader can sort out these personae to reveal the difficulties of Dowell's witness testimony and corroborate some parts with more credible independently oriented evidence that escapes Dowell's tainted witness testimony. The reader does come to understand the facts, while the rest is conjecture about motive and therefore instills uncertainty about culpability, an uncertainty that remains even as the novel closes.

Any reader who is functioning as adjudicator of testimony and evidence must discriminate Dowell's convoluted rendition of the "facts," which early on promises to be very different from any independent assessment of the "truth" of the matter, from his stance as a character and a narrator; this doubling presents challenges to the audience. A metaphorical process of bringing defendants to trial and the attendant processes of discovery rely upon Dowell's accurate relation of the events of the story. His testimony is complicated because of the difficulty of Dowell's conflicting testimony due to the doubling of character and narrator, once again because he is the only witness available to the events being considered at trial.

Dowell's first sentence verdict is not connected with formal legal principles; yet, the sense of the need for adjudication after the presentation of testimony and evidence is

clear as the novel unfolds because Dowell continually asks questions that he appears to expect the audience to answer, since he abdicates and deflects his own opinions. The story *in toto* is “the saddest story,” but Dowell’s or any character’s guilt or liability is not so clear and requires further examination because an estimation of “the saddest story” is an opinion, and inward summation made by Dowell and is not based on the “facts” or any evidence yet presented. Not until the last sentence is read can a final adjudication be made, and Dowell perpetuates his tortured testimony until the end,

The structure of Dowell’s recollection contains primarily his estimation and reflection; his story reads more like a “fixation upon surfaces”, rather than testimony based upon eye-witness recollection, revealing his “aversion to any expression of personality or emotion, whether his own or others” (DeCoste 105). The result is a deflection from Dowell’s own actions and an abstraction from the task of narration:

By way of this introduction [the “saddest story”], Dowell achieves two displacements that work to obscure his personal entanglement with the events he will relate. First, though these constitute the defining incidents of his adult life, they are ...thoroughly aestheticized, approached as art objects, not as intimate details of the speaker’s private life. Second, through this declaration, Dowell denies ownership even of this aesthetic artifact, presenting it to us as another’s tale, one he has only heard, not crafted, much less lived. This initial frame, then interposes a double distance between the novel’s “tale of passion” and presents Dowell himself...as a disinterested bystander, idly recounting another’s confessions...It is fair to say that this is precisely the impression that Dowell

wishes to give the reader...Dowell effaces himself by rendering anything that threatens to expose the emotional sloppiness of his own subjectivity in terms of a safely external and aestheticized object.” (DeCoste 106)

Dowell’s externalizing and general disinterest forces a reader to sift through this layers of deflection in order to ascertain the “truth” of the evidence he present in order to construct and a “reality” that can likely never be completely known, although Dowell allegedly and repeatedly attempts to do so. His disinterest and *lack* of passionate retelling, rather than being his own confession, demonstrates his externalized rendition, contrasting sharply with the “tale of passion” that he is recounting. This contrast is revealed in the first pages of the novel, where:

[Dowell’s] first attempt to convey the pith of the novel’s key relationship – that between Dowell and his wife Florence, on the one hand, and Leonora and Edward Ashburnham on the other – finds him resorting to the image of a non-verbal art form, aestheticizing the personal and the emotionally charged so as to obscure his own implication in such economies. (DeCoste 106)

Instead of conveying “pith”, he uses an objective correlative of a highly ritualized dance, the minuet, which affords the dancers no particularity of expression (106). Dowell frequently abstracts the details of the story and its actors into the aesthetic, objectifying and ritualizing behaviors and events, such as when he declares: “We were, if you will, one of those tall ships with the white sails, upon a blue sea, one of those things that seem the proudest and safest of all the beautiful and safe things that God has permitted the mind of men to frame” (*TGS* 11). Dowell’s regular metaphors full of sentiment and melodrama obscure both the events and the actors and misdirect the “truth” and the

possible motivations of the actors. His digressions add little to the “facts” he seeks to have adjudicated by the reader.

All of the details of events and personal motivations are purposely not revealed in the text until the end of the story, prompting any audience to perhaps wish hear all the testimony of the only witness before adjudication of that witness. This creation of distance via various narrative devices such as digression, aestheticization and objectification is distance that must be overcome by the reader, who is the adjudicator, in order to arrive at an assessment that is free of Dowell’s stylized points of view.

Dowell consistently is abashed about his lack of awareness of the various moral agonies of his compatriots over the previous ten years. He concludes further on that: “After forty-five years of mixing with one’s kind, one ought to have acquired the habit of being able to know something about one’s fellow beings. But one doesn’t” (31). His constant resort to philosophizing seems just so much further distancing; his astonishment at basic human impulses and behaviors is an ongoing inward reflection that further deflects and distances his role as a narrator from his participation as a character. The audience must see beyond Dowell’s philosophizing in order to make a comprehensive evaluation and adjudication of Dowell as a character and a person, as well as to evaluate the text as a whole.

Dowell structures the distance from himself and his audience through a supposition for his recollections overlaid upon the audience: “You may well ask why I write” (11), Dowell tells the audience early in the novel. This direct address immediately establishes a tone of comfortable familiarity between the storyteller and a suitably rapt

audience. He further sets the scene: “So, I shall just imagine⁴⁰ myself for a fortnight or so at one side of the fireplace of a country cottage, with a sympathetic soul opposite me” (15). The audience is charged with being sympathetic, a sort of jury instruction. He further states that his reasons for writing

are quite many. For it is not unusual in human beings who have witnessed the sack of a city or the falling to pieces of people, to desire to set down what they have witnessed for the benefit of unknown heirs or of generations infinitely remote; or, if you please, just to get the sight of it out of their heads. (11)

Again he speaks as if he is talking about someone, anyone, other than himself, by deflecting his story to be that of a “human being.” The explicative structure creates distance and deflection. By describing the story as a “sight,” Dowell is distancing the narrative from the story by analogizing real people and events over time to be an image plucked from a dynamic rendering of real life. The leading nature of the statement of his reasons for writing that you, the audience, have asked for sets up the double framing of the story within the story, but passes along any responsibility for an evaluation to the reader, the “You” who is asking the questions in hopes of receiving unbiased testimony.

Testimony requires active participation and Dowell’s lengthy explanations would need to be rephrased with an actor doing an action. Dowell’s testimony of his own actions is admissible; philosophizing, commentary and opinion is not. Thus the reader is compelled to rephrase many of Dowell’s statements into the correct arrangement for admissibility to the record that the reader is compiling in his mind as the story unfolds. Dowell’s deflections, entreaties via direct address and disclaimers cannot be considered,

⁴⁰ Dowell tells us earlier that he is writing from “the Ashburnhams’ place [which he has purchased from Leonora upon her marriage to Bayham]. From there, at this moment, I am actually writing” (11).

except in a literary way. The law demands that the “truth” be determined through testimony and evidence only, a difficult task when Dowell is involved.

An example of a distracted Dowell is exemplified by his analogy of the events in the story - “the breaking up of our four square coterie” (*TGS* 11), (another objectification and aestheticization of the entire story,) to the sack of Rome; this analogy seems far-fetched and silly, portents of things to come. The entire trial metaphorically proposed by Dowell seems insignificant in comparison to the larger problems and important issues of life. Dowell’s attempts at expiation through mere recollection do not seem worthwhile, but he insists upon telling the audience every detail of a sordid and ironically boring tale of “passion,” for reasons that can only be his own. “Dowell consistently relates to the world as a discriminating connoisseur, not as a person emotionally involved with a vital nature or with other persons of affective depth...[he] is happiest viewing nature in terms of artifice, framed and safely distant as a painting” (DeCoste 106). His safe distancing of himself from the moral turpitude he describes assures that he will never truly know the answers that he seeks, even after a thorough trial; the reader will need to arrive at his or her own conclusions without Dowell’s active complicity because he refuses to engage, but leaves this to others.

A plethora of critics attempt to set down the “facts” of the novel as they see them, but no two renderings are alike, a testament to the confusion created by Dowell’s frame and Ford’s framing of this “tale of passion” in the audience.⁴¹ A few salient narrative facts are useful, however. Of the four characters that comprise the focused story, Edward and Florence are dead by suicide at the time that Dowell is writing. The Ashburnham’s

⁴¹ See, for example Gose: “We must begin, however, not with what we desire to prove but with what all readers of *The Good Soldier* would have to agree on: those ‘facts’ in the novel which can be said to exist irrespective of any emotional coloring their narrator might wish to give them” (495).

ward, Nancy has apparently gone mad – the reasons are murky. Leonora has married Rodney Bayham, and Dowell is now Nancy’s caretaker. Florence has had at least two extramarital affairs, with Jimmy and perhaps Ashburnham, while Edward has had five “affairs” at the time of his death, with: the nursemaid on the train, a mere hug and kiss; Maisie Maidan, the wife of a fellow officer; a courtesan, the mistress of a Grand Duke, La Dolquicita; Florence Dowell, Dowell’s wife; and Nancy Rufford, the Ashburnhams’ ward. He only technically commits adultery with La Dolquicita; the facts of his affair with Florence are uncertain. The others are affairs of the heart only.⁴² These relationships lend some structure over the time of Dowell’s relation of the story, an otherwise disjointed and highly sentimentalized examination that Dowell attempts to pass off as the “facts.”

Dowell dwells on certain snippets of time, remembering exactly specific dates – apparently to arrange their chronology for himself rather than his audience.⁴³ He is not confused about the chronology of events, but his presentation of chronology prompts the audience to take in hand pen and paper to reconstruct an accurate timeline of events. In the end, the readers realizes that whatever happened will never be clear, because Dowell refuses to extend clarity beyond chronology; it is in his best interests not to do so.⁴⁴

Therefore, while a correct factual chronology is an element of readers’ complete

⁴² See Hafley: “It is vital to note that Ashburnham can be convicted of only one act of adultery in the course of the novel: the one night he spends with La Dolquicita...the other accusations made against him are clearly made to be understood as false, false as most other data interpreted for us by Dowell; each such accusation results from either blind or deliberate misinterpretation of evidence” (122).

⁴³ See Vincent Cheng’s excellent “Chronology of *The Good Soldier*” reprinted in the Stannard edition for a thorough summary of the chronology of the events in the novel gleaned from the details of the text.

⁴⁴ An example of dubious clarity is his noting of the coincidences of many events important to Florence, all occurring on August 4th. This coincidence seems a preposterous and unlikely truth, and further contributes to suspicion about the accuracy of all of his re-collected data: see 82, when he deems the coincidences to be “the last straw,” causing Florence’s suicide because of her “superstition.”

understanding of the novel, Dowell's timing of the revelation of the events of the "true" chronology becomes equally as important in understanding Dowell's story.

His initial rendering is a jumble of characters, time, and events that only resolve at the very end of the novel, if at all. Dowell "[has] neither verbal economy nor a direct treatment of his subject[;] ...[neither is] Dowell's forte" (DeCoste 105). What any reader does know at the end of the novel is a great deal about four people and their relationship over some nine years, but all of this is suspect since the story is constantly filtered through Dowell's eyes, and he gives many versions, many interpretations, and many accounts which are diametrically opposed to others, thus throwing into question what is the "truth" of the matters presented. How can the audience know "what really happened?" We only know what Dowell has told us, again revealing much more about him than any sad story.

Dowell is a first person character/narrator who leaves the readers with many unanswered questions about events, people, places and motivations that are merely alluded to. This is Ford's previously noted impressionism – "you could not begin at the beginning and work his life chronologically to the end. You must first get him in with a strong impression, and then work backwards and forwards over his past." So, Dowell engages in the painting of a suggestion of events and people who inhabit these events in the past. The painting is then gone over back and forth to fill in the depths of the relationships among them, but little is said about Dowell's part – he doesn't know. These relationships are the most important feature of his life, yet his strange detachment from and inconsistent portrait of those characters he is closest to belies their importance to him. Any attempt to summarize the story fails in some respect because the matrix of the

four persons, the quartet's "minuet," is complex, primarily because Dowell's recollection changes in every aspect as the text unfolds, leaving the readers in a quandary about "what really happened," and how Dowell, the character/narrator really feels about the characters with whom he danced for nine years and four months.

Dowell's comments, observations and musings have the effect of Dowell's inadvertently rendering a verdict upon himself. He is at the least guilty of obliviousness and *naïveté*; he relates his allegedly unwitting participation in a sordid tale of adultery and betrayal, treachery and deceit, a sad tale of "passion," even if he is not the center of the passions he describes. The audience comes to know Dowell to be a man who seemingly has no passion himself, or certainly none that he cares to reveal to his chums during their fireside chat. He seeks answers but refuses to acknowledge any part that he himself may have played in the sad story he relates other than some self-pity as a victim. The "Tale of Passion" is certainly not Dowell's.

The novel is strangely hollow, at once complex and boring. Gasiorek believes that:

[i]n the end, Dowell can't quite leave it to the readers. Having admitted that his understanding is limited, he tries to impose a comforting pattern on events by resorting to fictional cliché and invoking categories that the novel has swept away. Leonora and Bayham are now portrayed as the mediocre personalities who have destroyed the noble but doomed figures of Ashburnham and Nancy Rufford so that social norms may be preserved. Rather hamfistedly, Dowell draws on the rhetoric of the sentimental novels he has hitherto ironised, deploying a crude psychological language to simplify the characters he has depicted and a

conventional narrative structure to give order where there is none. He signals his cultural despair by referring sardonically to the “happy ending with wedding bells and all” in which Ashburnham and Nancy are “villains” and Leonora emerges as the “heroine.” This belated attempt to invoke the genre of melodrama and to provide the affair with a teleological structure cannot be sustained in the teeth of a narrative earlier described as so confusing that it is “a sort of maze.” (15-16)

The story sinks into melodrama replete with irony and sentimental clichés that seem unworthy of Dowell’s earlier narration. The result is an attempt to wrest adjudication away from the readers he has charged with this task. Dowell’s conclusions are just so much fluff, insubstantial and certainly not the result of any careful examination of the “facts” to arrive at some “truth.” He really *doesn’t* know much of anything. His weak retraction of his abdication as adjudicator ends badly; he cannot commit to a certain verdict. The readers must wrest back this obligation that Dowell has charged him with – making a decision about the metaphorical trial that is, at least, “the saddest story.”

Dowell’s act of writing, as if he were speaking to a friend, perhaps a confessor, is an act of attempting absolution. He appears to seek absolution for such a “sad story” through justification for the sins of all the characters in the story through his writing, but especially absolution for his own part in this tale. His act of writing is expiation of a sort and his conclusion accomplishes these goals, even if the audience is not so sure; a sad story is not a verdict that satisfies any serious adjudicator. Dowell’s own verdict coupled with his disclaimer that he “does not know” immediately establish a stance of distance from the events and the “truth.” The “facts” are replaced by estimation and opinion of the narrator that belies his alleged purpose of revealing the “truth” of the events as he

remembers them. Since Dowell doesn't know anything, his audience must decide the "facts", the "truth," and then allocate, blame, liability, culpability and conclude some definitive motivation for this "Tale of Passion." The metaphorical trial that is the novel demands resolution of "what really happened."

The Discovery Process: Time and Memory

The "thrice-told" story relies upon Dowell's presentation of the facts in a piecemeal fashion, one that switches back and forth between times - past, present and future. If the text were examined as if it were a compilation of documents obtained through the process of discovery, a pre-trial endeavor, the story can be re-constructed chronologically, as Cheng has done. But, Dowell adds drama and achieves deflection by *not* doing so.

"Dowell's narrative eschews chronology because he is too immersed in them to grant these events stable form" (DeCoste, citing Patrick McCarthy (footnote omitted) 105).

The challenge is to sort out what Dowell knew before the revelations of "four crashing days" in order to contrast these entrenched ideas with how he perceives the same people and events thereafter, especially his views of himself. The result is a unified valuation of all of the characters and their motivations for the entire story. Each part of the novel adds to each other part, and evaluation is ongoing, so that

[u]pon a first reading, one responds to each of the four parts by valuating the chief character; the data in each part are selected to compose one possible response, until finally, in view of all the data, one's response is correctly enlarged and unified as the inevitable valuation. (Hafley 127)

While recounting what has been related to him in what he considers an orderly manner, Dowell uses a variety of devices to deflect his own ownership in the events. But, he is

consistently sidetracked by his own devices of reflection and diversion from the “truth” in favor of stubbornly preserving his naïve view. Dowell regularly resorts to images and appearances rather than choosing to implicate himself and his three friends in more concrete terms of real actions done by people who have motives for doing so.

Dowell cannot admit to himself that he knew all along the “truth” of the matters he is now attempting to recollect in light of new information, so that he returns to his safe original thoughts, the pretty picture of life before he alleges the “truth” was revealed to him, time and time again. Despite his present questions, he strays from his purported purpose of a metaphorical trial and adjudication of those responsible by lapsing into sentimentality and philosophy. “Interspersed with such present references we find confused, contradictory emotional summaries of the meaning of his past experiences, ending the introductory chapter with questions for which Dowell has no answers” (Hood 449). He continues to reassesses the other three characters and himself while often resorting to bewilderment as mentioned. Dowell’s story is so self centered that he loses sight of his plan, to relate the events as told to him by Ashburnham and then by Leonora; the result is the description of a strange ménage and a conglomeration of emotion that has little structure other than Dowell’s sentimental and philosophical meanderings concerning why the people he has known well, he thought, are not as he thought they were.

In terms of testimony, as mentioned above, his inconsistent assessments and conflicting facts render most of his assertions completely untrustworthy; the ongoing issue of unreliability of the narrator is punctuated by the unreliability of the character

Dowell as well. He is a liar, a cheater of the “facts” and an interpreter rather than a disinterested witness, despite his every attempt to distance himself from his story.

Dowell’s earlier feelings and observations can be effectively contrasted with later observations to demonstrate Dowell’s inconsistencies and ironically bitter assessments of the same people and events that comprise his story as told to a friend in the fireside chat. This contrast of what he thought versus what he is now thinking at the time of writing are fused and requires a close reading to sort out that which Dowell cannot, because “He doesn’t know.” The readers must discover for themselves without Dowell’s assistance “what really happened” and when it happened. They can best discover this information by ignoring most of what Dowell writes in his recollection; it is tainted almost beyond recognition of actual events.

This process of discovery through Dowell’s own unfolding of the story to his readers reveals Dowell’s penchant for obscuring his shortcomings. “Dowell cannot see any of the characters objectively, but has to distort them to make his own shortcomings seem less” (Gose 499). Dowell reveals his shortcomings through his choice of narrative structure and refusal to admit his own culpability in the events he is relating. Dowell cannot endure the traumas of betrayal, deception and avoidance, so he persists in propping up illusion through distancing, avoidance, digression, and philosophizing, all of which obfuscate the very tale he is determined to tell.

Dowell nevertheless is seeking a moral judgment of those involved in the events of the last nine years of his life. His astonishment creates a variety of points of view that roughly correlate to the Parts of the novel. Hafley describes how Dowell’s assessment of the morality of his friends changes through its four parts:

[B]y the end of Part One there have been revealed facts which lead the readers to suppose that Edward and Florence are good, that Leonora is evil, and that Dowell is neither, incapable of either evil or good. This is generally correct; but by the end of Part Two, in view of the selection of facts there given him, the readers must decided that Florence is evil, that Leonora is good and possibly Edward, and that Dowell is good; Part Three composes a set of facts establishing Leonora and Dowell as evil, Edward as supremely good, and Florence as, at most, pitiable, finally Edward becomes heroic, Leonora the villain, Florence irrelevant and Dowell ignorant. (127-128)

Whether or not readers agree with Hafley's assessment of the characters, Dowell's shifting moral assessments in each part of the novel are contradictory, and readers are likely confused even at the end of their reading. A second reading is likely a better idea before reaching any positive adjudication.

Structurally, each Part of the novel is punctuated by a death, creating a macabre touchstone to Dowell's story: "Part One ends with Mrs. Maidan's death; Part Two with Florence's; Part Three with one's sense of Leonora as Edward's murderess; and of course Part Four with Edward's death itself" (127). Dowell marks his exploration of moral deficiency through a somewhat casual reference to its results, death and madness. He writes as if he cannot believe that these deaths have occurred; to do so is more than he can comprehend, even if the readers have no problem in believing these facts above all else.

[T]hus, the hairpin curves that would have to be used to describe the reader's "knowledge" at any point in the novel parallel those descriptive of Dowell's: the

readers's own experience of the novel dramatizes its theory of knowing-versus-believing... "fact" versus feeling, head versus heart, faith and charity versus knowledge and judgment. (127-28)

Dowell's explores his theories and he implicates the readers in his explorations, but he makes no decision upon which one prevails, but rather focuses on the deaths that have occurred, again avoiding any finality and hence any culpability, particularly his own.

The theories that are put forth by Dowell during his fortnight of anxiety and re-visitation six months later are only theories because of his paralysis about knowing the "truth"; this paralysis propels his search for answers to his moral questions and precipitates a "crisis of knowing":

[t]he story follows two trajectories: the unbridled lavish tourism of the Dowells and Ashburhams and the melodramatic underside of secrecy, betrayal, and sexual revelation. Gradual revelations of the latter drive the narrative, which sustains an anxiety not only of betrayal, but also knowledge and memory, thus producing a text that is fundamentally concerned with its own crisis of knowing. (Mickalites 290)

Dowell's anxiety over ever believing what has been revealed to him drives the narrative and his knowing information that he did not know for nine years previously drives his writing of the story, the ostensible frame of the novel.

Dowell's story unfolds in a most chronologically disjointed way, and this is mirrored in the wildly changing moral conclusions he asserts in each part of the novel. However the readers are given choices. Dowell lays out his discoveries for the readers to assess; his own assessments shift, and sway with each part of the novel, in which he

endeavors to present a different point of view. The reality is that he is not organized, the facts are difficult to ascertain, and any discoveries that Dowell renders must be interpolated extensively. Any pre-trial discovery provided by Dowell is thus required to be carefully studied by the readers, who must differentiate fact from fiction in the narrator's own recollected story in order to assess the judgments demanded and to evaluate the text as a whole.

Dowell's Plea to the Court

A Plaintiff such as Dowell in a metaphorical civil or criminal trial would have commenced his lawsuit against named defendants by filing a Complaint in which he would have prayed for relief to be granted; he is asking the court to make him whole again, to right the wrong that has been done to him through its judgment. Relief prayed for is generally monetary damages, but the relief can be tailored by the Court to the specific needs of the Plaintiff, such as injunctive relief or declaratory relief – clarifying a title to real property for instance. Dowell's Complaint would need to contain all of his factual allegations, his reasoning for allocation of the relief prayed for and a description of the relief he desires the Court to award to him as the result of described alleged actions which have caused him harm. He would also need to clearly allege and support these claims of harm.

What relief does Dowell plead for in his story? He feels the victim of indeterminate abuse, but his generalized complaint is suffused with moral overtones of near outrage and despair over the state of humanity's moral decay. Most evident is his frustration with his life in particular. Has he made his case or any case at all? His Complaint as a whole needs to contain a cause of action that must allege sufficient facts,

and it must set forth some foundational principle to apply to these facts in order for the Court to grant him a hearing of his grievance and to grant the relief sought. Otherwise, his Complaint could be dismissed for failure to state a cause of action upon which relief can be granted, and he would depart from the forum empty handed. The court can also, *sua sponte* (of its own accord), amend Dowell's Complaint so that it comports with what the Court sees as the actual cause of action it determines from the facts as presented by the Plaintiff as alleged in his Complaint or as they are revealed during the course of discovery and trial regardless of the Plaintiff's allegations.

Dowell's entire discourse as a whole is his Complaint. While at times he appears to be whining and wailing and bemoaning various philosophical issues, his writing distills into three main allegations. One allegation is that he is aggrieved because his entire adult life has amounted to little more than some pleasant traveling with two "good people," one of whom is dead by suicide, and the discharge of his duties as a nursemaid to his wife, who is now dead by her own hand. He is currently nursemaid to another young woman who also does not care for him, and whom he cannot marry. His situation is currently unresolvable:

I don't mean to say that I sighed about her [Nancy] or groaned; I just wanted to marry her as some people want to go to Carcassonne (*TGS* 84)...Of course you have the makings of a situation here, but it is all very humdrum as far as I am concerned. I should marry Nancy if her reason were ever sufficient to let her appreciate the meaning of the Anglican marriage service. But it is probable that her reason will never be sufficiently restored to let her appreciate the Anglican marriage service. Therefore I cannot marry her, according to the law of the land.

So here I am very much where I started thirteen years ago. I am the attendant, not the husband, of a beautiful girl who pays no attention to me. (*TGS* 150-51)

He expresses his love for the girl Nancy in Part IV of the novel, along with his usual deflection, disclaimer and disinterest, and is frustrated by “Fate” (104, 121, 132). His complaint is that due to circumstances beyond his control, his life has been and continues to be wasted.

I sit here...all day in a house that is absolutely quiet. No one visits me, for I visit no one. No one is interested in me, for I have no interests...So life peters out...I shall... dine and Nancy will sit opposite me...[e]nigmatic, silent, utterly well behaved...Yes, it is queer. (161)

This wasted day-to-day existence is Dowell’s present and future life. “[T]hose two that I really loved [Edward and Nancy] have gone from this earth. It is no doubt best for them” (152). While his description smacks of self-pity and melodrama, the facts are that no longer is he traveling and socializing as he once was; he is alone with a woman he allegedly loves, but who is mad. His complaint has merit insofar as he has been caused harm.

An additional allegation in his Complaint is that Dowell believes that Edward caused Nancy’s condition by sending her away to her father in India lest he, Edward, act in a physical way upon his mental love for the girl. When she offers herself to him after being convinced by his wife Leonora that such an act would save his life, he declines: “he would have hated himself; that it was unthinkable. And all the while he had immense temptation to do the unthinkable thing, not from physical desire but because of mental

certitude” (154). So Nancy is shipped back to her abusive father in India (from whence she was rescued many years earlier by the Ashburnhams who had made her their ward when Edward was stationed there). But *en route* she hears of Edward’s suicide. Dowell testifies that, because of her love for Edward, her hearing of Edward’s suicide caused her to go mad (155). Yet he doesn’t know if Nancy loved Edward; he asserts that at times and in places in the story that she did and that other times she did not. The cause of Nancy’s madness cannot be known. Dowell has not proven his case. But regardless of the causes, there is no redress for madness. This part of Dowell’s complaint will fail, partially due to his own conflicting and offhand testimony.

A count in the Complaint would also be that Dowell alleges that Leonora and Nancy caused Ashburnham’s suicide, Leonora by revealing to Nancy all of Edward’s transgressions of the sacrament of marriage, and Nancy by her naïvely believing all that she was told by Leonora, and by penalizing Edward for disappointing her idealistic image of him. “For there was a touch of cruelty [in Nancy] – a touch of definite actual cruelty that made her desire to see people suffer. Yes, she desired to see people suffer. And, by God, she gave him hell” (152). Together, Leonora and Nancy torment Edward:

Those two women pursued that poor devil and flayed the skin off him as if they had done it with whips. I tell you his mind bled almost visibly...It was as if Leonora and Nancy banded themselves together to do execution, for the sake of humanity, upon the body of a man who was at their disposal...I tell you there was no end to the tortures they inflicted upon him...They were like judges debating over the sentence upon a criminal (152)

Edward's reaction to this treatment, according to Dowell, is that "[n]ight after night he would hear them {talking,} talking; talking; maddened, swearing, seeking oblivion in drink" (152). "Edward never said anything" (155). The implication here is that Edward was driven in some way to his death by the actions of Leonora mostly, and to some extent by those of Nancy. But talking is not action so that no liability accrues from mere words. Dowell's allegations against Leonora and Nancy will fail.

However, later, Dowell reports that Edward "suddenly looked [him] straight in the eyes...in a perfectly calm voice...he said: 'I am so desperately in love with Nancy Rufford that I am dying of it'" (158). So, this implication is that Edward Ashburnham killed himself out of love for Nancy, a directly opposite allegation from the previous one - an alternative explanation perhaps. It is permissible in a Complaint to make allegations in the alternative. Again Dowell is describing a situation where there is no remedy since there is no culprit, and no cause of action. This allegation too will fail.

Suicide itself is not a crime (unless you attempt and fail in some US states), but it is a moral and religious sin, and in most US states assisted suicide is a severe crime akin to murder. In Edward Ashburnham's death, there are no facts that tend to establish proof of any such assistance other than mental cruelty, of which both ladies may be guilty, but with which the court is unconcerned. The moral and religious implications of suicide are left to the individual reader.

However, Dowell glosses over Edward's last words, which were to Dowell, and which indicated his clear intention of slitting his throat with the ironically "quite a small pen-knife." "Why should I hinder him?" is Dowell's reaction (162). This statement itself would mitigate towards a finding of Dowell's being culpable for his inaction, of taking

no steps to prevent Edward's suicide. Dowell's major complaint of "the good soldier's" death needing to be being avenged in some way fails completely in the face of Dowell's own testimony about the last moments of Edward Ashburnham's life.

The Court, which, of course, is the readers, may find that Dowell is his own worst enemy and that his allegations stem from his own action or inactions rather than those of any other named or unnamed individuals, akin to the legal concept of contributory negligence. Assessing blame upon the world at large is not a realistic conclusion. His entire Complaint may be dismissed by readers for its failure to state a cause of action upon which relief can be granted; suicide and madness are inexplicable. His own life is what he makes of it. He is unconvincing as a narrator, as a character, as a witness and as a man. Many readers may find Dowell a very unsympathetic individual in whatever role he may be acting, precisely because he seems to be acting rather than being a real person with real and believable emotions, reactions and assessments. Readers may not agree that this is "the saddest story." Readers may not agree with Ford's seemingly ironic tag of the story's being "A Tale of Passion." His plea for justice in the deaths of two people and the madness of another is not relief that the Court or the readers have the power to grant.

What Readers Want to Know

The issue of most concern for readers may be "[t]he problems involved in the interpretation of *The Good Soldier* [that] all stem from one question: What are we to make of the novel's narrator [Dowell]?" (Hynes, in Ford, Stannard Ed. 310). Dowell has the

habit of juxtaposing understatement with overstatement and valuable insights with fatuous self-important interpretations, of shifting between disparagement and

aggrandizement of himself and others, and changing moods and evaluation.

(Cassell, *Ford Madox Ford* 182-83)

How can readers know how to sort through these “habits” that seem only to detract from the story? The readers can only know what Dowell knows, and

Dowell seems peculiarly ill-equipped to tell this story, because he is ill-equipped to *know* a tale of passion. He is a kind of eunuch, a married virgin, a cuckold. He has apparently never felt passion – certainly he has never acted passionately. He is a stranger to human affairs” (Hynes, in *Ford* 312).

But Ford has a plan for Dowell and for his novel that is imbedded in structure as well as content. Dowell’s habits have a purpose beyond apparently obfuscating the story.

[His] rambles through conscious memory... are not only artful devices to claim the close attention of the reader’s thoughts and feelings but also tools to mold the pattern of the novel. The discursive, associative patterns of memory create the *rationale* of the pattern, for the rambling is only apparent; the succession of events and impressions is under remarkable control, as is the language which recreates them. (Cassell, *Ford Madox Ford* 174-75)

Somehow, through the pattern of his ramblings Dowell’s recollection coheres as a whole story and becomes one that carries importance worth examining. The tale is riveting and readers *do* pay close attention; the novel is a burning page-turner despite the appearance of its narrator being a disinterested imbecile. Readers want to know what Dowell is thinking, and *how* he is thinking; the task is daunting but rewarding. The reality he creates is fascinating even if much of it is a preposterous version of reality as he sees it.

The version of reality Dowell creates through his writing of the story is one that he creates through his own limited sensory perceptions and his interior mind, a “central intelligence” [that] is a narrow room, from which we the readers look out at the disorderly phenomena of experience. We do not *know*...that what we see has meaning; if it has, it is an order which the narrator imposes on phenomena, not one which is inherent there. (Hynes, in Ford 311)

Dowell’s bewilderment seems patently inadequate to tell any story let alone a “tale of passion.” Readers are hard pressed to follow Dowell’s rambling order of presentation of the story, which seems a failure from the start. But a closer reading shows that

Dowell’s failures – his failure to act, his failure to understand the people around him, his failure to “connect” – are shared by all other characters in the novel, and thus would seem to constitute a generalization about the human condition rather than a moral state peculiar to him. Alienation, silence, loneliness, repression – these describe Ashburnham and Leonora and Nancy, and even “poor Florence” as well as they describe Dowell. Each character confronts his destiny alone. (313-14)

Dowell is not the only character whose actions and inactions mark him as a pathetic failure. All of the characters have similar problems and similar difficulties in conducting their lives with any sense of a moral compass, each for his or her own reasons. Dowell in his difficult structuring of his tale succeeds in conveying this theme’s application to all of the characters.

That is not to say that Dowell fails entirely as human being; he has admirable qualities that serve his task of telling the story which he propels along to its conclusion.

Dowell does have certain positive qualities...For instance, if his moral doubt prevents positive action, it also restrains him from passing judgment, even on those who have most wronged him...He is filled with a desire to know, a compelling need for the truth to sustain him in the ruin of his life. In the action of the novel, the doubt and the need to know are equally real, though they deny each other. (314)

Dowell knows that his readers want to know “what really happened,” and he moves along in his explanations trying his best to tell not only his own tale, but also those of Edward, Leonora, Florence and Nancy. He succeeds in conveying the “truth” as he sees it, and leaves the judgment portion to the readers.

Hynes’s excellent article, “The Epistemology of *The Good Soldier*” explores how “a novel is a version of the ways in which a man can know reality, as well as a version of reality itself” (311). Because of Dowell’s limited point of view, he has limited knowledge; he expands his limitations through the supposition of others’ point of view rather than through any recollection of his own experience. Even though “[a] restricted and subjective narrative mode implies a more limited and tentative conception of the way a man knows” (311), Dowell explores the possibilities of knowledge through speculation and suppositions about other characters. He explains as best he can his interpolation of the motives of Edward, Leonora, Florence and Nancy in order to grapple with the epistemological concept of how anyone can know anything.

His refrain that he does not know is true; he cannot know the minds of others, and has trouble understanding how one can know anything about himself let alone others.

One phrase that runs through his narrative, from the first pages to the last: “I don’t know”; and again and again he raises questions of knowledge, only to leave them unanswered: “What does one know and why is one here?” [TGS --]. “Who in this world can know anything of any other heart – or of his own?” [TGS --] (312).

These are epistemological questions that are at the core of every human being’s thoughts about his or her place in the world, which he or she can only speculate within his or her own experience and interior mind. Dowell *knows* that he doesn’t know through his experience, by his own admission. His story is almost completely from his interior mind.

Hynes describes two kinds of reality that anyone can know, as if it were possible to know anything at all:

the reality a man can know is two-fold; the external world exists as a discrete, observed phenomena, and the individual consciousness exists. That is, a man is given what his senses tell him, and what he thinks. (311).

Dowell admits he knows very little; how can a reader rely upon his story whatsoever? Thus one burning question throughout the novel becomes “what authority should [the readers] allow to the version of events which [Dowell] narrates?” (310-11). All that Dowell witnesses, testifies to and describes (that is, all that is not “hearsay”), must be invested with some authority by the reader so that the story makes sense, progresses and depicts some reality. The question remains: What are we to make of Dowell? because we do not know how much authority to invest him with because he is the *only* source we have to know anything of the reality he creates for us in the form of his story that is drawn entirely from his recollection.

Because of his status as a first person character/narrator, everything that Dowell says suffers from a deep taint of unreliability, so that the entire structure of the novel is unclear at best. “[I]n the first-person novel...it is...possible to eliminate authority all together, and to devise a narrative which raises uncertainty about the nature of truth and reality to the level of a structural principal” (311). Ford’s structure is Dowell’s narrow mind, and its interior action.

We are entirely restricted to what Dowell perceives, and the order in which we receive his perceptions is the order of his thought; we never know more than he knows about his saddest story, and we must accept his contradictions and uncertainties as stages in our own progress towards knowledge. (312)

We accept his own lack of certainty about truth and reality and go with him into his story knowing that he doesn’t know and believing that he will reveal as best he can his version of events so that we can know what it is that “really happened.” Readers can ask no more from a narrator.

The Good Soldier may be “the saddest story” because its storyteller is a limited and fallible man who tells a story about himself and others, all of whom have limitations like his own and like all men and women. The novel can be seen as

[a] study of the difficulties which man’s nature and the world’s put in the way of his will to know. Absolute truth and objective judgment are not possible: experience is a darkness, and other hearts are closed to us. If man nevertheless desires to know, and he does, then he will have to do the best he can with the shabby equipment which life offers him, and to be content with small and tentative achievements. (314)

Dowell does the best he can, all the while knowing that he cannot know the “truth” of the matters he is considering, yet he strives to know despite his obvious shortcomings and his admission of his being badly equipped with poor tools of perception. His jumbled ordering of his story is the best he can do, and he apologizes regularly for his inadequacies. “And so Dowell tells his story as a puzzled man thinks – not in chronological order, but compulsively, going over the ground in circles returning to crucial points... What he is looking for is the meaning of his experience” (315). He achieves a total effect, however:

The effect of [his jumbled] ordering is not that we finally see one version as right and another as wrong, but that we recognize an irresolvable pluralism of truths, in a world that remains essentially dark. (315)

Dowell realizes that the issues he is trying to resolve are indeed unresolvable, and cannily transfers this impossible burden to the reader, thus unburdening himself from all judgment. In time, readers also come to know of this impossibility of resolution.

The structure of the novel suggests a legal trial because Dowell is trying to resolve issues that exist in his mind that he cannot make sense of with his limited sensory apprehension and meager internal understanding of life. He transfers his burden to others, the readers, for resolution through the evidence and testimony that he presents in his story.

The completion of his story occurs when Edward Ashburnham kills himself. “The action in Dowell’s mind is complete, or as complete as it can be in a novel built on doubt” (317). He is resigned through his own admission to the limits of human knowledge (317). He states yet again, “I don’t know. I know nothing. I am very tired” (*TGS* --). He has done the best he can, and “[t]o know what you can’t know is

nevertheless a kind of knowledge, and a kind that Dowell did not have at the beginning” (317). He transfers his knowledge to the readers, even if all is darkness to him. “I can’t make out which one of them was right. I leave it to you.”

Chapter Four

Humbert Humbert: Murderer and Nympholept Narrator

“Lolita, light of my life, fire of my loins. My sin, my soul.”

- *Lolita* (9)⁴⁵

The Trial in *Lolita*

The facts presented in *Lolita* are incontrovertible: Humbert Humbert, the character/narrator of *Lolita*, is a murderer and a child rapist. But there will be no trial of Humbert on these charges because Humbert is dead, and his sins and crimes die with him. What is left of Humbert is his manuscript: “*Lolita, or the Confessions of a White Widowed Male*,” allegedly “notes for trial” prepared while he is incarcerated and awaiting his trial for murder. Since he dies before any trial takes place, his notes can never be used or read at any formal trial; immediately the reader gets the sense that Humbert knows he will never reach trial, so that his “notes” are written for a different purpose than stated.

In Humbert’s will he instructs his lawyer to prepare his manuscript for print, with certain restrictions. His lawyer passes the work on to a cousin, John Ray, Jr., PhD, who edits the “memoir,” and feels compelled to himself write a “Foreword” to Humbert’s

⁴⁵ See Appel: “her name is the first word in the Foreword, as well as the first and last words of the novel. Such symmetries and carefully effected alliterations and rhythms undermine the credibility of H.H.’s ‘point of view’” (328). ‘Humbert Humbert’ is one example of this technique that pervades the novel.

work. This introductory material is filled with this PhD's estimation of the manuscript he has been asked to edit. Nabokov uses this framing device to introduce Humbert and his work, so that the novel *Lolita* is thrice told: at once as "notes," at once as an edited manuscript, and finally as a novel.⁴⁶

Even though at the time of publication of his manuscript Humbert has died, as has Lolita herself, his Lolita lives on in a "memoir" that is much more than notes for a murderer's trial. The fictional PhD Ray opines that "[v]iewed simply as a novel, "*Lolita*" deals with situations and emotions that would remain exasperatingly vague to the reader had their expression not been etiolated by means of platitudinous evasions" (*Lolita* 4). Nabokov's irony is immediately (and always) at work; Ray's judgment might be laughable to Humbert, and makes no sense to readers at this point. Ray further opines that:

[a]s a case history, "Lolita" will become no doubt a classic in psychiatric circles... [Humbert's] confession does not absolve him from his sins of diabolical cunning, He is abnormal. He is not gentleman. But how magically his singing violin can conjure up a tendresse, a compassion for Lolita that makes us entranced with the book while abhorring its author! (5)

In this passage, Nabokov is using the preposterous Ray as a mouthpiece for the view on the impossibility of explaining a monster like Humbert, while simultaneously praising his own work, rather than that of any fictional psychologist. It is Nabokov whose violin sings about a mortal man whom Nabokov has made capable of a range of expressions of emotion while certainly having the intelligence to be cunning and diabolical. Whether he

⁴⁶ Appel reminds us that: "the narrative is presented as an unrevised first draft, mistakes intact, started in a psychiatric ward and completed in a prison cell, the product of the fifty-six frenzied final days of H.H.'s life" (328).

is “abnormal” in the psychiatric sense Nabokov leaves to readers. Humbert might take issue with his not being a “gentleman,” but not with the fact of his sins. His is not a “Confession” as he initially presents it, but a true re-collection told entirely from his memory, from a mind that is sharp, if tainted, and vital with intelligence and ability.⁴⁷

The narrator Humbert Humbert tells his tale with virtuosity but, make no mistake, this character/narrator has a good idea about what he is doing. By utilizing extraordinary rhetorical skills as a narrator,⁴⁸ Humbert the character has as his goal none other than the persuasion of the jury to whom he pleads his case, the putative “Ladies and Gentlemen of the jury” of his aborted murder trial. This jury has now become the readers of his manuscript, and thus the readers of the novel *Lolita*, who will judge him for his sins if not for his crimes.

Humbert knows that, despite his death, his actions will be judged, and he demands to be a witness in his own defense from beyond the grave. Through his “memoir,”⁴⁹ he fully intends to tell his side of the story, as well as the whole story since he is the only source of any story; throughout the novel he dares the audience of readers to condemn him for his life’s sins. His tactics are to twist and turn the facts as any good defense counselor would; he does not deny the facts and readily admits to the salient features of many crimes. He knows that they are crimes, legally and morally. He uses every

⁴⁷ Ray goes on: “*As a work of art, [Lolita] transcends its expiatory aspects; and still more important to us than scientific significance and literary worth, is the ethical impact the book should have on the serious reader; for in this poignant personal study there lurks a general lesson; the wayward child, the egotistic mother, the panting maniac – thee are not only vivid characters in a unique story: they warn us of dangerous trends; they point out potent evils. “Lolita” should make all of us – parents social workers, educators – apply ourselves with still greater vigilance and vision to the task of bringing up a better generation in a safer world*” (5-6). Nabokov’s satire of the psychiatric profession and educational personnel’s visions is at work here. This liberty of the opinion of the “editor” stands in clear juxtaposition to Humbert and his work.

⁴⁸ “Had *Lolita* been a real memoir, anyone of sound mind would refuse to read it, notwithstanding the brilliance of its style, the richness of Humbert’s observations, and the exemplary dissection of his urges” (Vries 148).

⁴⁹ A “memoir” is material that is entirely gathered from remembrance and recollection of an individual as he or she is remembering the past in his or her mind. A memoir is different from a history or an autobiography which are works that are compiled and assembled from researched material.

rhetorical means available to him to persuade the audience that his sins were in fact justified, as in a legal defense of self-defense for the killing of another human being. Humbert is fully aware of his opportunity to explain his life and he does so with relish, believability and very persuasive rhetoric. His audience may not absolve him of his many crimes but they will be entertained by his charm and personality while he reveals the deeds of a monster and attempts to explain why he is *not* a monster. He expects adjudication by his audience after he has presented his defense. He will have his day in court and that day is the novel *Lolita*. Humbert is a character, and his narration is a fictive recollection of fictional events that have already taken place in his fictive world. He has written a recollection of these events to explain the events, but the focus is on his character and the actions of this character, who is also the first-person narrator of the novel.

Humbert's Crimes

As the novel opens, readers do not know just what crime Humbert has been charged with before his death that has caused his being incarcerated, but he tells us in the third paragraph: "You can always count on a murderer for a fancy prose style" (9). He playfully admits to being a murderer up front, but determinedly withholds the name of his victim; readers do not know whom he has murdered or why for most of the novel. Appel notes that:

The reader is invited to wend his way through a labyrinth of clues in order to solve the mystery of Quilty's identity...Has [Humbert] killed Charlotte? Or Lolita?...The reader is led to expect both possibilities, and [Humbert's] various ratiocinations should ultimately tell the reader as much about his own mind as

about the “crimes,” “identities,” or “psychological development” of fictional characters. (Note 9/2, 331)⁵⁰

Humbert’s justifications for his actions will be revealed as the novel progresses since this writing is completely from his own mind, replete with commentary and extensive references to obscure historical, geographical and literary points of digression. The novel functions at one level as a murder mystery of sorts because Humbert plays with reader about the identity of the victim that Humbert admits to murdering early on. His fictional defense is the purpose of its fictional publication.

Humbert is fully aware of the law against murder and its definitions. Murder is generally defined by statute in most states as the unlawful killing of a human being with malice aforethought. Most states divide the crime into two degrees for the purpose of awarding a more severe penalty for some murders than others. These are generally classified as first degree murder, or the willful, deliberate and pre-meditated killing, particularly lying in wait; second-degree murder, or a killing committed in the heat of passion, that is without pre-meditation; sometimes there also exists a crime of third degree murder, or negligent homicide. There are many different wordings and definitions dependent upon the statute of the state in which the crime is committed. Humbert does not quibble with these definitions and statutes; he freely admits to all crimes and “sins.” Late in his memoir he describes his murdering of Quilty in excruciating detail, leaving no doubt in the reader’s mind of his commission of this particular crime, the crime for which he was apprehended and incarcerated.

⁵⁰ See also Appel’s Note 31/9, 349: “H.H. withholds Quilty’s identity until almost the end of *Lolita*, and adducing it by virtue of the trail of clues is one of the novel’s special pleasures.” In this Note, Appel recites all references and hints in the text to the identity of Humbert’s murdered victim Quilty.

Humbert has committed first-degree murder; he has intended Quilty's death, plotted the means, and awaited opportunity for a very long time (legally "lying in wait"). The text lays out in detail motive, means and opportunity; therefore, his pre-meditation is clearly demonstrated. Even in this fictive scenario, there is little doubt that he confessed to the most condemned of all crimes, the penalty for which is death in thirty-eight states at the current time. Humbert himself appears to expect the death penalty: "For reasons that may appear more obvious than they really are, I am opposed to capital punishment; this attitude will be, I trust shared by the sentencing judge" (308). This statement appears much later in the novel and reinforces Humbert's knowledge of the illegality of his admitted action – the crime of first-degree murder, and his resignation that he will likely be found guilty of this crime, and likely would have received the death-penalty had he not expired before trial.

Humbert's only hope of acquittal may lie in a defense of insanity, whereby he is not held responsible for his act because at the time of its commission he did not know the difference between right and wrong and therefore could not appreciate the illegality of his act. His Notes start out with some vague references to previous institutionalizations for mental illness that may or may not be true, but these are not pertinent to the act in question – Quilty's murder. However, he says as Quilty is dying:

I may have lost contact with reality for a second or two – oh, nothing of the I-just-blacked-out sort that your common criminal enacts; on the very contrary, I want to stress the fact that I was responsible for every shed drop of his bubbleblood.

(304)

He then walks downstairs and announces to a group of people, “I have just killed Clare Quilty” (305). He clearly confesses and does not demonstrate any state of mind that could be construed as insanity. On the contrary, his actions and speeches taken as a whole indicate a very deliberate killing with malice aforethought, or first-degree murder. Humbert wants to make it very clear that he is an uncommon criminal; he intended to kill Quilty and he does so, and he was well aware of his actions. He cares nothing for the law, “I could not suppress a shiver whenever I imagined my nudity hemmed in by mysterious statutes in the merciless glare of the Common Law” (106), but cares very much for his vengeance, despite its not bringing him the peace he had sought. He knows his crime will be punished. When he is taken into custody shortly after he has murdered Quilty, he states that:

I...was, indeed, looking forward to surrender myself to many hands, without doing anything to co-operate, while they moved me, relaxed, comfortable, surrendering myself lazily, like a patient, and deriving an eerie enjoyment from my limpness and the absolutely reliable support given to me by police and the ambulance people. (307)

He surrenders without a semblance of a fight, seeming quite relieved that it is all over and that now he would be taken care of; his guilt is never in question.

Humbert is formally charged with no other crimes. In theory, no one would know about any other crimes just because Humbert has indeed murdered Quilty; the “Confession” was ostensibly only notes to be used at a trial that never occurred, and then was not to be published until after his and Lolita’s death. He cannot be charged because no facts establishing other crimes come to light until after his death, at least not in the

story that Humbert tells. During the time he is alive, he studiously avoids the authorities' becoming aware of his other crimes simply because he knows that his actions described in his "notes" are indeed criminal.

No trial takes place, and no fictive strategy is ever revealed in advance of his expected trial that would explain his possible motive for his planning to reveal other crimes at the trial of the crime with which he is charged. But, of course, the novel *Lolita* is mostly what takes place in between his meeting Lolita and Quilty's murder; this "memoir" is not only his defense ostensibly for Quilty's murder, but also his opportunity to explain his relationship with Lolita, the "light of his life." This is a work of fiction, after all, and anything can happen when an author chooses to write that it is so.

Perhaps the most interesting legal scenario presented to readers in *Lolita* is the issue of the permeating theme of Humbert Humbert's titillating relationship with Lolita. Humbert tells us in the first sentence that she is "the fire of [his] loins." There is no mistake about the sexual nature of their relationship, whatever else the relationship may encompass. He is a man of some forty-two years of age who is unquestionably having an ongoing sexual relationship with a girl from when she is twelve to when she is fourteen years of age and beyond. He further forces her to stay with him against her will, and takes her across many state boundaries in the course of their two journeys through the American landscape. These acts, if and when the facts are proven, constitute the crimes of statutory rape, false imprisonment, kidnapping, and the crime of violation of the Mann Act,⁵¹ which is the transportation of a girl across state lines for purposes of an immoral act.

⁵¹ 18 U.S.C.A., §2421.

Humbert is an educated and perceptive man; he is not unaware that his relationship and actions with Lolita are unlawful. Shortly after their first union, Humbert reviews, briefly, what is commonly referred to as the age of consent, or the age at which a female is lawfully able to give her consent to sexual intercourse. He rambles through various ancient customs regarding sex with girls as young as eight or ten years; he refers to Roman Law “[A]ccording to which a girl may marry at twelve, [which] was adopted by the Church, and is still preserved, rather tacitly, in some of the United States” (135). His scholarship is foggy here; the issues of Roman Law, the Church’s position and local customs are more complex than his brief statement may lead the reader to believe. Furthermore, he never marries Lolita.⁵² Even with consent, sexual intercourse with a female under the proscribed age of the jurisdiction where the act takes place is deemed statutory rape. Humbert knows this very well, and knows his sexual relationship is criminal in every state.

Humbert continues to justify his relationship with a very young girl. Humbert is definite that “fifteen is lawful everywhere” (135).⁵³ Humbert is more or less correct for the time he is writing; some states at that time did consider fifteen a “lawful” age for consent and/or marriage. But none of this applies because Lolita is only twelve when the first sexual relations occur.⁵⁴ He misdirects his facts, and plays down his admitted actions by attempting to analogize his actions with historical precedent and thus engages in some blustery justification. His confidence is false; he knows by his own admissions

⁵² Humbert provides a colorful example: “There is nothing wrong, say both hemispheres, when a brute of forty, blessed by the local priest and bloated with drink, sheds his sweat-drenched finery and thrusts himself up to the hilt into his youthful bride” (135.) He concludes, “I have but followed nature. I am nature’s faithful hound.” He also speculates: “Why then this horror that I cannot shake off?” (135). The implication of this question cannot be missed; he knows the law, and the immorality of his actions.

⁵³ See Appel, notes 135/1-4, 383 and Note 19/1: “[B]ut, even if H.H.’s quotation is wrong, he is a sound legal scholar” (341).

⁵⁴ Currently, statutory rape is committed even if there is consent if the girl is under the age of 16, 17 or 18, depending upon the state.

and actions many times in the text that there is no place in the United States where his sexual relationship is legal, let alone condoned. He works very hard to keep the sexual nature of his and Lolita's relationship secret by having her posed as his daughter throughout much of the story; in fact she is his step-daughter because of his marriage to Charlotte, although he never formally adopts her. Whether or not she is his step-daughter too is immaterial. He becomes anxious on many occasions when some situation presents an opportunity for discovery, and he daily works at keeping Lolita bribed not to tell anyone about the sexual nature of their relationship. The text misdirects and deflects Humbert's reprehensible crime, but the words never dispute that their relationship is sexual and therefore a crime in the eyes of the law.

Humbert makes much of the fact that, by her own admission, when their relationship commences she had already had sexual relations: "Sensitive gentlewomen of the jury, I was not even her first lover" (135), as if this makes a difference to the facts of his criminal behavior. A long and entertaining passage follows wherein Lolita recalls an earlier youthful experience, listened to with relish by Humbert. The fact that Lolita was not a virgin when Humbert takes her in no way exculpates his guilt for statutory rape, a crime of which he knows he is guilty. His attempt to diminish his crime through his pointing out Lolita's behavior is immaterial and diversionary.

In a further attempt to deflect guilt from himself, Humbert also dramatically reveals that "It was she who seduced me" (132), again as if this opinion/fact would make a difference to the "ladies and gentlemen of the jury" when considering his innocence or guilt of the crime of statutory rape. Humbert falters when describing the details of his seduction, and utters the ironic lines: "But really these are irrelevant matters; I am not

concerned with so-called ‘sex’ at all. Anybody can imagine those elements of animality” (134). This admission of sexual relations is *prima facie* evidence of his crime of statutory rape.

Humbert knows that Lolita can also claim that Humbert has kidnapped her. Kidnapping is defined as “the unlawful taking and carrying away of a human being by force and against his/her will...” (Black’s 781). The evidence of this fact is her eventual desperate escape from Humbert into the filthy clutches of Quilty. And, Humbert is also “...unlawfully detaining the person of another, for any length of time, whereby he is deprived of his personal liberty” (681). So, Humbert is, in fact, falsely imprisoning Lolita as well as his other crimes.

Humbert’s “notes,” “manuscript,” or “Confession” all describe the crimes of statutory rape, kidnapping and false imprisonment, so that Humbert has confessed without any demurrer to each of these crimes. He will never be tried except in the hearts and minds of the readers of *Lolita*, and their opinion matters very much to Humbert. The entire novel is his recollection of events presented in the most favorable way he can construe because he consistently entreats the readers via direct address to consider what he presents as mitigating circumstances to his confessed crimes. However, “[u]ntil almost the end of *Lolita*, Humbert’s fullest expressions of “guilt” and “grief” are qualified if not undercut completely” (Appel lix). His attempts at swaying his jury of readers fails miserably because of his own contradictory expressions, yet he persists in defending his actions and in pleading desperately for some kind of understanding from his audience. This thread develops Humbert’s character into a sympathetic one in some readers’ eyes, while others cannot forgive his unspeakable crimes against Lolita.

There is no doubt that Humbert is a criminal, whether or not he was ever charged with rape, kidnapping and false imprisonment in the story. Humbert's explanation for his actions is the crux of Humbert's purpose in writing and publishing his memoir. His pandering to an illusionary jury is mere diversion and deflection from the facts of his many crimes. Humbert knows he is committing crimes; he does not wish to be caught, but shows little remorse or repentance for his actions. He readily confesses to his many crimes and offers up a verdict: "Had I come before myself, I would have given Humbert at least thirty-five years for rape, and dismissed the rest of the charges" (308). He does not delineate the specifics of "the rest of the charges," but contextual implication is that he is primarily referring to the murder of Quilty, which, as we shall see, he feels was entirely justified. Humbert is a criminal and would have been found guilty of a number of crimes, had he lived, because of his confession to all of them is clearly recalled in his memoir. Since he died before any charges could be brought or evaluated, the trial is *de facto* the novel *Lolita*, and the adjudicators are the readers.

Lolita the Victim

As the story develops, many twenty-first century readers may ask, why doesn't Lolita *do* something? She does eventually escape, but only after over two years of apparently daily rape and virtual imprisonment by Humbert. Is Lolita's own behavior and lack of action the source of all her misadventures and suffering? Of course, this simple stance ignores the complex story of love, tragedy and attempted redemption of Humbert so expertly rendered by Nabokov. But, rarely is Lolita's point of view explored other than to declare and/or to explain that, unconditionally, she is Humbert's victim of his criminal behaviors.

Is Lolita a victim? She surely complies with Humbert's initial sexual demand: "it was she who seduced me [Humbert]" (132), but this is again a perversion of the facts since it is an evaluation through Humbert's eyes, as if a twelve year old girl *could* seduce a forty something man. He states later on that, "I feigned supreme stupidity and had her have her way – at least while I could still bear it" (134). This utterance is obviously closer to the facts of their first sexual encounter. Readers learn that she has planned her escape from Humbert far longer than Humbert knows, and that he is suspicious and tormented about her leaving him almost constantly. Yet, Lolita seems oddly complacent for a long time, particularly at the moment of her choice (?) to remain with Humbert, and during their first cross-country travels. Initially in the novel, after her seduction, rather than victim, she seems a willing accomplice.

The narrative suggests a sense that she may have initially enjoyed these sexual activities, perhaps because of their illicitness, or perhaps because of Humbert's bribes. More likely her childish sense of curiosity and adventure leads her on. Of course, as time progresses, she certainly hates him, is repulsed by him and comes to understand the sordidness of the sexual nature of their relationship as well as its immorality and its illegality despite any initial willingness. However unwilling she may or may not be initially, very quickly it becomes evident that she has no choice but to comply with Humbert's sexual agenda, and thus is a complete victim of his criminal actions.

The slippery nature of the prose in the novel generally precludes an easy and definitive answer to any questions surrounding Lolita's being a victim. Does she have a choice, and *should* have she have chosen alternative behaviors? Does Lolita have alternative choices? Why does she not escape from Humbert's imprisonment sooner,

albeit that she does so later even if it is into the filthy hands of Quilty? These questions are very much those of the twenty-first century, and not the mid-twentieth century.

Things were different in 1948, socially, morally and legally, and Humbert is very canny about the laws and the social conventions that he can use to keep Lolita compliant and silent.

Any proposition that Lolita could have done *something* sooner must be based on inferences from the text; since the author is Humbert and the readers are not privy to Lolita's thoughts except through his lens, a close reading is required to ascertain the facts. Lolita finds herself in a complex predicament at the tender age of "twelve years and seven months old" (105-06). She is Humbert's stepdaughter, although he never becomes her legal guardian, and she is suddenly an orphan. What are Lolita's options *vis à vis* Humbert? She is in a predicament with no easy answers. Do her choices and decisions make her an accomplice rather than a victim? The text must reveal some clues to answers to these questions.

The social, moral and legal conditions of *circa* 1947 – 1952 are certainly circumscribed in the text in depth. While we are privy only to Humbert's point of view, facts emerge. Lolita's widowed mother has remarried a suitable man of education and manners, albeit "a brand-new American citizen of obscure European origin" (105) (ably acted by both James Mason and Jeremy Irons in the respective film versions of *Lolita*). Thus Humbert becomes Dolores Haze's stepfather, a relationship that seems perfectly acceptable for the entire family, and particularly to Humbert, whose secret goal is not a wife but the company of her daughter. His social position of authority and power as Dolores Haze's father would have been unquestioned in the time era of the novel.

The novel expands upon a salacious detail that may or may not be true: in a completely ironic and incredible twist, the reader learns through a brief synopsis that in 1934, “lovely and fast” Charlotte Becker, already engaged to the late Harold Haze, had had “a mad love affair” (100) with Humbert who, at that time, was still married. After Charlotte’s death, which comes soon after her becoming Mrs. Humbert, in a surge of protective responsibility, John Farlow, a neighbor and friend, declares: ““One would like to know what you [Humbert] are going to do about the child anyway”” (101). Jean Farlow, John’s wife, “whispered that she had heard rumors,” prompted by a snapshot of Charlotte found amid her effects after her precipitous death (100). ““John,’ cried Jean, ‘[Lolita] is his child, not Harold Haze’s. Don’t you understand? Humbert is Dolly’s real father.’ ‘I see,’ said John... ‘I did not realize that. It simplifies matters, of course”” (101). Thus, to those closest to Charlotte and Dolores Haze, Humbert is *de facto* Lolita’s biological father, which solidifies his authority over Lolita substantially in their eyes, particularly in c. 1950 when a step-father was tacitly granted the rights of a biological father, and a biological father’s rights were practicably inviolate. This social stance becomes important later on in the novel when Humbert, in a practical move, sells Charlotte’s house⁵⁵ and uses the proceeds to fund his escape across country with Lolita. Humbert uses this money to bribe young Lolita into compliance with his wishes.

The assertion of this incredible suggestion of Lolita’s paternity obviates any interference by anyone, however informally; a father has every right to do with his own child as he sees fit unless and until he is declared an unfit father in a formal court proceeding. John Farlow agrees: “...whatever you feel is right” (101). Humbert plays the

⁵⁵ This is not true although he makes Lolita think so. The \$4,000.00 he gives her and Dick at their last meeting, is “That sum...represented more or less the net rent from her mother’s house; she said: ‘Had it not been sold years ago?’ No (I admit I *had* told her this in order to sever all connections with R.); and a lawyer would send a full account of the financial situation later; it was rosy; some of the small securities her mother had owned had gone up and up” (279-80).

suggestion/fact of his being Lolita's biological and legal parent and all of its implications to his advantage, while purposely avoiding any return to the area where Lolita is known so that any lingering questions will be avoided. Again, Humbert is well aware of the law, and manipulates his actions to avoid detection of his crimes.

Lolita has no knowledge of this alleged parentage. In an era lacking definitive evidence such as DNA testing, the ambiguity of Lolita's parentage is left as an undercurrent of true incest throughout the novel as an exclamation point to the sexual involvement of Humbert as father/step-father and Lolita as daughter/step-daughter regardless of any age difference. This suggestion of incest perhaps makes their relationship all the more sinful in the eyes of the readers, no doubt Nabokov's intention.

The implication from the text is that Humbert's alleged biological parentage of Lolita would be irrelevant to Lolita in any case; after all, she is only twelve years old and would have no reason to suspect that Humbert is other than a stranger to her and initially to her mother; she accepts him as her step-father and invests him with all the social authority and power that she would understand to be his by virtue of his marriage to her mother. Had she known of the allegation or believed that the rumor were true, perhaps the real taboo of incest might have deterred her agreement to sexual activity completely. This seems unlikely. Her understanding is limited to that of a twelve-year-old girl. The passage is likely inserted to, in some twisted way, account for Humbert's and Lolita's close relationship.

Lolita is not unaware of certain facts of life and general prohibitions; she alludes to her knowledge: "The word is incest," declares Lolita upon learning they will stay in the same room at *The Enchanted Hunters* (119). "[I]f I were you, my dear, I would not

talk to strangers” (138), Humbert advises Lolita after this first night at The Enchanted Hunters: “that must have been around August 15, 1947” (109). He knows the absolute necessity for secrecy. But Lolita threatens him as they proceed to the fictitious hospital where her mother is allegedly ill:

‘You chump.’ She said, sweetly smiling at me. ‘You revolting creature. I was a daisy fresh-girl, and look at what you’ve done to me. I ought to call the police and tell them you raped me. Oh you dirty, dirty old man.’ [Humbert asks ,] Was she just joking? (141)

Lolita was not “daisy-fresh,” and early on readers have the sense that Lolita knows in a general way that what Humbert and she have done is morally and legally wrong. But she does not call the police and treats the entire experience as a lark rather than any grave event. This seems to comport more with the thinking of a twelve-year old girl, but perhaps not to some readers.

Should Lolita *ought* to have done just as she says – call the police? It seems that Lolita is half serious, at least to Humbert’s ears: “an ominous hysterical note rang through her silly words” (141). But this question is obviated when Humbert informs her of her mother’s death. The truth becomes plain: “...in the middle of the night she came...into my [bedroom]...You see, she had absolutely nowhere to go” (142). Lolita is indeed orphaned at the age of twelve, with nowhere to go. She is naturally deeply upset at the death of her mother, and Humbert is comforting despite their intimacy or perhaps because of it, so that any such notions of running to the police, even half serious ones are subsumed into the grief of a twelve year old girl, a situation that Humbert exploits shamelessly.

Humbert has achieved his stated goal of having Lolita all to himself, sexually and otherwise, but he does not anticipate the practical aspects of keeping a twelve-going-on-thirteen-year-old child entertained. As they begin to travel Humbert learns that “Lolita, when she chose, could be a most exasperating brat” (148). From Humbert’s perspective, he “rel[ies] on three...methods to keep [his] pubescent concubine in submission and passable temper” (148). “From the very beginning of [their] concourse, [he] was clever enough to realize that [he] must secure her complete co-operation in keeping our relations secret” (149). One method of keeping her submissive and co-operative was to

warn [...] her she would dwell with me in exile for months and years if need be [at a remote Appalachian farmhouse of a relative]...I put a stop to her tornadoes of temper by turning in the middle of the highway with the implication that I was about to take her straight to that dark and dismal abode” (148-49).

Lolita’s initial submission was gained by Humbert’s threat of this very unattractive possibility made to a child; in comparison, he offers her everything a girl of twelve could want –the childish wants of sweets, clothes, bubblegum, lipstick and the like. Humbert is a smart kidnapper who is a fast learner about humoring a child of twelve.

Humbert employs another method to persuade Lolita’s compliance with his plans. Humbert’s reasoning, presented to Lolita in a twisted declaration, that he will ironically protect her from “from all the horrors that happen to little girls.” (149). He continues, “[t]hrough thick and thin I will stay your guardian, and if you are good, I hope a court may legalize that guardianship before too long” (149). In typical Nabokovian twisting of reason, he notes to her that he is not a rapist, nor incidentally her first sexual encounter, but that he is her “daddum” and she, according to psychological theory, should be “a

normal girl [who] is usually extremely anxious to please her father” (150). This satirical commentary on legal and social institutions would be lost on Lolita. However, this appeal may have touched her sense of need and comfort at least at the beginning of their attractive vacation and on the heels of her loss of her mother. Lolita is an orphaned twelve-year old girl who has no resources and is currently being well taken care of, supremely indulged in her every whim, by someone who does care for her. Perhaps to her, his sexual demands are little enough to pay in exchange for his caretaking.

Humbert further reasons with Lolita that “[he] would not advise [her] to consider [her]self [his] cross-country slave, and [he] deplores the Mann Act⁵⁶ ... [He] is her father...and [he] loves [her] ” (150). He declares that he is the one who will take care of her, and that loves her as a father would a daughter (despite their “incest”). This line of reasoning is illogical but presents a logical scenario that could easily influence any child of nearly thirteen who is suddenly bereft of all other candidates to care for and take care of her.

Humbert is at his most menacing when he threatens Lolita with something more real and more horrifying than any removal to a rural address or appeals to her sentiments or to her limited young intelligence or her whims through bribing her. Humbert informs her:

⁵⁶ “I deplore the Mann Act...as lending itself to a dreadful pun” (150). The Mann Act prohibits and punishes adults who transport minors across state lines for immoral purposes (150). However, Humbert’s status as Lolita’s stepfather would make it difficult in c. 1948 for any criminal action against a father, even if Lo asserted “incest.” Her pleas would likely be ignored in favor of a “father’s rights”. Her assertions would not have been taken seriously, in my opinion. Such a scenario is called “bunkum” by Humbert. The only possible circumstance when the Commonwealth of Massachusetts would have become involved would be if Lolita were to become pregnant, which, mysteriously, never occurs while she is with Humbert despite his inferences and statements that they copulated several times per day.

‘Finally, let us see what happens if you ...complain to the police of my having kidnapped and raped you? Let us suppose they believe you⁵⁷ ... the maximum penalty is ten years. So I go to jail. Okay. I go to jail. But what happens to you my orphan? Well, you are luckier. You become the ward of the Department of Public Welfare – which I am afraid sounds a little bleak. A nice grim matron...will take away your lipstick and fancy clothes. No more gadding about! I don’t know if you have ever heard of the laws relating to dependent, neglected, incorrigible and delinquent children.⁵⁸ While I stand gripping the bars, you, happy neglected child, will be given a choice of various dwelling places, all more or less the same, the correctional school, the reformatory, the juvenile detention home, or one of those admirable girls’ protectories...You will go there. Lolita – *my* Lolita, *this* Lolita will leave...and go there, as the wayward girl you are. In plainer words, if we two are found out, you will be analyzed and institutionalized...You will dwell, my Lolita will dwell... with thirty-nine other dopes in a dirty dormitory...under the supervision of hideous matrons. This is the situation, this is the choice. Don’t you think under the circumstances Dolores Haze had better stick to her old man?’ By rubbing all this in, I succeeded in terrorizing Lolita, who despite a certain brash alertness of manner and spurts of wit was not as intelligent a child as her I.Q. might suggest. (150-151)⁵⁹

⁵⁷ The complete text includes “A minor female who allows a person over twenty-one to know her carnally, involves her victim in statutory rape, or second degree sodomy, depending on the technique.” This is inaccurate; no minor could be accused of “involving” an adult in any criminal way. A child, especially one of Lolita’s age is never guilty of any sexual crime. It is *always* the adult who is responsible for any sexual contact with any minor, regardless of the ridiculous referral to “technique.” Here Nabokov is simultaneously satirically erroneous, mocking, playful, and parodic.

⁵⁸ Humbert is conflating here; Lolita cannot be neglected except in her own mind and delinquency refers to another concept that is inapplicable to the situation; see Note 10 above.

⁵⁹ Humbert returns to the issue of guardianship several more times. See 171-173.

While Nabokov plays with some aspects of this proposition, by exaggerating and embellishing the description of the process she may be subject to if she were to be so “protected,” Humbert is essentially correct in one assertion.⁶⁰ If he no longer is available to care for her and support her because he is in jail as a result of her accusations, and her status truly does become that of an orphan, she would thus become a Ward of the State, and her prospects for a life in an institution were indeed as grim as Humbert graphically pictures for her.⁶¹

Lolita is terrorized. The reality of horrific institutionalization of an orphan existed in 1948, and the fate Humbert carefully draws was a real possibility if Lolita did indeed make the alternative choice of turning Humbert in to authorities; these “authorities” would then assist her by imprisoning her in a different type of prison, a much nastier one in many respects. She surely would have been treated worse than Humbert is treating her, even if the situations are comparatively awful and both maybe unsatisfactory to readers. Lolita’s choices are very limited, and she perhaps is terrorized into the lesser of two evils in her own mind as well as in reality. She is a victim of the law as well as Humbert and, were Humbert to vanish from her life at that point due to his incarceration, she has no other alternative to the horrors accurately described by Humbert, in fact.⁶²

In the Foreword to *Lolita*, John Ray, Jr. alludes to Lolita as a “wayward child”

(5). Humbert discusses this moniker briefly as well: “In Massachusetts, U.S...a ‘wayward

⁶⁰ Humbert’s additional assertions in this passage that she would be accused of “having impaired the morals of an adult at a respectable inn”, and “allow[ing] a person over 21 to know her carnally, involv[ing] her victim into statutory rape, second degree sodomy, depending on the technique” are ludicrous. A child could never be accused of these actions; the responsible party is the adult, so that Humbert’s attempt as casting himself as a victim are silly.

⁶¹ I personally have the experience of being aware of these institutions in the 1950s. The foster care system was just starting to emerge as an alternative to generic “orphanages”, and all of the institutions named by Humbert – he is well-informed-- whose conditions were little better than jail, and whose occupants suffered unspeakable acts perpetrated by their keepers. Such scandals resulted in most of these institutions being closed in favor of the foster care system.

⁶² Humbert reveals that: “Among these [methods], the reformatory threat is the one I recall with the deepest moan of shame.” Humbert is well-informed about the threat he is making, as was Nabokov.

child' is, technically, one 'between seven and seventeen years of age' (who, moreover, habitually associates with vicious or immoral persons)" (19). Appel, in his notes, declares that Humbert's assertion is "an accurate transcription; the parenthetical phrase is also a direct quotation from *Mass Anno. Laws* Ch. 119 §52 (1957)" (Note 19/2, 341). The definition of a "wayward child" in MGLA Ch. 119 §52 was as Humbert and Appel states in 1947.⁶³ The key words here are in the parenthetical phrase, and in the definition of a "wayward child." She unquestionably satisfies the age requirement.⁶⁴

If Lolita were to turn in Humbert, and thus find herself before a judge in an action by the Child Welfare Services of the Commonwealth because she is then an orphan, it would be a situation where she would need to be adjudicated as needing the court's protection, never as a result of any such activities that inform the definition of a "wayward child." The judge of such a hearing would be entirely concerned for Lolita's welfare. The law about "wayward children" is designed to treat young criminal offenders as needing guidance and education about their misguided actions rather than to penalize them, particularly at Lolita's age. An adjudicator would be bound not only by the "letter of the law", but also, more importantly, by the spirit of the law, that is the adjudicator would be bound to follow the goals for which the law was written and enacted. The court concerns itself with positive influence and re-direction of a "wayward child", which Lolita is not. She has committed no crime, and Humbert's veiled inference that *he* is a "vicious or immoral person" with whom Lolita "habitually associates" turns the definition on its head. She is being coerced, terrorized, and the Court would dismiss any

⁶³ The definition of a "wayward child" was deleted from the law in 1973 (*MGLA*).

⁶⁴ In the context that Humbert uses the term "wayward child," he is attempting a justification of his relationship with such a young girl, and includes it among a litany of descriptions of legal and socially permissive times and locations where Lolita's age would not be a factor, morally or legally. While these incidences of children and grown men are interesting historically, he is living in 1947 where his behavior is decried by law and society.

such claim especially if Humbert somehow asserts this to the court, which he would not be allowed to do in the first place. Humbert is sensationalizing her alleged role in events for the benefit of Lolita with the goal of coercing her into compliance with his plan to keep her as his mistress and into absolute silence about their relationship.

Humbert tries to twist the words of the law to make Lolita guilty of a crime when it is he who is committing a crime, the crime of statutory rape, possibly aggravated by the use of force. Any sexual contact between an adult and an underage child, which Lolita certainly is, is deemed a crime on the adult's part since a child cannot make such a decision, whereas an adult is responsible for his or her behavior. Humbert has committed statutory rape regardless of any previous sexual activity of Lolita and regardless of her compliance. It is Humbert's twisted illusion that, in the eyes of the law, Lolita can and should be held responsible legally for her actions. This is completely erroneous in reality. It is Humbert who is solely responsible for their sexual relationship since he is an adult. She cannot be an accomplice to her own rape. At the age of twelve, Lolita is indeed a victim according to law.

Lolita, aka Dolores Haze, seems to resign herself to the status of Humbert's guardianship which includes active sexual relations, versus the alternatives of going to the police, facing abandonment, or enduring the possibility of virtual imprisonment as an orphan. Since we do not receive her point of view, inference must be made about her thoughts when she is faced with her predicament: she made a logical choice among limited options, and, as she matures, she bravely plots her escape at the first opportunity.

Lolita has only the two options: Humbert has threatened her with and offered as alternatives, life with him or institutionalization of some ilk. Humbert has threatened,

even terrorized Lolita with increasingly horrific scenarios, culminating in the depiction of the real possibility of a jail-like existence. The options Humbert sketches for her are all in comparison to what he offers her as an alternative - a soft cage, lined with endless travel and amusement, much indulgence and total care and support. What could Lolita do in the face of such threats, the details of which she could not know but could imagine, nor could she be expected to know, but which Humbert communicates vividly? Lolita is not quite thirteen years old. That she completely acquiesces to the sexual component of her life with Humbert is easily understood; her sexual duties may seem like a mere annoyance in comparison to the alternatives she perceives. Her fear at being alone, an orphan, and without resources would impel almost any young girl in 1950 America to make the best of a bad situation. Things were very different in the Northeast in circa 1948. Incest and pedophilia were not spoken of openly, and the police rarely became involved in familial matters, unlike twenty-first century sensibilities and concerns. The assertion that Lolita could have engaged in different behavior or made a different decision, such as to seek out the police for assistance simply was not a viable option for her. Lolita is a very young girl with no options who takes what she is given because she is indeed terrified of any other course of action on her part.

Humbert's failure to delve into the legal details of his situation *vis a vis* Lolita seems incongruous with his intelligence and the overall practicality that he conveys to Lolita. But his reluctance bespeaks his obsession with Lolita and his aversion to having the law voluntarily enter into his life. Humbert admits that he "...really and truly ...somehow never managed to find out quite exactly what the legal situation was" (171). He "had taken no steps toward becoming the legal guardian of his dead wife's daughter"

(105). This was “disquieting” to Humbert; he is aware of his tenuous legal relationship, yet he is loathe to make his legal position as a father a reality: “I could not suppress a shiver whenever I imagined my nudity hemmed in by mysterious statutes in the merciless glare of the Common Law” (106). This is the underlying truth to his resistance to pursuing legal guardianship or adoption as the father of Dolores Haze. He is not unclear about his aversion to the law and its interference in his gratification.

Humbert attacks the law itself, because Humbert cannot justify his relationship with Lolita to be in alignment with any legal principles. As a weak justification for his illegal actions, he states that: “At other times, I would tell myself it was all a question of attitude, that there was really nothing wrong in being moved to distraction by girl-children” (19).⁶⁵ Humbert proceeds to justify, if not to convince himself, that others have his same inclinations, but admits “I am just winking happy thoughts into a little riddle cup” (29). His references to various historical figures and to various cultures around whose relationships were with young girls or boys deserves expansion elsewhere; Nabokov has certainly done his research as usual. But, unquestionably, there is no doubt that Humbert’s predilection for pre-pubescent girl-children remains illegal and immoral, and he is well aware of the his situation *vis à vis* the law, regardless of any protests to the contrary. Thus the immorality and illegality of Humbert’s actions is never really seriously contested by even Humbert, despite his attempts to rationalize and justify his behavior.

A twelve-year-old girl especially cannot know the points of law clearly, when even lawyers wrangle constantly over the smallest points. A reader may assume that she does understand morality, but Humbert’s threats are menacing and they depict a reality

⁶⁵ See Nabokov: “The stipulation of the Roman law, according to which a girl may marry at twelve, was adopted by the Church, and is still preserved, rather tacitly, in some of the United States...and fifteen is lawful everywhere”, etc. (135)

that is more threatening than even his immoral demands. He has threatened her, imprisoned her and repeatedly sexually assaulted her; these are what are so unforgivable in the eyes of the law, regardless of their immorality. Lolita cannot and should not be held responsible, even in 1948, for her part in her fate. Doubtless readers will likely come to these same conclusions.

Lolita can reject the terrors of an orphaned condition, but then, how does a child escape from such a situation? In another pointed irony and parody, Humbert describes what Lolita is doing while they are engaged in perhaps the nastiest description of sexual contact, which is also depicted, however subtly, in the Lyne film. While engaging in sex by sitting in his lap and being impaled upon him, Humbert relates Lolita's concurrent actions:

[Lolita] would turn to the column [in a newspaper] Let's Explore Your Mind...[Lolita reads aloud:] 'Would sex crimes be reduced if children obeyed a few don'ts? [she reads] ...If picked up, mark down the license of the car...If you don't have pencil, but are old enough to read and write...scratch the number somehow on the roadside.' (166)⁶⁶

Of course, this particular strategy is not exactly what Lolita does eventually does, but Nabokov plays to the irony of future events. Lolita has stayed with Humbert for almost two years before her actual escape and much of the latter year is spent in misery, by Humbert's own description, and in her planning for the opportunity to escape Humbert's clutches. Lolita is unable to form a plan earlier because of her youthful terror. As she

⁶⁶ When Lo queries Humbert about these directions, Nabokov shows Humbert to be a revolting predator; he has Humbert reply: "'With your little claws, Lolita'" (166). This is among the most chilling lines of dialogue between these characters.

matures rapidly at her age, she more clearly understands her situation and is able form a plan, which she then succeeds in bravely carrying out.

At only twelve years old, even the precocious Lolita fails to understand Humbert's compulsion and obsession with possessing and gratifying himself with Lolita *because she is a nymphet*. "Lolita is less a person than a force" (Uphaus 106). Lolita has no control over her status, nor does Humbert, a fact so ably and consistently illuminated by Nabokov in the novel. (The films tend to emphasize the comedic aspects as in the Kubrick version, or the love story in the Lyne version.) Lolita is a victim of Humbert's obsession with nymphets; he desperately lies to keep her with him long past this stage, so that his continuing efforts seem to be motivated by a more mature if obsessive love between a man and a young woman. Lolita understands quickly and escapes, but perhaps not after the damage that the law seeks to prevent is already done. Humbert never answers for this crime, but he does try desperately to justify what he knows is wrong in the eyes of the law and everyone else's.

Humbert the Nympholept

A consistent thread, theme and, to many people, the main focus of Nabokov's *Lolita* is the concept of "nymphet," and Humbert's obsession with young girls, today popularly known as pedophilia. Humbert "introduce[s] the ...idea" that:

Between the age limits of nine and fourteen there occur maidens who bewitch travelers, twice or many times older than they, reveal their true nature which is not human, but nymphic (that is demoniac); and these chosen creatures I propose to designate as 'nymphets.' ...Between those age limits, are all girl

children nymphets? Of course not. Otherwise, we who are in the know, we lone voyagers, we nympholepts, would have long gone insane. (16-17)

He elaborates on their age as not being a function of time, but “a spatial one...of an enchanted island haunted by those nymphets of mine and surrounded by a vast, misty sea.” This imprecise, even magical force of young girls serves Humbert throughout the novel as an excuse for his irresistible and irresponsible acts of pedophilia. Nymphets generally are “demonic” and he is in their thrall, so that he is “bewitched.” He coins the term Nympholept for his condition of bewitchment and spends considerable time and effort explaining why he is thus not responsible for his actions because he is “bewitched.” This explanation is a justification that cannot rise to a defense in a legal setting despite Humbert’s excellent articulation of his obsession.

The bewitchment of mature men by under-age girls was epitomized by Nabokov in *Lolita* to the extent that Nabokov’s coinage of “nymphet” has entered the language and become a word which is referencing many different meanings than the one Humbert refers to. Appel in his Notes gives a thorough discussion of the term “nymphet’s” entrance into the language, occasioned by its use specifically in *Lolita*. He notes that it has inspired the inelegant if inaccurate usage to generally mean a very young but sexually attractive girl, and a woman of loose morals. (See, generally 338, note 16/6) These definitions have been inspired by Humbert, not the other way around. The term nymph comes from primarily Greek and Roman mythology and refers to ““One of those inferior divinities of nature represented as beautiful maidens dwelling in the mountains, waters, etc’... ‘a species of demonic enthusiasm [is] supposed to seize one bewitched by a nymph’...(more specifically an ecstasy of an erotic type)” (339). Humbert’s coinage of

“nymphet” refers to the possession of mind and body that he experiences, and is not at all that which has permanently entered the language. America and the world have appropriated the term as they often do in a more general description of a young and sexually attractive teenager with no regard for Nabokov’s and Humbert’s true origins of the coinage.⁶⁷

Humbert has perverted and coined his term from the word “nymph.” Appel engages in a brief discussion of another meaning of nymph, which is connected to Nabokov’s intense interest in Lepidoptery; “nymph” is also defined as “a pupa”, or “the young of an insect undergoing incomplete metamorphosis”. Appel asserts that this is “[c]rucial to an understanding *Lolita* [because within this concept] is some sense of the various but simultaneous metamorphoses undergone by Lolita, H.H., the book, the author, [and] the reader” (339). Thus the butterfly image becomes a “controlling metaphor that enriches *Lolita* in a more fundamental and organic manner than, say, the *Odyssey* does Joyce’s *Ulysses*” (339).⁶⁸ This sense is accomplished through rhetorical and soaring technical usage of words, the chief joy of the novel. However, the virtuosity of the novel, which exists irrespective of any moral judgment by any reader, cannot excuse the despicable deeds of Humbert and his feeble attempts to justify them. In the novel, Humbert elaborates on his bliss:

I do not intend to convey the impression that I did not manage to be happy.

Readers must understand that in the possession and thralldom of a nymphet the

⁶⁷ An example is found in the *Times Literary Supplement*, February 15, 2008: “The literacy of the Woolworth’s staff is not what is used to be. A spokesman for the firm admitted that no one was able to make the connection between the novel *Lolita* by Vladimir Nabokov...and the “Lolita bed” for six year-olds, offered for sale in Woolworth’s until last month...Next they’ll be telling us they’ve never heard of Japanese Lolita Culture, described in a recent *Publisher’s Weekly* as ‘young women dressing like frilly Victorian dolls.’ The article goes to describe subdivisions of Lolita culture, and more.

⁶⁸ The endless entomological allusions are again thoroughly discussed by Appel (See 340 and 326, Note 6/1).

enchanted traveler stands, as it were, *beyond happiness*. For there is no other bliss on earth comparable to that of fondling a nymphet. It is *hors concours*, that bliss, it belongs to another class, another plane of sensitivity. (166)

Thus, a reader becomes aware of some overpowering quality that Lolita possesses that results in a powerful compulsion on the part of Humbert. Lolita cannot be aware of the deep-seated need that Humbert has, nor that his attentions are other than plain sexual lust.⁶⁹ Part of being a nymphet is this very ignorance (though Humbert might well argue that they are very much aware of their power).

Most interesting is how Humbert elides his definition of nymphet depending upon his moods, Lolita's behavior and the evolving nature of their relationship. "It is Humbert's *image* of Lolita...that registers" (Uphaus 105). In the beginning passages, his lust is justified as existing through no fault of his own since he is bewitched. However, as time goes on and Lolita ages, she is no longer by any previous definition a nymphet, nor is their relationship magically prompted. He admits that he loves her carnally as a man does a woman. She is a woman, albeit still very young. There is no longer anything magical about his feelings; he all but admits he is forcing her against her will and that she does not love him, but merely tolerates him. He opines that:

She had entered my world, umber and black Humberland, with rash curiosity; she surveyed with a shrug of amused distaste; and it seemed to me now that she was ready to turn away from it with something akin to plain revulsion. Never did she vibrate to my touch. (166)

⁶⁹ His self declared compulsion brings to mind the excellent speech of Peter Lorre in *M*, wherein his character asserts about his own pedophilia (which includes murdering his victims afterward) that he can't help himself. But, the overall sense in *Lolita* is that Humbert, perhaps, could control his urges if he really wanted to, but he does not want to. His honesty echoes the attempt of Lorre's character to articulate his compulsion; in contrast Lorre's character wishes he could refrain even though he cannot help himself, whereas as Humbert revels in his condition.

Humbert himself succinctly explains Lolita's rather rapid turn of attitude; it wasn't any fun anymore, and, by their second journey, she wants to get out of the deal she has made with the devil. "The journey itself amounts to an unraveling of a fateful game, to which Humbert has honestly admitted a special susceptibility" (Uphaus 107). Humbert immediately attempts to describe his rationale for continuing their relations past the nymphet stage:

Despite our tiffs, despite her nastiness, despite all the fuss and faces she made, and the vulgarity, and the danger, and the horrible hopelessness of it all, I still dwelled deep in my elected paradise – a paradise whose skies were the color of hell-flames – but still a paradise. (166)

Lolita becomes aware that Humbert's actions are driven by neither lust nor love; their interaction is some constructed dance that is at best unpleasant and their relationship quickly becomes revolting and deeply affecting to Lolita.

As Lolita becomes older, she becomes wiser, and her inevitable scheme to escape Humbert's clutches is more obvious to the reader than to Humbert himself. His suspicions are not crystallized, but remain hovering amid his fears of discovery by the legal authorities of their illegal relationship. He attempts to preserve a deteriorating "paradise" due to Lolita's disintegrating cooperation in their sexual relationship despite his feeble attempts to allay her complaints, and her escalating extortions in exchange for her favors. He can and does no longer trust her, yet cannot admit the reason why he feels so. His answer to an alarming set of outside inquiries into Lolita's proper upbringing by the Beardsley authorities is another flight across the country. He pitifully clings to the old visions of Lolita as nymphet, but her behaviors and his fears again transform her original

idyllic aura of nymphet into the very real thinking and scheming of a fed-up fourteen year old, a devious schemer who is bright enough to manipulate Humbert, and patient enough to plan and wait for opportunity to escape her horrible imprisonment by an obsessed maniac. This characterization of Lolita is cheered by many readers.

Lolita has had an accomplice in her planning to escape Humbert, the nefarious Quilty, another older man with predilections for young girls. Quilty may seem to Lolita to be glamorous and exciting, as well as a means to escape Humbert, but she is unaware that he uses young girls in a perhaps more despicable way than does Humbert, by exploiting them for photos and group sex games and more. He has been following her for some time, and they have been having brief communications that culminate in her hospitalization and disappearance. That she flees to the care/life of Quilty is not surprising to the reader; but to Humbert, Quilty's actions (NOT Lolita's) eventually constitute an unpardonable crime far worse than any act of his own. Humbert cares for Lolita, despite his horrible actions, but to Quilty, she is a mere pawn for his games. Humbert never blames Lolita for escaping from him; he knows why this happens. He does blame Quilty and projects all of his despair, disappointment and frustration onto him – never faulting Lolita, and eventually murdering Quilty, thus the drawn out and comically extended death scene.

During the latter stages of the novel, Humbert's continual references to Lolita as nymphic and to himself as a nympholept are mere rhetoric and bear little resemblance to any magical allure of a demoniac creature. Humbert's blind and obsessive love propels his desperate actions and denies him clear vision, so that the reader sees a deteriorating personality who cannot think clearly but is impelled by some constructed vision that is no

longer real. While his original feelings for Lolita were because she was a nymphet, Humbert perpetuates their relationship out of a more normal impetus of love (and lust). When Lolita escapes and disappears, Humbert falls apart and the reader is left with a question of “Now what?” It takes some time but Humbert gathers himself and focuses his feelings of frustration and ineffectiveness by displacing them on to the ill-fated Quilty.

Feminists commonly note that rape is about power, not about sex. Rape is a very emotionally charged word; it brings forth images of force, pain and ‘violation’. This is usually an adult’s unquestioned point of view. “[I]n the western world sex is patently another game one cannot play with children” (Gullette 219). In the twenty-first century, society is keenly attuned to what it considers unnatural sexual conduct, so that it vehemently rejects any scenario that depicts repeated sexual relations between a young girl and an adult over forty. Outrage is focused on the fact that “[such an adult] has murdered that piece of her we all call childhood” (221). While, as noted above, the society of the 1950s dealt with this situation differently than today, power remains at the center of Lolita’s struggles. Ironically and conversely, Humbert insists that it is Lolita’s power over him that compels him to keep her imprisoned, albeit comfortably, and to repeatedly rape her. But, their relationship deteriorates badly and Humbert employs physical abuse towards the end of their companionship, exemplifying the feminists’ assertion that rape is all about power. Even though the blissful part of a sexual relationship is the other party’s willingness to participate, Humbert goes to great lengths to enlist Lolita’s compliance. She is miserable and no amount of extortion from Humbert can wash away the facts of his power over her, and her deep distress at her life’s situation.

The Verdict

Power and immoral and illegal sexual relations are but some of the themes Nabokov has Humbert explore in his role as narrator of *Lolita*. Much of the novel portrays the fear and avoidance of legal detection and social scandal that prompt the two cross-country travels that Humbert and Lolita undertake, replete with Nabokov's superb apperception of Americana and the teenage world of 1950. The fear of social and legal scandal drive much of the narrative progression of the novel. Uphaus tells us that: "Humbert dodges scandal by imaginatively reordering his world. His creative sensibility transmutes the dull, sometimes hostile facts of ordinary life into living monuments to his comic spirit. That Lolita is a whore is of no consequence to him" (105). This transformative mental reordering in Humbert's mind is the key to understanding Nabokov's stance about any blame for the events that occur. Nabokov has *not* written a novel of rape, incest and violation, but an artifact, a rhetorical *tour de force*, replete with endless allusions, puns and oblique references. The crimes that Humbert commits are a structure for Nabokov's rhetorical virtuosity that is expressed through the character Humbert in his role as the narrator of a horrific story about the appalling relationship of Humbert and Lolita. Humbert's "imaginative reordering" sustains a rather sordid tale in which there is no winner, no hero and no happy ending. The novel is celebrated in literary circles for its rhetorical inventiveness and soaring use of language while still displaying excellent characterization and narrative ordering that creates mystery, suspense and surprise, and is a delight to any readers.

The posturing of the readers as adjudicators of Humbert's crimes is a limited literary device, one among many that are available to readers. The story progresses

through cause and effect and the changes over time of the characters cannot be thoroughly explained by any application of analysis. The novel is informed with death, those of Lolita, Humbert, Charlotte, Quilty and Annabel, and the reasons for their deaths are unsatisfyingly explained. Using the law is only one way to explore readers' response to the author's story and its characters. Readers understand that, in *Lolita*, the language of the novel itself is self-referential, and its place as an artifact in literature owes much to its existence as a vertiginous cycle of literary allusions, analogues, parody and satire that are expressed irrespective of the story and its characters.

When a legal analysis is brought to the novel *Lolita*, the only verdict readers can arrive at about Humbert Humbert's crimes is that he is guilty, guilty, and guilty. The imposition of an analysis using a trial process is easily prompted by Nabokov's own structuring of the novel with a frame within a frame within the novel as a frame. This legal analysis relies upon a master metaphor, and informs an analysis that necessitates an exploration of the novel like other analyses do, and also explores the law as a principle of organization of the novel and the story. Crimes are rampant in *Lolita*, so that a discussion of the law is a natural analogue for exploration and explanation of the novel in these legal terms.

If the verdict is a forgone conclusion, then the principle of the novel's being Humbert's defense stands. This stance necessarily side steps much of the irony, parody and satire that comprises the literary value of the novel. There is no justification for Humbert's crimes, and many readers cannot be diverted from Humbert's sexual abuse of a child nor his persona of a murderer despite his lengthy and well spoken excuses.

Reading *Lolita* is a delight when readers can set aside the topics of Nabokov's choice (incestuous, underage sex, and murder) so that his virtuosity as an author can prevail. While sex is a normal part of life, Humbert's tale is over-the-top; his relationship with Lolita is clearly in contravention of all legal and social norms, and the machinations of its avoidance of detection are comic. His transformation of their relationship into one of love is a one-sided obsession, so he doesn't really sell that either because Lolita will have none of it. The deaths of so many are at once ironic – Charlotte; humorous- Quilty; sad – Lolita, Annabelle; and inevitable - Humbert. If readers can put aside the tragedy of the story as a whole, appreciation of the artifact emerges.

The irony and parody and satire that are mixed in with the sordid and sad tale are the focus of most scholarly readings; but the story cannot be ignored or even brushed aside. The events we are privy to through Humbert's eyes and sparkling re-collection are simply horrendous; while this rhetorical *tour de force* is held in high regard by literary types, the ironic juxtaposition of its rhetorical excellence with the darkness of the novel and the story prompts strong reactions in most readers. The dark and vile secrets that Humbert reveals with exquisite erudition are secrets that perhaps touch all of us in our very innermost places. The readers accompany Humbert and Lolita on their travels, interested in every salacious detail, while shivering from our fears that we just might possibly resemble one or both of them in some way that we care not to admit. While *Lolita* is an uncommon murder mystery, through which readers can enjoy a clever "whodunit," the novel's success is its exploration of the underbelly of humanity, the explanation of unspeakable crimes, its portrait of a monster, and its attempt to explain that which cannot be explained – the mind of a monster as told by the monster himself.

Epilogue

“I don’t know.” “What does one know and why is one here?” “Who in this world can know anything of any other heart – or of his own?”

- Dowell in *The Good Soldier: A Tale of Passion*

“I am not concerned with so-called “sex” at all...A greater endeavor lures me on: to fix once for all the perilous magic of nymphets.”

- Humbert in *Lolita*

The Nature of the Eyewitnesses

The eyewitness in a legal trial is a double-edged sword for prosecutors and defense counsel alike. On the one hand, someone who has seen exactly “what happened” is prized because his or her testimony is, in fact, information that is a description told by someone who was at the event at the time of its occurrence. On the other hand, eyewitness testimony is notoriously unreliable; when prosecutors ask three people who witnessed the same event what they saw, heard, smelled, or felt, each will tell a different “story” rather than the “facts.” Eyewitness testimony becomes an important source of information at any trial, but its unreliability causes an adjudicator to seek correlation of the facts elsewhere. A humorous example of this phenomena is when three people witness a car accident: one says the car is blue; one says the car is red, and one says the car is green. Not all can be correct, so that one or two witnesses or all have remembered incorrectly. Another more somber example is the regular identification of a possible criminal as being

an African American male, even when this identification is impossible, which leads to what is known as racial profiling in law enforcement.

The unreliability of eyewitnesses stems from the fact that he or she is not a video recorder, replete with sound and scratch-and-smell technology, but rather his or her testimony is a reflection through the lens of a human being who has his or her own ideas, including predilections and prejudices and whose recollection of events, even those immediately past, can be inaccurate if not completely wrong despite the witness's sincere desire to report with accuracy what he or she experienced. Most witnesses, although not all, truly wish to assist court personnel in finding the "truth" of the matter, and often urgently desire to communicate "what really happened" so that justice may be served and they may discharge what they believe is their civic duty. Unfortunately this sense of duty often leads to creative recollection because we humans do not remember exactly, but rather we always recreate what we remember in new ways in order to satisfy differing personal needs. Memory is necessarily a creative process so that the outcome is not "what really happened" but a version of the facts as the viewer as he or she remembers it through his or her mind's lens only, however sincere the effort not to do so.

The legal system relies upon testimony of witnesses as well as other independent evidence in order to build a case and to determine guilt or innocence, or to place liability if it exists on the appropriate party responsible for the events that the court has been asked to consider. This system of adjudication is adopted by every civilization in some form or another. The systems in place in the United States and Great Britain provide a process whereby the court can succeed in their goal only with great difficulty and often fail for lack of reliable evidence, especially lack of reliable eyewitness testimony.

The burden of proof to provide the adjudicator with “a preponderance of evidence” in a civil case, and “proof beyond a reasonable doubt” in a criminal case can be a very difficult threshold for prosecutors to meet for a variety of reasons, but mostly is due to lack of evidence and unreliability of witness testimony. Practical considerations can affect witnesses as well:

In general, law enforcement officers and complainants are the most important witnesses in trials. Of course, other people also serve as witnesses. They are not given high priority in the concerns of courtroom professionals, who often fail to inform them about what they need to do. They may appear in court only to find cases postponed, and repeated postponements can discourage them from reappearing. (Baum 155-56)

The handling of witnesses and their actual testimony’s reliability are problematical for all concerned, and often lead to the frustration of the legal process.

One More Chance: Judgment Notwithstanding the Verdict

In the law, at the end of a trial, after the verdict but before the entry of any judgment, the losing party is entitled to ask the court for a judgment notwithstanding the verdict. This is a plea to the judge to enter a favorable verdict despite the jury’s contrary decision, based upon some oversight or incorrect interpretation of facts or law. Thus the law understands that sometimes the evidence or its interpretation may be erroneous, so that a defendant has a means by which to bring this possibility to the attention of the judge and to re-plead his or her case yet again. This motion to the judge is made as a regular matter of course in order to provide an opportunity for someone other than the jury to take the proceedings as

whole, rather than as a compilation of parts of evidence and testimony, and to make a decision from a different point of view.

Often, the veracity of a witness's testimony is the central focus of such a motion; the jury may have believed a witness's testimony, while its believability is questionable in the eyes of the judge. The law is well aware of the possibility that witnesses may lie, despite careful questioning by counsel, so that a decision may be made in the context of the whole of the trial rather than reliance upon one witness, who may indeed be untruthful. This mechanism cannot weed out all witness unreliability, but it is a method by which the court may reverse what it considers to be an error in veracity and believability in the interests of justice.

Unreliable Character/Narrators

Novels are unconstrained by the Rules of Court, so that readers are constantly reviewing evidence and testimony of all characters and events. An initial judgment may be revisited in light of information revealed later in the novel, or may be influenced by some re-interpretation of material already presented. This revisitation is demanded by character narrators throughout the novel in which they are constantly pleading with the readers to believe their version of events and conclude in their favor about issues presented.

The process of adjudication of named alleged criminals and responsible parties can be analogized with the unique position of named first person character/narrator in fiction because these narrators are providing testimony of events that have occurred in the past, and are doing so entirely from their re-collections of events that they have witnessed. However, like real life "witnesses," they engage in a great deal of hearsay, which would not be admissible in a court of law but which often constitutes the bulk of a

novel. A novel can engage in speculation, opinion, alternate actual scenarios and an array of justifications that would not be allowed into any formal evidentiary record. The “reality” of the fictional world of a novel and its characters is dramatically enriched by what the court would consider “hearsay,” because “reality” as determined by a court’s processes and the “reality” drawn in fiction are entirely different. But, despite a novel’s ability to explore many aspects of characters and events that would not be admissible in a court of law, a novel’s characters seem no more able to ascertain the “truth” than any court in the land or any committed and earnest adjudicator may determine.

The “truth” or “reality” of any given moment in time seems impossible to know completely and thoroughly in every detail whether in real life or in fiction, even if a person or character is an eyewitness. The reliability of anyone’s memory, especially over time, it at its best imperfect, and is fraught with the taint of personal ideas and feeling, as well as values and moral foundations. Therefore, the unreliability of memory is an important caveat for readers of first person novels narrated by characters who are subject to the tints and taints of any character’s mind, and of their unique personality.

Dowell and Humbert

The character narrators in both Ford Madox Ford’s *The Good Soldier: A Tale of Passion* and *Lolita*, provide interesting and revealing viewpoints about life and love, among other themes, in the artifacts of two modern novels which have in common at least their first person character/narrators, although Dowell and Humbert are very different characters and narrators. These writings are situated in very different historical times, and the novels are sometimes considered to be bookends to the Modernist era; the earlier novel experiments with new ways of presenting narration, while the later novel has refined the

artistic expression started many years earlier, and presents a gateway novel for Postmodernism.

A comparison of the two novels is not the point of my legal analysis. Each case that comes into a legal forum for resolution is unique; each novel has its unique characteristics and applicable legal principles. Their commonality of the novels is their positioning of first person character/narrators as authoritative purveyors of all the words that the readers can read, the frames within frames – of thrice told stories. This feature itself screams unreliability, yet the stories survive and thrive perhaps because of this artful device despite the obviously tainted information that comprises these recollections of Dowell and Humbert.

Both novels succeed in painting vivid portraits of each character each of whom individually has different reasons that compel him to tell his story. The characters of Dowell and Humbert may not utter believable testimony, but believability is but one point of the novels. The novels are a larger canvas, and readers understand that they must navigate around their narrators' cozy insinuations of "truth" and "reality" yet not discount this very characteristic in the characterizations as well as the narratives. The rhetoric of persuasion abounds in both novels; how successful each narrator is in persuading his readers about certain points is left to the readers, and its presence does not detract in any way from the readers' overall experience. Each novel creates its own "reality" that blends aesthetics with literary form to create a unique artifact.

Trials and Verdicts

Readers are always left to make their own decisions about the story that has been presented to them by narrators. A legal analysis of fiction is only one way in to the minds

and hearts of a narrator's image of characters and the "truth" of the events of the story. Almost every reader comes to some decisions about the text through the narrative of characters and their stories, about the stories, the fictional world, the events that take place and a plethora of other aspects. Readers desire to engage this evaluation because reader response is inevitably a ubiquitous human character trait.

Legal trials are attempts by an organized society to inquire, assess and distribute appropriate blame among its members; novels have no such constraints so that any legal analysis is one approach to a complex work of art that soars across disciplines and emotions in a way that no jurisprudence ever supposes to explore. Yet, law and literature have some common ground – words – and the analysis of words - that are useful to examine in terms of rhetorical persuasion. Readers of these words are the ultimate adjudicators of a novel's success in achieving anything beyond its existence as an artifact of the author. Legal forums do not presume to attempt at anything other than the "facts, the "truth" and the "reality" of "what really happened." Their success at arriving at a fixed definition of these concepts is often dismal, yet the process works a majority of the time is it applied to real life events and transgressors. Ultimately for many, a novel is far more successful at the exploration of these concepts than any legal processing of evidence could possibly be, perhaps because the novelist and his characters, even his first-person character/narrators, are more able to communicating the essence of "what really happened" because they "state it purely enough." The magic of the two novels *The Good Soldier* and *Lolita* is that they both try to transcend the boundaries of mere words and delve into the realms of the uncertainties of "reality" and "truth"; their legacy is that

these novels may give readers a view of these concepts that may assist in a better understanding of their own lives through these creative novels by Ford and Nabokov.

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About the Author

Constance Elizabeth Holmes received her undergraduate degree in English from the University of Massachusetts, Amherst and her Master's Degree in English from The University of South Florida. She also received a Juris Doctor degree from Suffolk University Law School in Boston and was a practicing attorney for ten years. She is a member of the Virgin Islands Bar and the Third Circuit Court of Appeals. Her areas of study are Law and Literature, Modern Literature, and Film.

Dr. Holmes is the Managing Editor of *The Mailer Review*, a scholarly journal devoted to the life and work of Norman Mailer, which is sponsored by The Norman Mailer Society and The University of South Florida.