Nothing Wrong:
Law and the Contemporary American Western

Duncan Clegg

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ABSTRACT

This dissertation explores the representation and function of law in contemporary American Westerns of fiction and film, arguing that the Western revolves around a constitutive exception wherein the founding of law by the heroic, autonomous protagonist within the fantastic lawless space of the Frontier is possible only through—indeed, is nothing but—the exclusion of the racialized Other from law's aegis. The first chapter examines Larry McMurtry's *Lonesome Dove* tetralogy, focusing on how the eponymous novel's thematic and diegetic use of law reflects McMurtry's attempt to de-mythologize the Western—an attempt that paradoxically results in a Western *par excellence*. The Coen Brothers' cinematic adaptation of *True Grit* is the subject of the second chapter, which avers that the film's central premise of extralegal capital punishment reflects the use of drones in the ongoing War on Terror, and that its attempts to undermine representations of state and patriarchal authority are in fact direct expressions of that authority's stability. The third chapter analyzes the Westerns of Cormac McCarthy, asserting that McCarthy achieves a critique of the Western by adhering precisely to its conventions and thereby exposing its limits: its ritualized depiction of law's founding depends on the projection of lawlessness into Native American space and onto the ideological figure of the Indian. The coda that closes this dissertation reads James Welch's *Fools Crow* as an inverted Western to consider the Native American literary response to the genre's bifurcating effect upon indigenous cultures and identities. Slavoj Žižek's critique of contemporary ideology and his analysis of the political dimension of enjoyment, along with Giorgio Agamben's interrogation of the structure of political and legal authority, furnish this work with its theoretical foundation, which thereby addresses the Western from a combined sociopolitical and psychoanalytic perspective. This dissertation is the first scholarly consideration of the role law plays in Westerns, and it is one of few to examine the contemporary Western, thereby filling in two major gaps in the critical appreciation of one of the most significant yet understudied endemic American genres.

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Introduction

All According to the Law

[T]he President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

—Authorization for the Use of Military Force, September 18, 2001

There were one hundred and twenty-eight scalps and eight heads and the governor's lieutenant and his retinue came down into the courtyard to welcome them and admire their work.

—Cormac McCarthy, *Blood Meridian*

"All according to the law," is the phrase repeated with calculated ingenuousness by actor Klaus Kinski in Sergio Corbucci's masterful 1968 Spaghetti Western *The Great Silence*. The "all" he refers to are the killings his villainous character, Loco, perpetrates as leader of a gang of bounty hunters: given the option of bringing in an outlaw dead or alive, he always chooses the former. It is not just the act of killing that Loco justifies with his statement, but, in a vicious kind of tautology, the outlaw status of those he kills as well. The hero of the film, Silence—so named because his throat was cut and vocal cords severed as a child by the bounty hunters who killed his parents—defends these outlaws

(and is thus himself one) with a unique strategy: he antagonizes the bounty hunters into drawing their guns on him, thereby allowing him to legally kill them in self-defence. Silence is therefore as utterly dependent upon the legal apparatus as Loco. Both kill according to the law, and the main difference between the two is that Loco readily admits this while Silence, as hero, must disavow it because to do otherwise would be to completely collapse the distinction between himself and Loco—indeed, Silence's silence is as much a penetrating reinforcement of the necessity of this disavowal as it is a hyperbolic homage to the generic laconicism of the Western hero.

Corbucci's film thus reveals a central paradox of Westerns: they explicitly valorize "an individual standard of justice and honour" (Cawelti 53) autochthonous to the American frontier at the same time that this standard depends for its existence on the prevailing legal institution it is supposed to supplant. Silence's moral code is, according to the demands of the genre, supposed to defeat the corrupt legal system represented and exploited by Loco, but can only do so by depending upon that system in the first place. In other words, the difference between Silence and Loco, between hero and villain, lawful and outlawed, is precisely the disavowal of their similarity. Such a paradox recalls Walter Benjamin's argument in "Critique of Violence" that the founding moment of any social order is a fundamentally violent one that directly contravenes the principles and order it institutes and which therefore must be disavowed, the disavowal itself thus constituting the basis of social order. Echoing Benjamin, this dissertation examines this paradox in prose and film Westerns of the past 25 years in order to intervene within the prevailing understanding of the genre as providing an imaginative escape from anxieties or contradictions affecting American society and culture, and argue instead that the

representation of law in Westerns reveals that the genre continually constructs these contradictions in order to repetitively encounter them as such.

In order to undertake this analysis I consider two separate yet interdependent questions about the contemporary Western. The first inquires into the resurgence of the genre after 9/11. While this event and the resulting and ongoing wars in Afghanistan and Iraq obviously seem to be the proximate historical causes of the Western's current renaissance, it remains necessary to consider why and how the contemporary Western is responding to these phenomena. The most important recent critical studies of the Western—including Richard Slotkin's *Gunfighter Nation*, Jane Tompkins' *West of Everything*, John Cawelti's *Six Gun Mystique Sequel*, and Lee Clark Mitchell's *Westerns: Making the Man in Fiction and Film*—were all published between the late 80s and early 90s, and each agrees that at the time of their respective writing the Western bears little relevance to contemporary American cultural, social, or political life.[1] Most even go so far to say that it is in fact a dead genre, fittingly eulogized by Kevin Costner's *Dances with Wolves* (1990) and Clint Eastwood's *Unforgiven* (1992). Certainly the immediate years following the release of these films bears such a conclusion out—but just as Francis Fukuyama's coterminous declaration of the end of history now seems rather premature, so too does the current popular and critical acclaim garnered by novels and films like Cormac McCarthy's *No Country For Old Men* and the Coen Brothers' cinematic adaptation of the same suggest that the Western has come back to life—indeed, that it may have never died. This

[1] Mitchell focuses on the Western's role in constructing and teaching masculine identity; Tompkins' emphasis is similarly on gender, though her thesis is that Westerns arose in response to the rise of feminine culture and literature in the 19th Century; Cawelti undertakes a quasi-structuralist generic analysis of the Western; and Slotkin interprets the Western as one iteration of the "regeneration through violence" mythopoieic narrative he identifies as one of the most fundamental to American culture (Slotkin *Regeneration* 5).

dissertation thus fills in a significant gap in the study of the history and conception of the Western.

Moreover, the criticism of the genre parallels a tendency within the history of the Western itself. With the appearance of Westerns in the late 1960s and into the 1970s that explicitly subverted the established tropes of the Western, it seemed as though attempts were being made to excise the fundamentally racist and sexist core from the genre, removing its taint from the remaining themes and features that articulated a distinctly American worldview: autonomy, rugged individuality, optimism, and the beauty of the American Frontier.[2] The scholarship on the Western, generally taking as its end-point this period in the Western's history, tends to follow a similar trajectory, one seemingly undergirded by the assumption that the very project of critiquing the Western and exposing its conventions as such weakens or dispels the ideological positions they serve to conceal and convey. Slotkin, for instance, ends his vast study of the Frontier mythology (and thus of the Western) with the assertion: "We need a myth that will help us acknowledge that our history is not simply a fable of sanctified and sanctifying progress, but that our national experience, and the space we inhabit, has been constructed out of what 'we' have won and of what 'we' have lost by our manner of 'winning the West'" (*Gunfighter* 658). While he definitively asserts that because myth/ideology "is not only something *given* but something *made*, a product of human labor, one of the tools with which human beings do the work of making culture and society" (659, his emphasis) and it is thus possible to repurpose, subvert, and otherwise improve upon the narratives,

[2] The films of Sam Peckinpah, particularly *The Wild Bunch* (1969), Robert Altman's *McCabe and Mrs. Miller* (1971), and Arthur Penn's *Little Big Man* (1970) are exemplary of this shift in the Western—though the Westerns of an earlier period, those of John Ford in particular, demonstrate that later Westerns did not have a monopoly on challenging and reconfiguring the conventions and ideological disposition of the genre.

tropes, and conventions of the Western (even if, he postulates, this means leaving them behind for good), it is precisely the notion that such subversion is possible when it comes to the Western that this dissertation looks to question and unsettle.

Such unsettling is necessary for understanding both why and how the Western has proven to be such a resilient genre. When one looks at the plethora of Westerns that have been produced and published since the beginning of the millennium, one can quickly see that, generally speaking, the unconventional has, to a great degree, become conventional. To cite just a few examples, *Brokeback Mountain* (2005) depicts the decades-long, clandestine love affair of two ranch hands, thereby rendering tangible the homosociality structuring masculine relationships in the Western; *Meek's Cutoff* (2010) prominently features women in roles of agency and confronts head-on the genocidal history of the colonization of the West; Jeannette Walls' *Half Broke Horses* (2009) likewise bends gender conventions in the tale it tells of a young woman travelling through the Arizona desert alone from her family's ranch to take her first job as a schoolteacher; and the two *Kill Bill* films (2003 and 2004) blend the stylish, cartoonish violence of Spaghetti Westerns into a mélange with other, similarly heavily convention-driven genres, all the while putting at their fore a group of deadly international women assassins. Yet we must consider this ostensible transformation within the context of the fact that the Western serves to reflect an image of America back to itself and the world. It is a way—not the only way, to be sure, but a distinct and powerful one nonetheless—that America constructs a notion of what it means to be American.

Does the reappearance of the Western in changed substance thereby follow (and reassert) a concomitant transformation within American society? On the one hand, social

mobility and equality for women and members of the LGBTQ community have seen progress since the heyday of the Western, as have attitudes towards race. On the other, the United States has the highest incarceration rate in the world, and a disproportionate segment of the imprisoned population is African-American. Poverty rates are disproportionately high in predominantly African-American neighbourhoods across America, with 27.4% of blacks living in poverty (National Poverty Center).[3] Indeed, while segregation was *de jure* ended with the Civil Rights Act of 1964, in 2014 it remains the *de facto* reality of the urban American landscape, with the legacy of redlining and blockbusting in cities still starkly and shockingly evident. Women are still paid, on average, less money than men for the same work (and the private sphere labor they take on is largely still not viewed as such, nor compensated). Same-sex marriage is illegal in 16 US states, and gays and lesbians continue to face the risk of violence and prejudice. Transgender people are at even greater risk, facing constant harassment, discrimination, and violence, and with a staggering 41% having attempted suicide at least once, a rate 25 times higher than that of the general population (National Transgender Discrimination Survey). And while inequality in the US continues to be most acutely manifested along racial lines, it is increasing across the board, with more and more wealth concentrated in the hands of fewer and fewer people. The parallel between the Western and American culture and society is thus quite precise: to put it in Marxist terms, just as, in the United States today, marginal changes to the superstructure unfold while the base persists in and entrenches to an increasingly greater degree the existing relations of production, so too

[3] Hispanic communities and Indian Reservations also see disproportionately high poverty rates—26.6% of Hispanics live in poverty (National Poverty Center). Some of the poorest areas in the United States are reservations like Pine Ridge in South Dakota, where 40% of the population subsists below the federal poverty line (US Census Bureau).

does the Western see changes to its *substance* while its *form* remains unchanged; we can even say that the changes to the substance of the Western constitute an index of the strengthening of its form.

The second question my dissertation asks concerns the function of the representation of law in Westerns. By function I mean both how law operates generically as well as the role it plays within the ideological organization of the genre. Law serves as the primary means by which the Western conducts its central fantasy of the autonomy of the individual. The subject of the representation of law in Westerns has, like the contemporary Western, not yet received significant scholarly inquiry. Critical studies of the genre have incisively examined other of its features, yet surprisingly only one—Robert Pippin's recent *Hollywood Westerns and American Myth*—has undertaken a consideration of what I see as one of the genre's salient tropes. As a political scientist, Pippin focuses his analysis of law in Westerns through the lens of an understanding of cultural productions as expressions of sociopolitical topography. In Westerns, Pippin sees the coordination of several interrelated notions: the nature of the "'political,' the problem of political psychology, the problem of mythic narration, and the relevance of great Westerns to the distinctly American imaginary" (11). Perspicaciously, he notes that such relevance is established through the Western's focus upon "the founding of modern bourgeois, law-abiding, property owning, market-economy, technologically advanced societies in transition—in situations of, mostly, lawlessness (or corrupt or ineffective law) that border on classic 'state of nature' theories" (20). By staging this foundational event, Pippin avers, the Western serves to reflexively pose the questions to and for American culture "of how legal order (of a particular form, the form of liberal democratic capitalism) is possible,

under what conditions it can be formed and command allegiance, [and] how the bourgeois virtues, especially the domestic virtues, *can be said to get a psychological grip in an environment where the heroic and martial values are so important*" (20, his emphasis). In so doing a tenuous but unified image of social, cultural, political, and national identity is formed. This analysis is persuasive, to be sure, but does not consider whether such questions of the conditions of possibility of legal order and social virtue *are themselves* the means by which these particular orders and virtues exert their ideological efficacy (or "psychological grip"). My dissertation takes the position that the Western does not simply stage and re-stage the moment of law's founding in order to forge ideological unity but rather that such unity *is produced through the fantasy of law's absence*—a fantasy which is itself central to the very foundation of authority.

This position is informed and supported by a methodology drawn from the texts and ideas of several key contemporary thinkers, chief among them Slavoj Žižek and Giorgio Agamben. I found my analysis of law in the Western on Žižek's critique of ideology under contemporary capitalism and his related theorization of the connection between law and enjoyment. In Žižek's view, ideology functions and is in force today through an ironic distance: it is not impressed through nationalism, jingoism, cultural chauvinism, or any of what we might identify as classic tools of ideological expression (though these still exist, to be sure), but *through the very gesture of distantiation, of denouncing or mocking the predominant ideology and its tools*. I take this insight and apply it directly to the Western in order to understand how it remains so vital a genre. Similarly, Žižek's contention that the law is inextricably tied to enjoyment—indeed, that enjoyment is the perverse, disavowed corollary to the law without which it would not

function—greatly informs my analysis of how the representation of law in Westerns serves to coordinate the reader/viewer's enjoyment in service of ideological maintenance.

I also use Agamben's notion of *homo sacer* to gain insight into how the relationship between law and authority plays out in the Western. In his eponymous book Agamben examines the history and contemporary relevance of *homo sacer*, an obscure figure from Roman jurisprudence who could be *killed* but not *sacrificed*—in other words, whose singular relation to law was defined in terms of *exclusion* from its protection. In Agamben's view this figure encapsulates the central problem of law, wherein in order to remain operative and in force as law it must necessarily exclude certain people from its aegis, thereby including them within the scope of law as those absolutely excluded from it. Indeed, Agamben's broader thesis is that such exclusion more and more comes to define the contemporary individual's relation to law and state power—as we see in the total precarity of those designated as targets for drone strikes, the sole requirement for which is being a (racialized) adult male. Closer to home, one can also see the figure of *homo sacer* at work in the casual ease with which black men are subject to the violence of the state. I apply Agamben's elaboration of *homo sacer* to my analysis of the Western in service of considering how the genre's representation of law is dependent upon drawing distinctions between those protected by law and those figured as absolutely vulnerable to it. This distinction is readily seen in the differentiation between lawmen and outlaws, but the fact that the genre readily collapses the distinction between the two is reflective of its more fundamental dependence upon the totalizing exclusion to which it subjects Native Americans, whose total exclusion from the law is the foundation upon which the Western's fantasy of law's establishment is built.

Selecting the texts and films to which this dissertation would apply this methodology was a task made difficult by the surprising ambiguity characterizing what constitutes a Western; indeed, one constant thing about the Western across its history as a genre is its inconstancy. As Mitchell notes, "The Western may be unmistakable, with a conspicuous set of characters, settings, and props, but these provide little by way of generic guarantee. In fact, the landscape naming the genre, that signals it *as* a Western . . . turns out to be uncommonly diverse, resistant to any straightforward reading" (4). Such diversity becomes even more pronounced in contemporary Westerns: writes Richard Etulain, "In truth, during the past generation western culture has exhibited remarkable diversity; frontier, regional and postregional images vie for dominance in a swiftly changing West that forces writers and artists continually to redefine cultural movements" (xv).[4] The works I chose for my analysis reflect this diversity, but all are united in their common foregrounding of law—each, in its own way, figures law as an irreducibly vital component of the Western. Temporally speaking the works this dissertation examines are from the mid-1980s and the first decade of the new millennium. I chose the works from the 80s because they appeared at time when the Western was at a cultural nadir, and they stand as heralds of its return in the 1990s. I chose the present-day works because they allow me to directly consider why the Western continues to be relevant today, especially after it appeared, in the late 90s, that the Western had been put to rest. The period in

[4] Etulain uses the terms frontier, regional, and postregional to distinguish between different periods, and kinds, of literature of the American West. Generally speaking, he identifies frontier literature as "those works, especially during the early twentieth century, that dramatized the experiences of newcomers entering the West to confront new landscapes and peoples" (xiii); regional as literature that "focused on life *in* the West rather than *to* the West" (xiv); and postregional as literature "challenging earlier frontier images and moving beyond regional emphases," with a particular stress upon "not so much the shaping power of place on personality and character as the momentous influences of race and ethnicity, gender, and a new environmentalism" (xiv).

between is not examined because the most prominent Westerns from that period—such as *Unforgiven* and *Dances with Wolves*—have received extensive critical attention. What interests me is why the Western persists, and how its representation of law contributes to that persistence.

The first chapter of this dissertation focuses on Larry McMurtry's *Lonesome Dove* tetralogy and its eponymous 1985 novel in particular, providing a basis for extending a critique of the notion that the Western is moving along a historical trajectory towards the expression of an ethical and progressive view of American culture, society, and history. The critical and commercial success of *Lonesome Dove* (both the novel and its subsequent, wildly popular TV miniseries adaptation) played a key role in showing that the Western was still a vital genre after the almost total dearth of Westerns in the 1980s following the disastrous box office performance of Michael Cimino's 1980 film *Heaven's Gate*. Paradoxically, however, McMurtry intended his novel as an anti-Western that would dispel the illusory view the Western constructs of the historical West and reveal this West in its reality. In actuality, I argue, those tactics which McMurtry deployed to create his anti-Western are what made *Lonesome Dove* such an effective Western in the first place, heralding a renaissance of the genre (relative to its previously moribund status) in which its conventions and its ideological commitments were forcefully reiterated. Primary amongst those tactics is McMurtry's narrative and thematic use of law and its trappings: the main characters are retired Texas Rangers, the cattle drive central to the narrative is of internationally rustled cattle, its destination is the proto-political (and thus legally indeterminate and juridically bereft) Montana Territory, and it features several legal and extralegal executions. It is, in short, acutely concerned with the law, and its attempts to

strike through the ideological facade of the Western are focused through the figurative lens of the law—a focus, however, that is simultaneously the means by which the Western is ideologically and generically reinforced.

Accompanying McMurtry's use of law is his depiction of the world of the Western as one that is ontologically exhausted. One of his early novels, *The Last Picture Show*, was set in a contemporary Texas town haunted by the spectral ideals and values of the Wild West, which were insufficient in explaining the modern world. In the *Lonesome Dove* series McMurtry applies this view to the Wild West itself: the ideology of the Western is incapable of providing meaning to the Western. For instance, Gus and Call, the primary protagonists of the series, are conventionally supposed to be figures of action and intent, and McMurtry denies them such agency. I undertake an analysis of how McMurtry's attempt to undercut the Western by demonstrating that its ideology cannot explain its own world is actually *internal to the Western as such*. This is why the Western is so easily able to weather attempts to subvert its conventions and turn those subversions into variations of its conventions: its power lies precisely in its disconnect from reality. Pointing out that the American West wasn't really like the way it's represented in Westerns doesn't thereby dispel their illusion: they have force precisely insofar as they *are* recognized as illusions.

An analysis of this phenomenon in a contemporary context is the subject of the second chapter, which examines the Coen Brothers' 2010 cinematic adaptation of *True Grit*. A quick glance at the Coens' filmography supports the view that they are committed to making films that subvert ideological attitudes and the conventional representations of identity, culture, society, and history which support them. *True Grit* certainly seems to support this thesis insofar as its protagonist is a teenage girl undertaking a quest to avenge

the murder of her father by bringing his killer to justice—whether through legal or extralegal means. I examine how the Coens do much to highlight and upend the gendered conventions of the Western, and yet my analysis leads to the conclusion that, like McMurtry, the Coens paradoxically reinforce these conventions through attempts at subversion.

As a Western, *True Grit* is heavily invested in representing and thematizing law, doing so through characters (the US Marshall Rooster Cogburn and the Texas Ranger LaBoeuf), scenes (including a public hanging and Cogburn's courtroom deposition), and, perhaps most importantly, settings. This lattermost feature draws on one of the most iconic aspects of the Western mythosphere: the American Frontier. Much of the film takes place in Indian Territory, the area north of Texas that would eventually become part of Oklahoma, and to which a large percentage of the Native Americans living east of the Mississippi River were forcibly relocated. In *True Grit*, Indian Territory functions as a version of the Frontier—outside the bounds of law and society, wild and dangerous. I contend, however, that such a figuration of the Territory is purely ideological, in that Indian Territory is itself a legal creation of treaties, congressional acts, and property lines. Drawing on Giorgio Agamben's notion of the zone of indeterminacy, I extend this insight to an analysis of the Frontier as a whole, arguing that the Frontier, from a mythological and ideological perspective, is the projection of American society and culture as an entity determined in large part by legal and juridical systems. The means by which this projection is produced is through the disavowed occlusion of Native Americans from participation in it as anything other than animalistic savages whose dehumanization renders them outside the scope of the law and thus subject to its full power to apportion

life and death.While it thus challenges certain conventions, *True Grit* reveals itself to be a reassertion of the genre in its most fundamental dimension wherein the assertion of justice is only possible when one steps outside the bounds of law. That such a fantasy of justice, of which *True Grit* is only one example, has recurrently reappeared in the years since 9/11 is directly tied to the prosecution of the War on Terror by the US using fundamentally legal justification. Those whom the US kills using drone strikes are legally placed outside the scope of law's protection so that they can be killed through a process whose actors, reasoning, evidence, and means are entirely secret. I argue that this openly clandestine—and morally bankrupt—strategy is the proximate reason for the Western's resurgence, particularly because it is a genre that is so perfectly suited to finding renewed vigour in attempts to subvert it.

With Chapter Three I return to 1985 and the other great Western published that year, Cormac McCarthy's *Blood Meridian*. If there truly is an *ultima occidentis* then McCarthy's masterpiece is it, and as such *Blood Meridian* is given over to a critical exploration of the most fundamental features of the Western. Unsurprisingly, law features prominently throughout the novel, and my analysis is partly devoted to investigating the major examples of law's appearance in *Blood Meridian*. Chief among these instances is the novel's antagonist, Judge Holden, whose sobriquet's provenance and the significance thereof has never been investigated by scholars, a consideration which serves as the jumping-off point of my analysis. Despite the intense imbrication of the judge with law all through *Blood Meridian*, exactly what he is a judge of is never revealed. I argue that this uncertainty is in fact the point, and reflects both the indeterminacy between law and crime that resides at the heart of law as well as the recurrent figurations of absence in *Blood*

Meridian. Just as the origins of the judge and his title are obscure, so too is the fate of the novel's protagonist, the kid, at the hands of the judge at *Blood Meridian*'s climax, an obscurity itself reflected in the kid's lack of a name. As my analysis of the kid's namelessness reveals, however, even this lack is filled in with a cognomen that is another absence in turn. I examine the name bestowed upon the kid by the judge ("Blasarius"), from its singular origin in a law dictionary to its possible etymological roots and the subtle reverberations of this contingent etymology with major themes and symbols of *Blood Meridian*, concluding that McCarthy subverts the convention of the nameless Western protagonist by upholding it.

Indeed, this approach to convention is what makes *Blood Meridian* so singular a novel and Western—rather than try to subvert Western conventions, McCarthy continually features them in as pure a form as possible, and in so doing achieves a more radical subversion of them. This strategy is most clearly seen in the novel's premise, for, at its core, it is nothing more than a cowboys and Indians story—albeit one that details in nauseatingly sanguine fashion the violence that such stories conventionally disavow, which disavowal makes them so culturally resonant and ideologically affective. Unlike McMurtry, McCarthy is not attempting to show what the Wild West was "really" like (indeed, that *Blood Meridian* is largely set in the late 1840s places it outside the historical purview typically covered by the Western), but is rather showing what *the Western is really like*: it is a genre that at its heart is about white settlers killing Native Americans. All of the other themes and sentiments that arise out of the Western—individual autonomy, masculine chauvinism, Manifest Destiny, American exceptionalism, heroism and autochthonous morality—are able to arise because the Western occludes the necessary

generic component of the killing of Indians. *Lonesome Dove* (and the tetralogy as a whole) features many Indians, and many Indians getting killed (and killing in turn), but their presence is largely conventional, as the naturalized features of a fantastic landscape that the heroes must overcome.[5] *True Grit*, too, performs the Western's ritual of killing an Indian—one of the men executed at the public hanging at the beginning of the film is Native American. What differentiates these works from *Blood Meridian* is their lack of self-awareness regarding Native Americans; with McCarthy, we are forced to face the Western in its purest form as a narrativization and rationalization of genocide, and it is the expression of generic quintessence that renders the genre powerless. There is nothing to celebrate in *Blood Meridian*, no exceptionalism to which anyone would lend their approbation, only the naked, grotesque fantasy of colonial white supremacy.

Chapter Three also examines McCarthy's 2005 novel *No Country for Old Men* in relation to *Blood Meridian*'s exploration of law and authority in the Western.[6] One of the novel's two protagonists is the Sheriff of a rural Texas county, and large sections of it are given over to him musing on his life and his role as a lawman—a recollection which leaves him expressing strong feelings of impotence in the face of what he sees as the radically changing landscape of violent, criminal behavior, manifested in the figure of *No Country*'s antagonist, the assassin Anton Chigurh. In a gesture that evokes McMurtry's

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[5] Throughout this dissertation I use the term "Native American" to denote communities and individuals of indigenous descent. I use the term "Indian" to refer to the ideological figure of the Native American constructed by the Western. Such a gesture must itself be acknowledged as profoundly reductive, ignoring as it does the diversity of tribal communities across the Americas. Yet as the appropriation of the term "Indian" by indigenous people implies, such reduction informs this diversity to one extent another. As Gerald Vizenor contends, "The use of the word 'Indian' is postmodern, *a navigational conception*, *a colonial invention*, a simulation in sound and transcription" (xxiii), thereby connoting the term's dualism.

[6] I also chose *No Country* because it was adapted by the Coens into an Academy Award-winning film in 2007, an adaptation which while excellent nevertheless betrays the conservatism underlying the Coens' oeuvre, in contrast to the essential subversiveness that characterizes McCarthy's novel.

depiction of Western mythology as exhausted, Bell follows in the wake of Chigurh's rampage, counting the bodies as they pile up and trying to offer protection to the man caught in the middle, the novel's other protagonist Llewellyn Moss. Bell can offer no such protection, of course (another sign of his—and law's—impotence), and indeed inadvertently brings about Moss's death. What differentiates this depiction of the erosion of norms of masculinity, of authority, of social order, and so on, is that McCarthy is neither bemoaning their dissolution nor attacking them as illusory. He is rather demonstrating that their ostensible disappearance is an index of the power they continue to exert. It is not that the country has become unsuitable for old men but that such unsuitability *is characteristic of what the country always ways*. As in *Blood Meridian* McCarthy continues to demonstrate that there is no safe spot—to subvert the influence of ideology is to reaffirm its power precisely because it is operative most strongly where we determine it to be absent. Indeed, it is operative in this determination itself.

The coda which closes this dissertation examines how a practical artistic response to this paradox of the resilience of the Western as an ideological vehicle can be mounted. I do so by returning to the mid-80s and the fiction of James Welch. Welch wrote novels of the American West, but not Westerns per se. What prompts such a distinction is the focus of my analysis, for Welch's novels continually return to an exploration of what it means to be a Native American living in the American West. While his first and second novels approach this topic from a contemporary perspective, his third, *Fools Crow*, depicts a tribe of Pikuni (Blackfeet) living on the Plains in the 1870s. In so doing Welch directly confronts the torturous paradox to which the Western subjects Native American identity. To even speak of such a thing as "Native American identity" is itself symptomatic of the racist

ideology promulgated by the Western. Yet such overdetermination is precisely the point of Welch's fiction and of *Fools Crow* in particular because as Welch represents it this overdetermination is part of what defines the lived experience of Native Americans regardless of tribal identity. In his fiction it takes the form of a structuring bifurcation, wherein identity is antagonistically split between the heritage and traditions of the past and the systemic inequity of the present—a split which is perfectly encapsulated by the Western's dependence on the ideological figure of the savage Indian. If the Western functions to define American identity and culture, and to even more forcefully define the culture and identity of the American West, then from one degree to another those tribal peoples who live there forced to identify as cowboy—cowboys, of course, who are defined in large part by killing Indians. This is not to say that indigenous peoples are helpless in the face of the Western's (and the West's) overwhelming power, that they are passive victims forever relegated to lives of absolute oppression but rather that the Western reflects and reinforces the structural colonialist discrimination which continues to negatively impact the lives of indigenous people across the United States (and beyond).

My analysis argues that, in *Fools Crow*, Welch writes a Western, but one that is *inverted*: not only are its protagonists the Indians and the "cowboys" (primarily cavalry soldiers and settlers) the savages, but instead of idealizing a past that never was (as is the hallmark of all Westerns), Welch looks forward to a catastrophic future. This gaze of futurity evaporates the obfuscatory retrospection of the Western and lays bare the racist fantasy of violent conquest that defines it to its core. Yet Welch does not stop here, for this ideological dissolution is precisely the same effect achieved by *Blood Meridian*. McCarthy's novel defines a limit for the Western, a point beyond which the genre remains

ossified and incapable of alteration. This point, of course, is the killing of Indians (which is itself metonymized by the term "Indian"), a ritual made possible through the discursive framework of law, which figures the Indian as life that can be killed (indeed, *must* be killed) with impunity. Welch takes this limit and sets it as the starting point for re-imagining the history of the Pikuni, and more broadly of indigenous people throughout the United States. There can be no return, imaginatively or otherwise, to a time before the Western—but by appropriating the Western and its compulsion to kill the Indian, *Fools Crow* suggests, a foundation for a present identity can be established. In so doing Welch moves beyond the Western by inhabiting it, shrugging off its overdetermination of indigenous identity, culture, and history by appropriating that very overdetermination.

In the second decade of the new millennium America has largely ceased the ground operations of the two conventional wars it started in the first decade. The third unconventional War on Terror, however, continues. Concomitantly, the Western continues. There are those Westerns which are more or less "pure" expressions of the genre, showcasing all or some combination of the iconic images and themes that characterized the genre; and then there are the innumerable works that display a debt to or interest in those characteristic generic features, from the many cinematic adaptations of American comic books to action films to the novels of Philipp Meyer. This broader ubiquity is unsurprising, given that the Western draws together the disparate threads that are the major themes of American cultural expressions into one densely compressed generic form. To see it reflected across American culture is only natural. What is of particular interest, however, is the added significance of both those reflections and the renewed strength of the Western itself in the context of the War on Terror. This conflict takes as its battlefield no

single place. It is nowhere, and so it is potentially everywhere. As such it effectively transforms the globe into the Frontier so central to American mythography, albeit one that is quite possibly endless (and thus always absent). Moreover, the War on Terror is not against anyone—it is against agents of Terror, to be sure, but the definition of who those agents are is, in theory and more and more in practice, unlimited. This potentiality is perfectly mirrored by the Western's figuration of the Frontier as a place of limitless possibility where individuals can achieve a radical autonomy at the price of being outside the law's protection—a dialectic itself made possible by the denial of such autonomy to the Indians who are always outside the law and thus always killable, and who find their contemporary equivalent in the nebulously defined but always killable terrorist.

These parallels are not in themselves new; what is new is the resilience of the Western in the face of contemporary cynicism, which purports to be free of ideological influence. This dissertation's core assertion is that the Western, condensate of the major, historically recurrent American themes, today no longer works as a symbolic network conferring meaning upon the world, and in no longer working serves as the herald of how ideology no longer works today—it works, it is in irresistible force, precisely by not working. The failure of the symbolic network that is the Western is the sign of its success—its meaning *is* its failure, just as cynical distance from ideology *is* ideology and the absence of coherent battlefields and combatants of the War on Terror *is* their presence. Today, the Western reinforces authority by depicting its subversion, it reinforces the state by depicting its absence, it reinforces cis-hetero masculinity by depicting its emasculation—all of what the Western historically served to ideologically convey is now conveyed through the depiction of its dissolution. Same as it ever was, the Western thus serves as one of the most

quintessentially American art forms; it does so today by reflecting back an image of broken forms to a nation cohering around the fantasy that it is irredeemably broken.

CHAPTER 1

America's Phantom Limb: The Vanishing West in *Lonesome Dove*

Mark Busby characterizes the relationship between Larry McMurtry and his home state of Texas as ambivalent—he finds McMurtry's prose to be at once critical and enamored of the culture, history, and symbols of the Lone Star State and the West as a whole, writing, "McMurtry has produced novels, essays, and screenplays that draw their creative tension from his deep ambivalence about the frontier myth" (32). Indeed, McMurtry's earlier novels such as *Horseman, Pass By* and *The Last Picture Show* "had centered almost exclusively on the rather uncomfortable relationship between the mythic West of the past and the more complex and ambiguous West of the present" (Kiefer 39). Such ambivalence is apparent to a high degree in McMurtry's *Lonesome Dove* tetralogy, and particularly the eponymous novel of the series, about the subject of which McMurtry himself asserts, "I'm a critic of the myth of the cowboy" (Rothstein). *Lonesome Dove* has certainly not been popularly or critically received as such a critique, however—rather than demythologizing the cowboy or the West it is generally read as an exemplary Western that plays with the conventions of the genre but does not engage in substantive critique of them. The source of the ambivalence identified by Busby is thus rooted in the way the *Lonesome Dove* series continually evinces suspicion about the mythologizing distortion to which the Western subjects the historical reality of the American West, yet articulates this suspicion by using those very distortions. Again, McMurtry expresses an awareness of this double-bind with chagrin: "I thought I had written about a harsh time and some pretty harsh people, but to the public at large, I had produced something nearer to an idealization . . . a turnabout I'll be mulling over for a long, long time" ("Making" 1).

Lonesome Dove thus appears as an exemplary iteration of the Western genre and of the myth of the West precisely through its discontinuity with them. Accordingly, this chapter will examine how this discontinuity is expressed through and helps determine *Lonesome Dove*'s representation of law. Indeed, the theme and sense of discontinuity are perhaps even more central to *Lonesome Dove* than the ambivalence identified by Busby, as the title of this chapter, derived from McMurtry's characterization of the American West in his brief essay on the creative origins of *Lonesome Dove*, suggests: "I think of the West as the phantom limb of the American psyche, not there but not forgotten" (1). The West, that is, is understood by McMurtry to be inherently discontinuous; it is present only insofar that its presence is experienced as a loss, and we can understand the ambivalence expressed regarding the West in McMurtry's works as symptomatic of this discontinuity.

A striking example of the influence discontinuity has over McMurtry's work is found in his 1999 collection of essays, *Walter Benjamin at the Dairy Queen*. McMurtry describes the profoundly alienating effect major heart surgery had upon his psyche: "Such surgery, so noncommonsensical, so contradictory to the normal rules of survival, is truly Faustian. You get to live, perhaps as long as you want to, only not as yourself—never as yourself" (147).[1] The specific form this sense of alienation took for McMurtry was an inability to read for pleasure, which, for someone whose life as a novelist and book seller was so inextricably bound up with reading, was particularly distressing. McMurtry felt as though he was "doomed to impersonate a person I now no longer was. I became, to myself, more and more like a ghost, or a shadow. What I more and more felt, as the

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[1] While anachronistic, it is interesting to note that McMurtry's characterization of his surgery as Faustian recalls the refusal of Gus to have his remaining leg amputated: "'You don't get the point, Woodrow,' Augustus said. 'I've walked the earth in my pride all these years. If that's lost, then let the rest be lost with it. There's certain things my vanity won't abide'" (*Lonesome* 875). In other words, Gus, unlike McMurtry, will only consent to living as himself.

trauma deepened, was that while my body survived, the self that I had once been had lost its life" (145). Similar to his conception of the American West, then, McMurtry articulates his experience of self-disassociation in terms of being haunted by a past time when things were working properly, a past of wholeness that agonizingly contrasts the incompleteness of the present. To be fair, when McMurtry refers to the West as America's phantom limb, he does not use such explicitly apocalyptic language as his description of the aftereffects of his surgery, yet the figure of a phantom limb nonetheless necessarily carries with it connotations of present conditions produced as the effects of some irrevocable and destructive event. We must therefore recognize that McMurtry's conception of the West as both symbol, mythology, and historical reality involves the event and experience of a catastrophic loss. Based on the personal and professional history he describes in *Walter Benjamin at the Dairy Queen*, one can extend McMurtry's use of this catastrophe as trope to situate it as one of the most predominant and structuring features of his fiction; that is, his novels continually replay a scenario in which characters deal with the traumatic aftereffects of an either implied or actual catastrophic event, aftereffects that take the form of a sense of alienation and of discontinuity, a profound sense that meaning, activity, life—in short, everything—is happening elsewhere.

In *Lonesome Dove* the sense of alienation and discontinuity is present almost immediately. We learn that the southern Texas location of the town of Lonesome Dove is "a heaven for snakes and horned toads, roadrunners and stinging lizards, but a hell for pigs and Tennesseans" (3). The immediate effect of this description is to undermine a sentimentalized conception of the landscape of both the West and the Western, reflecting McMurtry's desire to challenge the conventions of the latter. This undermining operates by

focusing on the ugliness, unpleasantness, and overall quotidian nature of the landscape—there is no possibility for personal and social regeneration here as is typically the case in representations of the Frontier. Simultaneously, however, the description implies that those who choose to live there are of necessity tough, stubborn, and akin to the animals who find Lonesome Dove heavenly: in short, it restates and reinforces particular conventions of Westerns, in which, as Tompkins argues, masculinity is expressed and defined through a capacity to endure (and inflict) discomfort, pain, and privation: "In the course of providing a set of master images that tell men how to behave in society, Westerns teach men that they must take pain and give it, without flinching" (121). Yet insofar as McMurtry is critiquing the set of master images typical to Westerns at the same time that he is reinscribing and reinforcing them we must question what, exactly, he is saying about how men should behave in society. The internal contradiction apparent in this masculine pedagogy suggests that McMurtry is telling the reader not simply that masculinity is in crisis, but moreover that crisis is an intractable condition of masculinity—that is, one is masculine only insofar as one is alienated from and discontinuous with one's masculinity. What's more, in contrast with the apocalyptic tone employed in the recounting of the moment and aftermath of McMurtry's surgery in *Walter Benjamin at the Dairy Queen*, there is no history or teleology identifying the catastrophic event that has reduced the protagonists of *Lonesome Dove* to living in such an unpleasant place. Indeed, such an event is never identified in any of the *Lonesome Dove* novels. One could say that Gus and Call have experienced the trauma of having destroyed completely and irrevocably the conditions which previously gave their lives meaning; as Gus tells Call, their campaigns as Texas Rangers against bandits and, more crucially, the Comanche have resulted in their

killing “most of the people that made this country interesting to begin with,” a remark which Call thinks nonsensical: “Nobody in their right mind would want the Indians back, or the bandits either. Whether Gus had ever been in his right mind was an open question” (McMurtry 349). Yet what one discovers in *Dead Man’s Walk* and *Comanche Moon*, the novels written after *Lonesome Dove* yet recounting Gus and Call’s time in the Rangers before the events of the latter, is that Gus and Call didn’t really have a hand in defeating the Comanche. Virtually every encounter between the Rangers and the Comanche (who are usually led by the chief Buffalo Hump) ends in the Rangers being defeated outright or being rendered irrelevant by other factors (such as their inability to live in the Comancheria—the Comanche homeland—as effectively as the Comanche; they simply can’t keep up). What one finds is thus a constant state of what we are terming alienation—Gus and Call are never where the action is, they are always passive observers of history rather than active participants or authors of it. In short, they are alienated from the typical conception of masculine identity in Westerns (and, more broadly, in American literature and culture) as a self-reliant and self-governing subject because they are continually finding that their actions and intentions are irrelevant—whatever they try to do they find has already been done by someone else for them. They are discontinuous, out of joint with respect to time, space, and above all themselves.

“Expeditions for nothing”: Action in Discontinuity

This experience of discontinuity, of arriving too late and being unable to act even when one is on time, pervades the dyad of *Dead Man’s Walk* and *Comanche Moon* and is

most strongly expressed by the death of Buffalo Hump in the latter novel.[2] Buffalo Hump, chief of a powerful Comanche tribe, is the chief antagonist of both. We first encounter him during *Dead Man's Walk* when he nearly kills Gus while the latter is out scouting at night and in a thunderstorm and encounters the former sitting alone in the darkness: "Buffalo Hump looked at Gus, and then the plain went black. In the blackness Gus ran as he had never run before, right past where the Indian sat. Lightning streaked again but Gus didn't turn for a second look: he ran. Something tore at his leg as he brushed a thornbush, but he didn't slow his speed" (*Dead* 45). The something tearing at his leg is Buffalo Hump's lance, which was thrown so hard and "stuck so deep in Gus's hip that Bigfoot and Shadrach," two other Rangers, "couldn't pull it out" (49). Throughout this novel and the next, Buffalo Hump is unstoppable, frustrating all of the attempts of the Texas Rangers to stop his depredations or defeat him in battle, and killing them at will and with utter contempt. This comes to a head in *Comanche Moon* with the massive raid of Texas that Buffalo Hump organizes, in which many Texans are killed, many Texan towns are razed, and Buffalo Hump is able to fulfill his desire to ride all the way to the Gulf of Mexico. At the time of the raid the Rangers, now led by Call and Gus, are on their way to rescue their former Captain, Inish Scull, who is being held captive by Ahumado, a Mayan bandit feared for the

2 It is appropriate to isolate Dead Man's Walk and Comanche Moon as a discrete unit within the greater Lonesome Dove tetralogy; they read almost as one larger novel broken into two, and have more in common, with respect to plot and tone, with one another than the chronologically next novel in the series, Lonesome Dove.

singular gruesomeness and cruelty with which he tortures his victims.[3] They find out about the raid after it has occurred from a bear hunter named Ben Lily; encountering him while he is skinning a bear, they ask him if he has seen Scull. "I expect they took him in the big raid," Lily replies, and then proceeds to enlighten the Rangers as to the destruction they have missed: "'Go east,' he told them. 'See how many dead you find. There's dead along ever creek. I don't know how many men [Buffalo Hump] came with but he struck Austin and nearly burned it down'" (306). After recovering from their initial shock, the Rangers turn around and head back to Austin, which has indeed been attacked and had many of its denizens killed by Buffalo Hump and his raiders.

The typical McMurtrian situation of discontinuity, of Gus and Call missing out on and in effect being incapable of action, weighs heavily on this scene. Indeed, it is redoubled, in that the Rangers have both completely missed the largest Comanche raid ever organized and are forced by this to abandon their quest to rescue Scull. While Gus and Call eventually make their way to Ahumado's camp and discover a half-mad Scull barely alive at the bottom of a pit, his eyelids skinned off by Ahumado and afflicted by a tendency to begin spastically and uncontrollably hopping up and down "like a flea" (510), Ahumado (and his followers, who serve him either as virtual slaves or as pistoleros, gun men) are already gone—which thus again figures Gus and Call not as the active

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3 A particularly grisly practice of Ahumado is dubbed "the torture of the little trees" (Comanche 194) by Buffalo Hump. Ahumado "would trim the leaves and limbs off a small, slim tree and then sharpen the boll to a fine point. Then he would strip his enemy and lift him up and lower him onto the sharp point of the skinned tree . . . . Sometimes the slim trees would pass all the way through the captive's body and poke out behind his body, and yet he would still be living and suffering" (193). This torture establishes Ahumado as even more inhumanly cruel than the Comanches, thus repeating the pernicious stereotype of the savagery of Native Americans that prevails throughout the Lonesome Dove series. Moreover, the overtones of arborescent anal rape characterizing this torture express the kind of heterosexual masculine hysteria that the Western is supposed to provide imaginary resolution to, suggesting that the Western rather constructs masculinity as being inherently in crisis.

protagonists of the narrative but as passive observers or recorders of the action, as characters perpetually experiencing events after they have transpired. It is worth noting, too, that what Gus and Call *intend* to do is courageous—they ride, alone, into the territory of a man known to mercilessly torture and kill interlopers, and, accordingly, expect a hard fight from him and his pistoleros. When they arrive at the Yellow Canyon, however, Call immediately senses that no one is there: "'He's gone,' he said. 'We've come too late, or else we've come to the wrong place'" (494). Tellingly, Gus remarks, "We've had a lot of practice, going on expeditions for nothing. That's how it's mostly turned out. You ride awhile in one direction and then you turn around and ride back" (495). On the one hand, this is a self-reflexive gesture on McMurtry's part—while Gus' comments are immediately diegetic, they are also metafictional, implying a critique of the Western and its generic features. Gone is the epic adventure, the heroic action, and the overriding sense of purpose that pervades the genre; the action and the meaning of the Western have been reduced to a mechanical vacillation between points themselves denuded of any significance. From this perspective, then, the final *Lonesome Dove* novel written by McMurtry appears to have the most caustic view of the Western, relentlessly critiquing the emptiness of its tropes. Indeed, the final thing spoken in the novel (and thus the series as a whole) is Call's laconic observation, "It may be over but it wasn't fun" (752), which one could easily read as McMurty's opinion of the entire tetralogy as well as the Western in general. On the other hand, however, *Comanche Moon*'s self-reflexive criticism of the Western falls flat precisely because it takes place in a world in which epic events are still happening; it is not the world that is deflated and evacuated of its meaning, it is rather the protagonists who have been reduced to the order of the irrelevant and the mundane.

History rolls on unimpeded, significant events (both historically and generically) occur regularly, and Gus and Call are perpetually alienated from all—great things happen, just not to them. What this suggests, then, is that McMurtry is not so much critiquing the Western as he is bemoaning the fact that its generic demands do not—or no longer—match up with present and past reality. If there is ambivalence on McMurtry's part, it derives from this attempt to undermine the symbolic world of the Western by using these very symbols. In effect, the less of a Western McMurtry's Westerns are the more perfectly they are Westerns: the best Western is a broken Western.

The death of Buffalo Hump and the non-role Gus and Call play in it demonstrates this disjuncture inherent to McMurtry's Western. At the close of *Comanche Moon*, Gus, Call, and the rest of the few remaining Rangers, while "still the only force capable of dealing with general lawlessness of a magnitude likely to be beyond the scope of local sheriffs" (673), are frustrated with their increasingly mundane assignments, which primarily entail "hanging bandits and putting drunks in jail" or "cool[ing] off feuding families, of which there were plenty among the land-grabbing settlers pushing into lands the Comanches were no longer able to contest" (674). Their feelings of discontent are meant to establish a connection with *Lonesome Dove* by providing a reason for their moving to the eponymous town, of course, although they also reflect the same theme of alienation from self and circumstances we have previously observed. Even the prospect of going after one of the few actually dangerous people left on the diminishing Frontier—Blue Duck, son of Buffalo Hump and chief antagonist of *Lonesome Dove*—fails to ameliorate Gus' resentment of his diminished station. As he complains to Call, "I ain't a policeman, that's why I'm riled" (674); from Gus' point of view, being sent after Blue Duck

and his gang by the governor is the work of a policeman. Recruiting Famous Shoes, the almost-superhumanly skilled Kickapoo tracker, to find Blue Duck's camp, the Rangers head out into the wilderness. When Famous Shoes discovers the camp Blue Duck, unsurprisingly, is absent.[4] Several of his gang members are there, however, and they are quickly captured and hanged. This extrajudicial occasion prompts Gus to reflect on the vicissitudes of life when Call notices he seems particularly melancholy: "I get to thinking that, but for luck, it could have been me hanging there" (691). The implication that both fate and justice are essentially aleatory here serves to underscore the increasingly cynical view McMurtry's novel takes of the conventions of the Western and the moral positions they imply. The only thing that differentiates Gus and the bandits is radical contingency, and his authority as heroic protagonist is thereby tacitly thrown into crisis. Again, Gus' reflection further establishes the emotional logic leading to his and Call's decision to abandon the Rangers and move to Lonesome Dove; at the same time, however, it points to the consistent way in which McMurtry constructs justice as never anything but its insufficiency, agency as nothing but the impossibility of action, and the Western nothing but the negation of its own generic conventions.

Upon leaving Blue Duck's camp, Famous Shoes discovers that Blue Duck and two others are traveling deep into the Llano Estacado—the inhospitable plains of the Comancheria—to the Black Mesa, the driest part of the llano. Famous Shoes can tell from the tracks he finds that Blue Duck is pursuing Buffalo Hump, thereby suturing the

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[4] The reader already knows at this point that Blue Duck is gone in pursuit of his father. Nevertheless, his absence is one more example of Gus and Call's perpetual discontinuity with action—once again, they have gone on a journey to nowhere. We could even say that the dramatic irony at work here concretizes at a formal level the detachment from action that Gus and Call continually face on a diegetic and thematic level, in that we are aware in advance that the action is happening elsewhere, that Gus and Call's trip is meaningless (the same formal structure is at work with their quest to rescue Scull).

epistemological split within the narrative—we already know that Blue Duck is pursuing Buffalo Hump, and now Gus and Call know it too. Diegetically, though, the split persists, with Blue Duck's killing of Buffalo Hump narrated in the third person before Gus and Call arrive, once again replicating the divide between event and participation for the duo. When they finally discover Buffalo Hump's body, with a lance stuck straight through its titular deformity and into the ground—"It's like a tree grew through him," remarks Gus (728), which oddly recalls Ahumado's torture technique—they are suitably shocked at the death of so prominent (and deadly) a person at the hands of his own son. Given Buffalo Hump's near-mythical status, though, they are also warily intrigued: "Call was curious at last to see Buffalo Hump up close. It had been some years since he had thought much about the man, yet he knew that his career as a ranger had been, in large measure, a pursuit of the Comanche who lay dead at his feet" (727). What they take particular notice of is Buffalo Hump's relatively small physical stature; Call "thought he was bigger," while Gus recalls that when Buffalo Hump "was after me with his lance I thought he was as big as a god" (727). The climactic scene of *Comanche Moon*, then, consciously undertakes a critique of the distorting effects of mythologization, with the reality of Buffalo Hump deflating his literally larger than life symbolic existence and also thereby subtly undercutting the purpose and meaning of the Rangers, who had spent so much time in fearful pursuit of him. This critique accords with McMurtry's desire to challenge the mythology of the West and of the Western; furthermore, it repeats the hallmark *Lonesome Dove* situation of Gus and Call being absent from significant events and having actions accomplished for them. They have spent their lives as Rangers attempting to kill or capture Buffalo Hump, with results ranging from the merely unsuccessful to the outright

catastrophic, and this life effectively comes to an end by proxy, through Blue Duck accomplishing what they could not by killing Buffalo Hump. What is more, they are unable to capture Blue Duck, who ambushes them with a buffalo rifle while they are gathered around Buffalo Hump's corpse. Tellingly, Blue Duck is a poor shot, and is unable to kill any of the Rangers, suggesting that effective agency is to be denied everyone in the world of McMurtry's Western. He comes close to hitting Call, though, and "the shock of the big bullet hitting [Call's] boot heel had thrown him in the air and left his leg as numb as if all its nerves had been removed" (736). Even here Call is denied the experience of a meaningful, momentous event; rather than suffering what would likely prove to be a fatal gunshot wound, he experiences what we might describe as the form of a wound but not its content. His reaction when he discovers that he has not, in fact, been shot reinforces this: "Call found it hard to adjust to the fact that he was unhurt. His mind had accepted the thought that he was wounded easier than it would accept the fact that he wasn't" (736). Just as he and Gus are vexed by their meaningless fluctuations across the deserts of the Southwest, so too is Call vexed by the meaninglessness of his non-wounding. If he had actually been hit then he would be afforded the paradoxical comfort of knowing he was dying, but having his boot heel shot off merely means "that the man the had chased so far was undoubtedly getting away" (736). With Blue Duck out of reach, the only option the Rangers have is to return home, and it is with this frustrated journey, one more expedition for nothing, that the novel ends. Call is rankled by the inability of the Rangers to accomplish their goal: "Once again he had to carry with him, on a long trip home, a sense of incompletion" (752); what the novel fails to demonstrate, however, is an awareness that such a sense of incompletion is not an exceptional situation but constitutive of Call's

existence and by extension his narrative and generic role as heroic protagonist. He (and, of course, Gus) is not a subject in crisis, but is rather a representation of subjectivity that takes crisis to be its essential, founding feature.

Žižek describes subjectivity as "a name for that unfathomable X called upon, suddenly made accountable, thrown into a position of responsibility, into the urgency of decision in such a moment of undecidability" and whose "irreducibly contingent *act* establishes a new Necessity" (*For They* 189, his emphasis). Insofar as Gus and Call are incapable of acting—insofar as action is carried out by proxies and substitutes on their (unwitting and unwilling) behalf—we can thus argue that McMurtry's critique of the Western fixates upon how the genre's symbolic performance of agency and action covers over and produces as symptom an incapacity for action, an abdication of responsibility that thereby prevents the unfathomable X of subjectivity from emerging in an authentic, non-alienated fashion. In effect, for McMurtry, the ideological screen of the Western, which idealizes a particular image of the subject as virile, active, and masculine, actually serves to undermine the real possibility of achieving such self-identity. And yet what this critique fails to take into account is the manner in which its identification of the alienation symptomatic of the ideology of the Western is itself a positive condition of that very ideology. This view runs counter to typical analyses of the Western which situate it vis-à-vis a broader social, cultural, and historical context. Cawelti, for instance, provides a structuralist analysis of the genre:

> In the simplest Westerns, the townspeople and the savages represent a basic moral opposition between good and evil. In most examples of the genre, however, the opposition involves a more complex dialectic between

contrasting ways of life or psychic states. *The resolution of this opposition is the work of the hero*. Thus the most basic definition of the hero role in the Western is as the character that resolves the conflict between pioneers and savages. (36, my emphasis)

According to this hermeneutic, McMurtry's Westerns present a situation in which the hero can no longer achieve the resolution to the opposition between nature and culture (that is, between savages and pioneers). Indeed, Cawelti characterizes the television adaptation of the eponymous novel of the *Lonesome Dove* series as a series of "accidents, chance encounters, and sudden revelations [that] continually undercut and reduce to absurdity the significance of the protagonists' mythical quest" (110-111)—said quest essentially reducible to bringing about the aforementioned resolution to dialectical tension. Cawelti is effectively positing a crude Hegelian interpretive framework for understanding the structure of the Western: the dialectical tension between Thesis (Pioneer) and Antithesis (Savage) is sublated/overcome by their Synthesis (heroic cowboy protagonist). When this sublation no longer works, it means that the Western has therefore fallen into irrelevance; and we know the sublation has ceased to be effective precisely because the significant has been rendered absurd, because the Western no longer offers a resolution to the tension between nature and culture, between savagery and civilization. The hero (and the very nature of the heroic) is thereby thrown into crisis. As we have seen, all of these conditions are present within *Comanche Moon*; the insight this novel provides, however, is that these conditions are constitutive rather than exceptional. McMurtry's novel inadvertently reveals that the Western is nothing but the ideological presentation of crisis as the fundamental feature of subjectivity. That is, the hero of the Western does not resolve the conflict

between nature and culture but *gives body to this conflict as such*. Ideologically speaking, the hero of the Western *does* provide *imaginary* resolution to—that is, dialectical overcoming of—the tension between opposites (whether these opposites are nature/culture, law/crime, /masculine/feminine, white/not-white, etc.). Insofar as a critique of this ideology itself is necessary, however, we must recall Žižek's exegetical synthesis of Lacan and Hegel in its application to the dialectic of law and crime. Following Lacan, he asks: "How do we account for this paradox that the absence of Law universalizes Prohibition? There is only one possible explanation: *enjoyment itself, which we experience as 'transgression', is in its innermost status something imposed, ordered*" (9, his emphasis). *Mutatis mutandis*, the violation of law, transgression, is of the order of law itself: crime is law. Dialectically speaking, crime fills in the void that is the content of the form of law, and this absolute form of law exists as such only insofar as it is retroactively posited: law *will have been* what orders crime to come into being. We see this when Žižek argues,

> [T]he law in its 'abstract identity'—opposed to crimes, exclusive of their particular content—is in itself supreme crime. This is how the tautology 'law is law' has to be read. The first law ('law is...') is the universal law in so far as it is abstractly opposed to crime, whereas the second law ('...law') reveals the concealed truth of the first: the obscene violence, the absolute, universalized crime as its hidden reverse.... [W]hat does this tautology effectively mean if not the cynical wisdom that law remains in its most fundamental dimension a form of radical violence which must be obeyed regardless of our subjective appreciation? (33-34)

At an imaginary level, then, the hero of the Western resolves the tension between law and crime by covering over the supreme crime residing at the heart of law; symbolically, however, the hero functions as an embodiment of this tension, of the fact that "identity-with-itself ['law is law'] is another name for 'absolute contradiction'" (Žižek 33), another name for the void that is the content of the form of law. In other words, within the symbolic economy of the Western, the hero functions as phallus, as that which is nothing but what gives positive form to the failure of identity and meaning. Paradoxically, then, McMurtry's attempts to emasculate and reduce to absurdity the cowboy hero result in a resounding reiteration of what the cowboy always was in the first place. It is unsurprising, then, that the *Lonesome Dove* series was and continues to be so popular; by reducing its heroes to failures it makes them all the more heroic, and by sending them out on an endless series of expeditions for nothing it underscores that nothing is precisely the meaning and the goal of the quests that structure the narrative of the Western. It nakedly, if blindly, fulfills the essence of the Western's symbolic role within American culture: to stage continual encounters with failure in order to give body to failure as such. In its single-minded representation of the failure of identity, of the self-alienation of Gus and Call, *Comanche Moon* thus stands as the distillation of the *Lonesome Dove* series.

"He added…": Said-Bookisms and Deferred Meaning

Comanche Moon is not the best or most interesting of the series, however; that distinction goes to *Lonesome Dove* itself. There are myriad trails along which Lonesome Dove pursues its exploration and articulation of its structuring theme of alienation. One of the most curious of these is a particular stylistic and syntactic quirk of McMurtry's. Very

often, after a character has spoken, additional speech is appended with the appropriate pronoun and the dialogue tag "added". For example, in this exchange between Gus and Clara regarding July's deceased wife: "'She was looking for an old boyfriend,' Clara said. 'He was a killer who got hung while she was recovering from having the baby. July went and saw her but she wouldn't have anything to do with him. She and one of the buffalo hunters traveled on, and the Sioux killed her. You watch close, or they'll get you too,' *she added*" (763, my emphasis). While we might simply attribute the regular presence of this said-bookism[5] in *Lonesome Dove* and the rest of books in the series to careless writing and worse editing, we can go further and think about how "added" functions to express at a formal and syntactic level the novel's constitutive theme of alienation and discontinuity. Moreover, precisely because this is occurring at the level of grammar, of the law of language, a persuasive link to the theme of law is established. Finally, the use of the word "added" denotes an element of counting, calculation, and multiplication at work in both the formulation "he added" and the novel as a whole.

Deleuze and Guattari's work on the relationship between the State and the war machine is particularly well-suited to considering how these three dimensions of the "added" dialogue tag interrelate. For Deleuze and Guattari, the war machine denotes a nomadic band that "seems to be irreducible to the State apparatus, to be outside its sovereignty and prior to its law; it comes from elsewhere" (352). Insofar as the State is able to conduct war it does so by appropriating the war machine to its purposes in an acquisition "that presupposes a juridical integration of war and the organization of a military function" (352). In a remark that intriguingly resonates with the presence of two

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[5] "Said-bookism" is the unfortunate term for dialogue tags that are euphemisms for "said". It derives from *The Said Book*, a compendium of such euphemisms published in the 1940s by J.I. Rodale.

heroic protagonists in *Lonesome Dove*, Deleuze and Guattari observe that "political sovereignty has two heads: the magician-king and the jurist-priest" (351). It would be rather futile to identify which of these corresponds to Gus and which to Call (though the asceticism of the latter suggests something of the priest); the point is simply that the relation between Gus and Call is homologous to that of the split within the State, in which its "two poles stand in opposition term by term . . . . But their opposition is only relative; they function as a pair, in alternation, *as though they expressed a division of the One or constituted in themselves a sovereign unity*" (351, my emphasis). This splitting of the one into two is a clear synonym for the arborescent model of thought Deleuze and Guattari critique earlier in *A Thousand Plateaus* and to which they oppose the rhizomatic model of thought: "The rhizome is reducible neither to the One nor the multiple. It is not the One that becomes Two or even directly three, four, five, etc. It is not a multiple derived from the One, or to which One is added (n +1)" (21). In other words, arborescent multiplication is effectively a false multiplication, for it merely repeats the point of origin—the trunk—in its division into branches. One becomes two, two become four, four sixteen, etc.—yet all are simply iterations of the One, following the "binary logic of dichotomy" (5). So it is with the two-headed State, so it is with Gus and Call, and so it is with "x added": each is merely a different way of writing n + 1, n being that abstract, retroactively posited point of origin Žižek identifies as the big Other, the symbolic order, the law. As Rangers, Gus and Call were once agents of the state, of course, although as we have seen they paradoxically appear to both uphold the law and stand outside of it. Yet this condition of simultaneously being representative of the law and external is strictly isomorphic to the logic of "x

added”, wherein dialogue is completed only by its supplement, by what is simultaneously essential and external to it.

In the first appearance of the “x added” identifier, early in the novel and early in the morning, Gus is reading the Prophets in the Bible as per his usual morning routine:

> While he was enjoying a verse or two of Amos the pigs walked around the corner of the house, and Call, at almost the same moment, stepped out the back door, pulling on his shirt. The pigs walked over and stood directly in front of Augustus. The dew had wet their blue coats.
>
> “They know I’ve got a soft heart,” he said to Call. “They’re hoping I’ll feed them this Bible.
>
> “I hope you pigs didn’t wake up Dish,” he added . . . . (50)

That Gus is reading the Book of Amos (and that he considers feeding the Bible to his pigs) on the one hand simply reflects McMurtry’s use of humor and the absurd to undercut the conventions of the Western; it is humorous, but in a way that renders Gus something of a Quixote, a ridiculous, self-deluded figure who severely misinterprets reality. Yet Amos, one of the Twelve Minor Prophets, is largely given over to Amos’ prophecy of God’s anger at the dissolution of the Kingdom of Israel and the terrible judgment he will therefore exact. It is, in short, a text intently focused upon cataclysm as divine retribution. Gus “consider[s] himself a fair prophet” (50); his reading of Amos on the morning of Jake’s fateful arrival in Lonesome Dove thus presages the subsequent cattle drive that makes up the bulk of the novel’s action as destined for catastrophe, although Gus, in contradiction of his apparent prophesying skills, fails to make the connection. The deaths of so many of the Hat Creek Outfit, including Gus, supports this association, though, as do the nearly Biblical

tribulations endured by the cowboys, such as the locust swarm, the lightning storms, and the cottonmouth river nest. In keeping with *Lonesome Dove*'s theme of alienation, however, the novel does not end with absolute destruction, but rather a bitter dissatisfaction—not with the foretold bang but a whimper.[6] Again, however, the fundamental hardship that Gus and Call end up facing is that of no hardship—while they certainly endure difficult and, for Gus, lethal conditions, none of these seems to truly measure up on its own—nor do they as a whole. There is a constitutive insufficiency that determines Gus and Call's experiences, and this is what functions as the true hardship that demonstrates their exceptionality. Put another way, they are alienated from the conditions which would obtain for them uniqueness, and in being so alienated they become unique.

What, then, does this paradox have to do with the supplementary "x added"? Simply put, McMurtry's use of this dialogue tag expresses syntactically what the novel is continually negotiating thematically and diegetically. Whenever characters "add" something to dialogue, they are demonstrating that it is in the nature of language—the symbolic order—perpetually and simultaneously to say too much and not enough. Precise meaning is elusive as such, and as representatives of the law, as metonyms of the big Other, Gus and Call find themselves perpetually imprecise in their attempts to represent it adequately. The form "x added", then, functions to express the constitutive alienation of Gus and Call from the language of which they are, at a mythological level, the institutors.

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[6] Moreover, God makes the accusation in Amos against Israel that "You only have I known of all the families of the earth: therefore I will punish you for all your iniquities" (King James Bible Amos 3.2). This theme of those chosen by God being singled out for punishment reflects a subtle dialogue between *Lonesome Dove* and the notion of American Exceptionalism as it derives from the Puritan tradition and continues through to Turner's Frontier Thesis. That is, the implication is that the hardships faced by Gus, Call, et al demonstrate that they are of the elect, in the same way that Mary Rowlandson discovers in her captivity irrefutable evidence that she is beloved by God, and in the same way that Turner locates a secular exceptionality in the material conditions faced by the settlers of the Frontier.

That is, they can found the law and language only insofar as they fail in doing so—their failure is their success. This is what Deleuze and Guattari are alluding to when they ask, "*Is there a way to extricate thought from the State model*?" (374, their emphasis). Just as the content of dialogue in *Lonesome Dove* is determined in advance by the form of the dialogue tag, irrespective of its particularity, so too is thought (read: subjectivity as *Cogito*) determined in advance, in the last analysis, by the State model. In one of their most direct engagements with the notion of ideology as it is critiqued by Althusser, Deleuze and Guattari assert,

> Thought contents are sometimes criticized for being too conformist. But the primary question is that of form itself. Thought as such is already in conformity with a model that it borrows from the State apparatus, and which defines for it goals and paths, conduits, channels, organs, an entire *organon*. There is thus an image of thought covering all of thought . . . . [It is] the State-form developed in thought. (374, their emphasis)

We might consider how the interdependence of thought and the State illustrated here affords a compelling description of the Western itself. The content—that is, the particular, contingent features of a Western—can either be criticized for unproblematically mythologizing the American West, or lauded for more accurately representing the real conditions of same. Too often, criticism of the genre stops at this point. What needs to be considered is whether the Western is itself determined in advance by a form adopted from or imposed by the State apparatus. That is, it may be that a constitutive feature of the Western is its ideological distortion of reality and history. While one might argue that the Western functions as a conduit for particular ideologies or ideological notions, this

position implies, however, that there is a pure form of the Western untainted by ideology. On the contrary, what *Lonesome Dove* reveals is that the Western is nothing but its ideological distortion, in that the alienation that pervades the novel—from the events of its narrative down to its very syntax—is the very means by which the mythology McMurtry is attempting to subvert is expressed. The form "x added" marks the frustrating gap that perpetually separates the characters of *Lonesome Dove* from the action of which they are supposed to be an integral part and the meaning and order of which they are both the symbolic and the literal bearers. More significantly, however, it demonstrates how such a gap is constitutive—there is no meaning without meaning being always-already frustrated. This double bind corresponds, in Deleuzo-Guattarian terms, to the "image of thought covering all of thought"—that which distorts thought in advance yet whose distortion is the necessary condition of thought. Is ideology thus absolutely determinative? Deleuze and Guattari definitively argue that it is not, stating it "is confronted by counterthoughts, which are violent in their acts and discontinuous in their appearances, and whose existence is mobile in history . . . . Wherever they dwell, it is the steppe or the desert" (376). One is tempted to conclude from this that the Western, one of whose generic features is its desert or plains (steppe) setting, is thus simply the genre of the counterthought, the means by which a position inherently opposed to ideology and to the image of thought produced by the State apparatus is articulated. Certainly this has been the popular understanding of the Western: it represents a time and place external to law, when individual liberty achieved its purest potential and where individuals could flee from the tyranny of the State. As criticism of the genre has demonstrated, however, this reception of the Western is in fact purely ideological, a conclusion corroborated by Deleuze and Guattari: "But the form of

exteriority of thought . . . is not at all *another image* in opposition to the image inspired by the State apparatus. It is, rather, a force that destroys both the image *and* its copies, the model *and* its reproductions, every possibility of subordinating thought to a model of the True, the Just, or the Right" (377, their emphasis). The Western provides precisely such an image in opposition to that of the State model, one which therefore does not subvert ideology but functions as a subordinate copy of it. Deleuze and Guattari seem to be citing Benjamin's enigmatic notion of divine violence here, which, similar to the destructive force of the form of exteriority of thought, "might be able to call a halt to mythical violence" (Benjamin 297), the latter being violence which either founds or conserves law. If there is such a kind of revolutionary force truly undermining the image and ideology of the State within the Western and within *Lonesome Dove*, it would have to be located precisely in that lacuna occluded by the consistency—or inconsistent consistency—of the genre's symbolic network, "a place which cannot be symbolized, although it is retroactively produced by the symbolization itself" (Žižek *Sublime* 150). Just such a non-symbolizable place might be that occupied by women in *Lonesome Dove*, a place that we could locate negatively precisely through an examination of the explicit place they inhabit with the novel's economy of male desire.

"They say he missed that whore": *Lonesome Dove* and Femininity

There are three main women characters in *Lonesome Dove*: Lorena (or Lorie) Wood, the town of Lonesome Dove's only prostitute, who lives and works from her room above the Dry Bean saloon; Clara Allen, Gus' old flame, who repeatedly spurned his offers of marriage and instead married a horse trader and moved to the Nebraska Territory; and

Elmira Johnson, Sheriff July Johnson's wife, who leaves him in order to track down her old lover, a gunfighter named Dee Boot. For a novel that purports to undertake a critique of the conventions of the Western, *Lonesome Dove* relies upon extremely conventional representations of femininity to a surprising degree, in that each of these three women is less a character than a screen upon which the novel's anguished representations of masculinity-in-crisis and of alienated subjectivity is projected. Lorie, for example, is provided with an extensive backstory: having been orphaned in Baton Rouge, where she and her parents fled after they "got nervous about Yankees and left Mobile" (30), Lorie meets a man named Mosby Marlin, whom Lorie knows to be "a drunkard from the first" but who tells her "he was a Southern gentleman and . . . had an expensive buggy and a fine pair of horses . . . [and] claimed that he wanted to marry her" (31). Lorie believes Mosby and "let him drag her off to a big old drafty house near a place called Gladewater" where Mosby "had a mother and two mean sisters and no money, and no intention of marrying Lorena" (31). Lorie is ill-treated by the Marlin clan, and this combined with "Mosby constantly bothering her with his radish" so depresses Lorie "she ceased to want to talk. She became a silent woman" (32). Mosby soon starts pimping Lorena out to pay off gambling debts; however, one man he "sold a poke to . . . happened to take a fancy to Lorena" and suggested "she accompany him to San Antontio" (32). Thinking that anything would be better than living with Mosby, Lorena agrees to go with the man, whose name is John Tinkersley, a "middling gambler" (34); upon arriving in San Antonio, however, Tinkersley promptly begins pimping Lorie out himself because, as he puts it, "Well, you're already trained, ain't you?" (33). Having had a string of bad luck playing cards, Tinkersley decides "there might be less competition down on the border" (34), and takes Lorie with

him on the stage to Matamoros. Incensed that Tinkersley steals what little money she has been able to put aside to pay off his gambling debts, Lorie attempts to shoot Tinkersley with his own gun while he is drunk, but neglects to cock the gun before pulling the trigger. When the gun fails to off, Lorie hits "him in the face with it, a lick that actually won the fight for her, although . . . Tinkersley did bite her on the upper lip as they were rolling around," leaving "a faint little scar just above her upper lip" (34). Tinkersley abandons her, and, drunk the next day in Lonesome Dove, tells "everyone in the Dry Bean that she was a murderous woman. So she had a reputation in the town before she even unpacked her clothes" (34). Lorie thus arrives in Lonesome Dove penniless and scarred physically, psychologically, and socially from the abuse and exploitation she has suffered at the hands of men, and is left with no choice but to begin prostituting herself again.

Up until this point the inclusion of Lorie's biography bucks Western convention, in that it provides concrete context for her situation; her being a prostitute is not because she is inherently immoral but because of a violent, oppressive, and structural culture of patriarchy and misogyny (this all evident despite the subtly humorous tone McMurtry uses to tell her story, which implicitly suggests that what has been done to her provides her with a kind of colorful, gritty authenticity). Yet those features which make Lorie so attractive to men (like her silence and her faint scar, the latter of which is an obvious example of a Lacanian objet petit a) are quickly shown to be attractive insofar as they function as emasculating devices: "[Her silence] was part of her, like the scar, and, like the scar, it drew men to her even thought it made them deeply uneasy" (35). One of those men, for example, is Dish Boggett, a top hand, greatly skilled at riding horses and driving cattle and able to command a high wage, but utterly terrified of and desperately in love

with Lorena: “He had delivered a small horse herd in Matamoros and had ridden nearly a hundred miles upriver with Lorie in mind. It was funny he would do it, since the thought of her scared him, but he had just kept riding and here he was” (44). It is obvious that to what men are truly attracted is not Lorena herself but rather the unease she makes them feel. We see, therefore, the same alienating structure at work with respect to masculine heterosexual desire as that conditioning the constitution of subjectivity in the novel: just as characters are perpetually unable to act meaningfully or to discover meaning in their lives, so too are male characters perpetually unable to consummate sexual desire. What is essential to note in both cases is the fundamentally fantasmatic quality of this alienation: the impediments to subjectivity—to action and to desire—are constitutive of subjectivity itself. The fundamental condition of Dish desiring Lorena is the impossibility of this desire being realized; one need look for proof of this no further than the fact that Dish regularly has sex with Lorie by paying for it, but is effectively rendered impotent by the (intensely desired) prospect of a sexual relationship with her that does not involve monetary exchange. The political dimension of this impossible desire is the reduction of female characters to screens upon which this particular fantasy of impotent masculinity can play out, a reduction which stands in stark contrast to *Lonesome Dove*'s superficial subversion of conventional representations of femininity in the Western.

Such a reading accords with one of the central theses of Tompkins’ analysis of the Western in her assertion “that the Western owes its popularity and essential character to the dominance of a women’s culture in the nineteenth century and to women’s invasion of the public sphere between 1880 and 1920” (44). It is precisely because masculinity and questions of masculinity are such dominant features of the Western that Tompkins sees the

genre as being both historically and essentially determined, in a negative fashion, by the threat posed to notions and experiences of masculinity by the social, cultural, and political ascendancy of women. For Tompkins, the Western primarily signifies "men's fear of losing their mastery, and hence their identity" (45), an interpretation she supports with her observation that "Westerns distrust language in part because language tends to be wielded most skillfully by people who possess a certain kind of power: class privilege, political power, financial strength" (49). The masculine fear of losing power—which is equated with becoming feminized—is thus expressed in the Western as, paradoxically, a reluctance to express oneself, and this laconicism serves as an index that organizes the moral economy of the genre—the less one speaks, the greater the degree of one's moral superiority. On the one hand, it would seem as though *Lonesome Dove* anticipates and aligns itself with Tompkins' critique of this attitude. For instance, although Call is a typically taciturn Western protagonist, this trait is eventually shown to be destructively pathological, as when he finds himself incapable of verbally acknowledging Newt as his son: "He thought he might speak of it sometime, as Gus had wanted him to, and yet he said nothing. He couldn't. If he happened to be alone with the boy, his words went away. At the thought of speaking about it a tightness came into his throat, as if a hand had seized it" (921). Gus himself is infamous on the plains for the never-ending river of verbiage flowing from his mouth, yet this in no way diminishes his masculinity or his status as heroic protagonist. Most significantly, Lorie's silence stands in direct contrast to the typical way in which women are depicted in Westerns with respect to language, which Tompkins summarizes as "woman's introjection of the male attitude toward her. She sees herself as he sees her, silly, blathering on about manly business that is none of her concern, and beneath it all really

asking for sex" (61). Lorie's refusal to speak (and the corresponding hysteria her silence prompts in her male customers, most of whom "chattered like squirrels when they were with her, no doubt hoping she would say something back" (35)) stages an inversion of the Western's gendered division of language, especially because, being a prostitute, Lorie is an object of utter penetrability for the male gaze: anyone with five dollars can have sex with her. Tompkins asserts, "Not speaking demonstrates control not only over feelings but over one's physical boundaries as well. The male, by remaining 'hermetic,' 'closed up,' maintains the integrity of the boundary that divides him from the world . . . . To speak is literally to open the body to penetration by opening an orifice . . ." (56). Lorie condenses this opposition between the feminine who speaks and the masculine who does not into a paradoxical whole: through her silence, she is, like the classic Western masculine protagonist, sealed off from the world, utterly impenetrable (and thus utterly potent); and, through the precariousness of being a prostitute, she is simultaneously wholly open to the world, absolutely permeable.[7] Yet in embodying the hermetic/permeable binary, Lorie by no means overcomes it: that is, *Lonesome Dove* is not (successfully) critiquing the typical representation of femininity in the Western by associating a conventionally masculine trait with a female character. As our examination of the novel's relationship to other generic features of the Western has revealed, McMurtry gives us the inverted content of the genre while preserving its form. In effect, then, the character of Lorie paradoxically *reinforces* the Western's feminine stereotype precisely through her non-coincidence with this stereotype. Lorie's silence, the absolute control she exerts over language, does not thereby accord

[7] It is worth clarifying that Lorie's precarious situation is not simply the result of her being a prostitute—it is more that the precarious status of women in general with respect to possessing control over their bodies and their lives is represented by Lorie. This becomes even more evident with her capture by Blue Duck and the sexual and physical abuse she is subjected to by his gang.

women a new status and agency in the Western because it preserves the existing structural framework that associates control over language with control over self. Moreover, our examination of Lorena makes apparent that Tompkins' critique misses a crucial dimension of the representation of gender in the Western: despite her persuasive insight that the Western needs a mode of analysis beyond the typical one that "does less to explain the mentality of the Western than to extend it" (27), Tompkins persists in conceiving the Western solely as an imaginary resolution to real problems (in this case the problem of the erosion of masculine authority). Rather than providing such an imaginary resolution, Lorena, through her silence, constructs the imaginary situation of masculinity as eroded—in other words, the fantasy represented by Lorena is the fantasy of eroded masculinity, not, as we can extrapolate Tompkins' argument would have it, the return to potent masculinity. The Western does not simply overcome castration and emasculation by imaginatively constructing this overcoming—it stages the fantastic scene of these events themselves. We thus concur with Tompkins' assertion that a basal dimension of the Western is masculinity, but we find it necessary to modify her analysis in order to account for the imaginary character of what she continues to regard as real.

That *Lonesome Dove* is perpetually constructing the fantasy of emasculation becomes even more evident when we consider the relationship between Clara Allen, Gus, and Call. As we have said, Lorie functions as an emasculating object of male desire, said emasculation providing the very coordinates of that desire. Yet a number of characters are seemingly immune to this emasculation, chief among them Gus and Jake. Upon arriving in Lonesome Dove, the latter almost immediately begins a relationship with Lorie that is in no way characterized by the frustration of desire; upon discovering the two sharing a drink

in the Dry Bean (and realizing that Jake was the one he had just heard having sex with Lorie upstairs), Dish observes with dismay that Jake "was addressing her, with his eyes at least, as if he had known her for years" (99). At this point, the alienation from self and from desire merge for Dish: "For a time Dish lost all sense of what life was about. He even lost the sense that he was a cowboy, the strongest sense he had to work with" (100-101). We thus see a definitively catastrophic event occur that clearly sunders Dish from himself; what is essential to take from this, however, is the fact that this event is itself a fantasy—it does not separate Dish from a past in which he made sense to himself but reveals that the fundamental condition of this sense is its impossibility. With respect to sexual desire, Jake, however, displays no such difficulty, nor does Gus. Indeed, to Lorie, Gus is of a singular character: "While she was well past the point of trusting men, she soon perceived that Gus was in a class by himself, at least in Lonesome Dove . . . . It seemed to her that he had got rid of something other men hadn't gotten rid of—some meanness or some need" (35). Indeed, Gus is the only man whose presence Lorie can tolerate, especially after he rescues her from Blue Duck and his gang and her psychological recovery appears to be based upon a kind of reverse talking cure, with Gus as the analyst talking incessantly and Lorie the analysand slowly returning to psychological health by listening to him.

The rescue of Lorena is one of the more significant events of *Lonesome Dove*, especially insofar as it is one of the novel's few instances of successful action not undercut by an overriding sense of insufficiency. Gus singlehandedly kills six men, a display of skill and capacity for action—for control over self and the world—that has no equal in the novel or the series as a whole. If this accomplishment could be said to be rendered ineffective, it is through the presence of July Johnson, who fails to fire a single shot during

the course of action. Indeed, Gus saves July's life by shooting one of the gang members, Monkey John, who is about to shoot July. The rather shocking murder of Roscoe, July's deputy sheriff, Joe, July's adopted son, and Janey, a young girl traveling with the group, by Blue Duck while his gang is being killed by Gus serves to reinforce our sense of July's inability to participate in action. We can thus say that Gus' rescuing of Lorena is less an exception to *Lonesome Dove*'s rule of undercutting the capacity of its characters to act and more the screen upon which July's incapacity is projected. Similarly, if Gus is the exception to the rule of Lorena functioning as an impossible object of desire, this exception is itself given the lie by Gus' inability to win the affection of Clara Allen. In effect, Clara is Gus' Lorena. As we learn in *Dead Man's Walk*, he has been in love with Clara from their first meeting; that novel ends with him intending to ask her to marry him, a proposal she rejects repeatedly in the next book. To her mind, "Gus McCrae was by nature much too restless for her taste. The rangering was just an excuse, she felt. If there were no Indians to chase, and no bandits, Gus would still find reasons to roam. He was not a settled man, nor did she feel she could settle him. He would always be off with Woodrow Call, beyond the settlements somewhere, adventuring" (*Comanche* 93). Clara's intense dislike for Call, whose presence "aroused in her an unreasoning hate and disgust" (*Lonesome* 927), seems to stem from his ability to woo Gus away from civilization into the wilderness; as she tells Call, "Another reason I didn't marry him was because I didn't want to fight you for him every day of my life" (931). This kind of metatextuality is somewhat rare for a Western, in that they typically do not self-reflexively acknowledge that "Female 'screen' characters, who are really extensions of the men they are paired with, perform this alibi function all the time, masking the fact that what the men are really

interested in is one another" (Tompkins 40). Clara is furiously aware that she functions as just such a screen for Gus and Call, who are certainly more interested in one another than anyone else, at least in what Žižek, quoting Dennett, would describe as an "objectively subjective" sense, or "the way things actually, objectively seem to you, even if they don't seem that way to you" (*Fragile* 76). To illustrate the meaning of the objectively subjective, Žižek uses the example of the Marxist critique of commodity fetishism, which reproaches the bourgeois subject for believing that "the commodity appears to you as a simple embodiment of social relations . . . *but this is not how things really appear to you*—in your social reality, by means of your participation in social exchange, you bear witness to the uncanny fact that a commodity really appears to you as a magical object endowed with special powers" (74). Thus, at the level of the objective the subject believes in what he subjectively disavows.[8] It is the same for Call and Gus: as Clara so angrily admonishes Call, while he and Gus subjectively figure women as the fantastic screen of their frustrated desire, objectively, in their social reality, they are really interested in one another.

The final, haunting scene of *Lonesome Dove* bears witness to the function of femininity in the novel's organization of desire. Call, injured and having buried Gus in the meadow where he and Clara used to picnic as per his dying request, has nowhere but Lonesome Dove left to go; Montana is too far, and he finds he is "spooked at the thought of all the people" in the cities and towns nearby. Lonesome Dove, in contrast, is populated by revenants: when he arrives—"late on a day in August" (943), suggesting the continued presence of the ghost of Gus—he is "startled by the harsh clanging of the dinner bell, the

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[8] This insight forms the basis of Žižek's critique of ideology under contemporary capitalism: "If our concept of ideology remains the classic one in which the illusion is located in knowledge, then today's society must appear post-ideological . . . . The fundamental level of ideology, however, is not that of an illusion masking the real state of things but that of an (unconscious) fantasy structuring our social reality itself. And at this level, we are of course far from being a post-ideological society" (*Sublime* 30).

one Bolivar had loved to beat with the broken crowbar. The sound made him feel that he rode through a land of ghosts. He felt lost in his mind and wondered if all the boys would be there when he got home" (943). It is, in fact, Bolivar, the outfit's old cook, who is ringing the bell; he is himself another example of a deranged subjectivity that depends upon the screen of femininity as the impossible object of desire for its derangement, in that, having refused to go on the cattle drive, he also found returning to Mexico and his wife's "unrelenting . . . anger at his years of neglect" (943) unacceptable. He returned to Lonesome Dove, haunting the derelict outfit's derelict house, "grew lonely, and could not remember who he had been" (943). Call notices that something about the town is different; eventually he realizes that "the saloon seemed to be gone" (944). Walking into town, he encounters Dillard Brawley, the town's former barber whose leg Gus and Call had to amputate. Dillard informs Call that Xavier Wanz, the owner of the Dry Bean, had burned it to the ground with himself inside not long after the cattle drive had left, just as he told Lorie he would if she refused his offer of marriage and left with the drive. Their final exchange reveals a great deal about how the novel figures femininity and about how important this figuration is to the novel: "'When she left, Wanz couldn't stand it,' Dillard said. 'He sat in her room a month and then he burnt it.' 'Who?' Call asked, looking at the ashes. 'The woman,' Dillard whispered. 'The woman. They say he missed that whore'" (945). We should first note the suggestive surname of the Dry Bean's former owner: Xavier Wanz is a not-so-subtle homophone for Xavier Wants, and thereby connotes the ceaselessly restless movement of masculine desire that permeates the novel as a whole. To paraphrase Dillard's brief tale, then: desire—that is, "Wanz"—could not stand being abandoned by its object-cause and so destroyed itself. Yet this self-immolation

should not be understood as simply the result of Lorie rejecting Wanz, for the basis of their relationship is rejection: like Dish, Wanz wants Lorie only insofar as she rejects him, or, as Žižek's analysis of courtly love argues, "*hindrances that thwart our access to the object are there precisely to create the illusion that without them, the object would be directly accessible*—what such hindrances thereby conceal is the inherent impossibility of attaining the object" (*Metastases* 94, his emphasis). Wantz is not a melancholic overcome by grief over Lorie's departure but is rather the demarcation of the limit of masculine desire in the novel. Indeed, that it is the ghostly apparition of "that whore" which closes the novel demonstrates that ultimately the cattle drive was motivated by a desire for her; not just that of Dish, Jake, or Gus, but that of the masculine subject in general, whose desire in its drive for "that whore" is precisely to miss her. Once again, then, we find that *Lonesome Dove* continually undercuts its characters' relation to themselves; in their existence as sexual beings, as in their existence as beings capable of action, they are alienated, fundamentally deranged and discontinuous with themselves.

"A pity if it's us that has to hang him": Law in *Lonesome Dove*

What, then, does this theme of alienation and discontinuity tell us about the representation of law in *Lonesome Dove*? Law and justice are integral to the novel; Call and Gus are both former Texas Rangers, and as such were instrumental in establishing law and order in Texas (or at least they remember themselves as being instrumental to the task; as we have seen, their actual influence appears to have been somewhat provisional). Given this history, there are, accordingly, multiple scenes in the text of laws being enforced and justice being exacted. Moreover, the core premise of the novel is a cattle

drive bringing Gus and Call's stolen cattle herd from Texas to the uncolonized northernmost part of Montana; the legal matter of property in the form of horses, cattle, and land is thus central to *Lonesome Dove*. Yet the sense of action happening elsewhere that so strongly characterizes *Comanche Moon* is first established in *Lonesome Dove*—not as explicitly, to be sure, but present all the same. Alienation thus serves to structure the representation of law in *Lonesome Dove*. While law is upheld, transgression punished, and order restored continually throughout the novel, it is never our protagonists who are solely responsible for the maintenance of this equilibrium; another agency appears to be at work, ensuring that whatever the intentions or desires of Gus and Call a seemingly natural moral harmony will be founded and conserved. Recalling Benjamin's assertion that law depends upon two mutually dependent categories of violence—that which founds law, and that which conserves law—the novel's continual disassociation of Gus and Call from participation in the founding or conserving of law suggests that law in *Lonesome Dove* is a theme and subject which is deeply charged with ideology.

One of the most significant instances of legality in *Lonesome Dove* is the extrajudicial hanging of Jake Spoon by his comrades Gus and Call.[9] It is Jake's arrival in the town of Lonesome Dove and his description of the unrealized potential of Montana that precipitates Call's decision to begin the cattle drive. Jake, like Gus and Call, is a former Texas Ranger known for being a skilled gunfighter, though this reputation is largely a distortion of reality: "[T]here was hardly a man from the Mexican border to Canada who hadn't heard what a dead pistol shot Jake Spoon was, though any man who had fought with him through the years would know he was no shot at all with pistol and only a fair

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[9] Jake's hanging is an obvious nod to the moral conundrum of Owen Wister's *The Virginian*, in which the title character hangs his friend Steve for cattle rustling.

shot with a rifle" (69). This revelation of the fictitious basis of Jake's reputation demonstrates an affinity with the famous line, "When the legend becomes fact, print the legend!" from John Ford's *The Man Who Shot Liberty Valance* and also reflects the interest McMurtry shares with Ford in complicating and critiquing the Western's relationship to history; as Busby observes, "McMurtry stated emphatically that his purpose in *Lonesome Dove* . . . was to dispel the myth of the cowboy" (183). Ironically, Jake arrives in Lonesome Dove on the run from the law, having once again accidentally shot and killed a man, this time while trying to shoot another: "'It was bad luck all around,' Jake said. 'I never even shot the mule skinner. I did shoot, but I missed, which was enough to scare him off. But of course I shot that dern buffalo gun. It was just a little plank saloon we were sitting in. A plank won't stop a fifty-caliber bullet'" (68). Believing that he is safest from July Johnson, the sheriff (and brother-in-law of the dead man) sent to arrest him, with Gus and Call, Jake extolls the beauty and the availability of land in Montana to them, hoping to encourage them to leave for the territory with him in tow and thereby escape Johnson.

Jake succeeds in convincing Call (though not Gus) that being the first to take a herd of cattle to Montana is a lucrative undertaking. Yet something besides the money interests Call in Jake's proposition; observing Call become firmly committed to the idea of the cattle drive, Gus realizes that it isn't the money that attracts him but the new sense of purpose it will give his life: "For years Call had looked at life as if it were essentially over . . . . As a Ranger, Call had had a job that fit him, and he had gone about the work with a vigor that would have passed for happiness in another man. But the job wore out" (80). What motivates Call, then, is the same motivation Frederick Jackson Turner attributes to the engine driving American history and culture: the frontier and its potentiality as a site for

renewal. Unsurprisingly, what ends up happening is the complete opposite of what would typically be expected of renewal, with Call's sensation of self-alienation even stronger with the successful completion of the cattle drive. Jake, however, does not share this impetus, and after abandoning the drive in a drunken fit of pique—not to mention leaving Lorie to her fate at the hands of Blue Duck—he drifts around until falling in with the Suggs brothers, a homicidal gang of robbers. At first unable to leave them out of fear of being killed, Jake is further bound to the Suggs when he kills a farmer who assaults him for talking to his wife. The shooting is witnessed by a large group, and while Jake realizes "he might bluff his way out of it" because he had acted in "self-defence—even dirt farmers from Missouri could understand that," he also sees that "the law wouldn't look at it like that, of course. If he rode across the river [into the Territory] with a hard bunch like the Suggses he would be an outlaw, whereas if he stayed" (578) he might be lynched by the farmer's companions. He decides on the former course of action, and is present when the Suggses mortally wound Wilbarger, the leader of another cattle drive, and steal his horses. Not long after, Gus and Call happen to find the dying Wilbarger, and after burying him set off after his killers. From the tracks of his horse they quickly realize that Jake is one of the men they are chasing, and while they feel it would "be a pity if it's us that has to hang him" (630) that is exactly what they do when they catch the gang. More precisely, however, it is Jake, placed on his horse by Gus and Call with his hands bound and a noose around his neck, who carries out his own hanging: "[He] quickly spurred his pacing horse high back in the flanks with both spurs. The rope squeaked against the bark of the limb. Augustus stepped over and caught the swinging body and held it still. 'I swear,' Pea Eye said. 'He didn't wait for you, Gus'" (641).

This scene has a number of striking features. The first is the accusation Dan Suggs levels at Gus and Call, saying to Jake, "These friends of yours are no more than rank outlaws. I don't see no badges on them. They got their damn gall, taking us to jail" (636). Dan, of course, doesn't realize that he and his brothers are going somewhere other than jail. Gus quickly clarifies the situation for him: "Call walked off toward the nearest trees. 'Where's he going?' Roy Suggs asked, finding his voice at last. 'Gone to pick a tree to hang you from, son,' Augustus said mildly. He turned to Dan Suggs, who looked at him with his teeth bared in a snarl. 'I don't know what makes you think we'd tote you all the way to a jail,' Gus said" (636). The obvious irony in this exchange is Dan's calling Gus and Call outlaws, given the ruthless and often horrifyingly violent murders he has recently perpetrated. At the same time, however, Dan's imprecation expresses the fundamental characterization of law in Westerns: it requires no badges, only an understanding of and a determination to uphold certain moral standards that transcend context. Such transcendence is itself demonstrated by Jake's (self) execution. It matters not at all that Jake is a former Ranger and friend of the Hat Creek boys, that he continued to associate with the Suggses under a certain degree of duress, and that he did not participate directly in the murders or thefts they perpetrated (nor could he really be said to have benefitted from those acts); what matters is that law and justice are upheld. The ostensible nobility of Jake's carrying out his own execution thus functions as an ideological screen concealing the unjust and unlawful basis of law, a screen further strengthened by the irony of Dan calling attention to it.

There is a greater significance to the fact that Jake hangs himself, however: this event serves as one of the major moments in *Lonesome Dove* when Call and Gus find

things being done for them, where they remain crucially passive in relation to the diegetic action. Certainly, it is only because they have pursued the Suggs gang for days that the scene of the execution is possible, and it is they who orchestrate the hangings. Nevertheless, much of the direct action in this scene is not taken by Gus and Call. When they first surprise the Suggses and Jake, it is "Deets, who had the best angle, [who] . . . shot little Eddie" (633), the youngest Suggs brother. It is also Deets who ties the nooses for the hanging and places the ropes around the necks of each, because, as Augustus tells Dan, "Men Deets hangs don't have to dance on the rope, like some I've seen" (639). We must be careful here not to overstate the case: Gus and Call are not completely helpless, having played essential parts in the orchestration of the execution, and Deets' actions are the product of convenience and necessity at both diegetic and extradiegetic levels. Indeed, on the one hand the delegation of action to someone other than Gus or Call in this scene serves to buttress a sense of verisimilitude that coordinates McMurtry's critique of the figure of the cowboy-hero: that is, for Gus or Call to singlehandedly ride in, capture the Suggses and Jake, tie them up, prepare nooses for them, and then hang them would both beggar all belief and be perfectly representative of the kind of actions conventionally attributed to the hero of a Western. From this perspective, McMurtry has simply crafted a believable scenario whose very believability serves to subvert, to one degree or another, some of the more blatantly obvious conventions of the Western. Realism trumps mythology. On the other hand, however, Deets' shooting of Eddie and noose-making and -placing subtly anticipates Jake's self-hanging, thereby contributing to the overall sense conveyed by the scene of Gus and Call's inability to participate in direct action. Further reinforcing this sense is the absolution afforded to Gus, Call, and the rest by Jake's act. Not

only are Gus and Call prevented from actively meting out justice, they are absolved of any wrongdoing because it is ultimately Jake who carries out his own sentence; he is his own judge, jury, and executioner. Jake's suicide effectively excludes Gus and Call from the scene of justice, situating them as passive observers rather than active founders and conservers of law. They are not even permitted to participate within the moral economy of the scene: Jake's hanging of himself means that they have done nothing wrong, but it also means that they have done nothing right. The function of this scene vis-à-vis the representation of law in Westerns is thus to accomplish a kind of sleight of hand: we see justice carried out, we see order affirmed and reestablished, but the moment of this affirmation is dislocated, present elsewhere.

The other significant scene of legality in *Lonesome Dove* is the death of Blue Duck, which offers a dislocated execution of justice similar to that of Jake's hanging. Call, bringing Gus' body back to Texas from Montana as promised, stops one night along the Purgatoire River in Colorado and encounters the rancher (and historical figure) Charles Goodnight, who informs him that Blue Duck has been captured and will soon be executed: "He butchered two families in the Bosque Redondo, and as he was leaving a deputy sheriff made a lucky shot and crippled his horse. They ran him down and mean to hang him in Santa Rosa next week" (934-935). Call makes his way to Santa Rosa, and, arriving two days before the hanging, decides to go see Blue Duck. Somehow aware that Call is traveling to Texas to bury Gus, Blue Duck tells him that he "should have caught [Gus] and cooked him when [he] had the chance" (936). When Call replies that either he or Gus would have instead killed Blue Duck, the latter expresses absolute contempt: "Blue Duck smiled. 'I raped women and stole children and burned houses and shot men and run

off horses and killed cattle and robbed who I pleased, all over your territory, ever since you been a law,' he said. 'And you never even had a good look at me until today. I don't reckon you would have killed me'" (936-937). This exchange thus sees an almost metafictional reference to the gap separating Call from a capacity for effective action; moreover, it explicitly relates this self-discontinuity to Call's capabilities as a lawman. Indeed, that it is a lucky shot from Deputy Sheriff Decker, who, when Call first sees him, is "fat and stone drunk" (935), that does what Call and Gus could not and brings down Blue Duck suggests that the exercise of justice does not follow any greater moral purpose but is essentially random—in other words, that there is an inherent discontinuity to the notions of justice and right. What happens when the authorities try to hang Blue Duck only serves to reinforce this:

> The hangman was making last minute improvements on the hangrope and Call was looking off . . . when he heard a scream and a sudden shattering of glass. He looked up and the hair on his neck rose, for Blue Duck was flying through the air in his chains. It seemed to Call the man's cold smile was fixed on him as he fell: he had managed to dive through one of the long glass windows on the third floor—and not alone, either. He had grabbed Deputy Decker with his handcuffed hands and pulled him out too. Both fell to the stony ground right in front of the courthouse. (937).

In a scenario that immediately recalls Jake's self-hanging, then, Blue Duck carries out his own execution. Furthermore, following Blue Duck's suicide, Owensby, the sheriff of Santa Rosa, "insisted that they carry Blue Duck up and string him from the gallows" (938), in an impotent display of the law's power which only serves to express how divorced from

meaningful action the agents of justice are. It should be noted that while the two events are not identical—Jake hangs himself out of a sense of justice and duty to his former fellow Rangers, while it seems safe to presume Blue Duck defenestrates himself precisely in order to prevent justice from being done—significantly, this difference operates solely at the level of content. Formally, they are identical: representatives of the law attempt to execute an outlaw who manages to execute himself, and the only action that can be taken is perpetually retrograde, attempting to replicate what has already occurred. We can thus draw from this the conclusion that irrespective of particular circumstances, the representation of law in *Lonesome Dove* is entirely consistent with the novel's fundamental theme of discontinuity and alienation. That is, there is ultimately always a gap separating the notion of justice from its being carried out in the novel—justice is done, but not by those who are supposed to do it. The effect of this is not only to undermine the relationship between law and its representatives, but, more profoundly, to figure the law as inherently non-identical with itself.

We have described how law is represented in *Lonesome Dove*, but the question remains: what is the primary significance of this representation? Given that the issue of law and its founding and conservation is so central to the Western, the consistent undermining of the law's capacity to function effectively in McMurtry's novels would appear to reflect his stated desire to critique and problematize the genre and the support it gives to the mythology of the American West. Yet as we have seen, such a critique itself fails to function effectively: paradoxically, by undermining the conventions of the Western, McMurtry's Westerns become exemplary of the genre. This paradox leads us to a reconsideration of how Westerns operate ideologically. As we have seen, the critical

tendency has been to understand the Western as fulfilling a cultural fantasy of escapism: whatever tensions or contradictions afflict the American cultural-national psyche are resolved within the imaginary of the Western. We must first recognize the essential accuracy of this analysis: insofar as a cultural artifact is determined by ideology, this is how it functions as an extension of that ideology, by obfuscating material contradictions of social relations through their imaginary overcoming. It is easy to see how *Lonesome Dove*, as a Western, accomplishes this occlusion: the cattle drive which serves as the backbone of its narrative is a typical Western fantasy of the possibility afforded by the Frontier for social mobility and the expression of individuality; the cattle drive offers a solution to the personal dissatisfaction Call feels with his life in Lonesome Dove; and the conservation of law and social order is presented as both necessary and appropriately difficult. In effect, what we repeatedly witness is confirmation of Slotkin's regeneration thesis: *Lonesome Dove* continually presents scenes of sought-after regeneration, whether personal or social. Yet it never delivers, and it is this frustration of regeneration—or what we have called the novel's fundamental theme of alienation and discontinuity—that we must account for with respect to conceiving *Lonesome Dove* as ideological, and which thereby requires a reconsideration of the "escape valve thesis". Precisely because *Lonesome Dove* provides the form but not the content of instances of regeneration, precisely because it continually frustrates the demands of the genre, we are forced to consider whether the underlying demand of the Western genre is simply to frustrate its generic conditions and whether the prohibition of regeneration in Westerns is the fundamental condition of regeneration. The fact that *Lonesome Dove* was so extraordinarily popular despite it being an attempt to subvert the conventions of the genre makes this conclusion seem a likely one. What we

therefore learn about the Western from *Lonesome Dove* is that its chief ideological goal is not only to resolve, at an imaginary level, real contradictions and crises; it also simply gives body to those contradictions as such. If we can therefore say that there is anything subversive about the *Lonesome Dove* series it is this: it lays bare the ideological role the Western plays in delineating the parameters of real-world crises. Indeed, when one examines Westerns, American literature, and American culture in general, it seems that each expresses an addiction for crisis, a seeming insatiable need to take pleasure in the torment of contradiction, to take pleasure in the agony of impossibility. We see this dynamic reflected in the current tenor of reactionary attacks upon identity politics in the United States: those who derive benefits from particular positions of class, race, gender, sexuality, age, ability, et al make the claim that such benefits and such positions actually denote oppression. There is thus an intensely political and ideological value to the fantasy of being in a state of crisis—the resolution of the crisis is precisely the opposite of what is desired. This is how ideology in *Lonesome Dove* functions: by undermining every convention of what constitutes the heroic protagonist, from his ability to act to his masculinity to his capacity to use language to his direct connection to the founding and conservation of law and justice, *Lonesome Dove* creates for us the image of the subject-in-crisis; in Althusserian terms, insofar as we identify with the characters in *Lonesome Dove* we are interpellated by it as *subjects of interpellation*. That is, we recognize ourselves in the image of one who is fundamentally split, of one who is constituted through radical contradiction, of one who is whole only by virtue of being incomplete, and through that recognition create the fantasy of a unified self. It is a small turn of the screw, but an absolutely essential one for grasping how ideology functions in the contemporary Western;

it is not an image of unified self and society that the Western provides and that thereby "releases" societal tension, but an image of fundamentally alienated self and society that produces the fantasy of unity and wholeness through a disavowal that is at its strongest *when it is recognized as such*. One feels self-identical only by virtue of an encounter with a radical and constitutive difference; the Lacanian neologism for this is extimacy, "intimate exteriority" (Lacan *Ethics* 139), in which that which is in the subject more than himself is at the same time radically different than the subject. For Žižek this extimate excess constitutes "the element which . . . is in its bodily presence nothing but an embodiment of a certain lack, [and thus which] is perceived as a point of supreme plenitude" (*Sublime* 110). In the case of *Lonesome Dove* such plenitude—the plenitude that stands as the ultimate promise of the Frontier—is continually signified by the embodiment of lack that is the Frontier itself.

Cattle Drive, Death Drive

In what is easily the most provocative section of a consistently incisive text, Tompkins examines the role of cattle in the Western. "The cattle are the film's unconscious," she asserts in an analysis of Howard Hawks' *Red River*, a film whose premise is a cattle drive. "They surround the characters, often dominate the screen, pervade the atmosphere with the quiet, massive strength of their bodies, the slow throbbing presence of their lives. Yet in some profound way they are totally unnoticed, even though they are a continual focus of energy and attention throughout the movie" (117). In her view, then, the Western necessarily involves a disavowal of those creatures who so often form its economic base. The function of this disavowal is twofold:

one, it constructs and authorizes cultural attitudes towards the treatment of animals, especially those raised for human consumption and use; and two, it allows for the heroism of the Western to be conceived of as such, in that being blind to the dimension of the suffering of cattle determines the value attached to the hero's acts of self-privation and self-mortification. In short, Tompkins' compelling thesis is that cattle are central to the Western in their very displacement from its ideological focus; we might say, then, that cattle are extimate to the symbolic network that is the Western.[10]

The paradoxical nature of this centrality suggests a persuasive link to Freud's notion of the death drive. That is to say: as Tompkins argues, the violence inherent in the act of driving cattle to eventual slaughter mirrors the violence towards the self and others expressed by the protagonist of the Western. Driving cattle is thus a direct manifestation of the inclination towards aggression observed by Freud to be a fundamental feature of the human psyche—the cattle drive is the death drive. Freud hypothesizes that "besides the instinct to preserve living substance and to join it into ever larger units, there must exist another, contrary instinct seeking to dissolve those units and to bring them back to their primaeval, inorganic state" (*Civilization* 77). On the one hand, the cattle drive is literally this joining together of organic material into increasingly larger groups—individual cattle gathered into herds. Moreover, at the symbolic level the cattle drive is representative of the notion of teleological westward expansion and growth, which is itself an ideological manifestation of the instinct to preserve and to expand. On the other hand, however, when we consider the cattle drive of *Lonesome Dove* we can perceive how it does not in any way foster this drive to life, to the preservation and extension of life—it rather functions as

[10] In another chapter, Tompkins observes that horses are similarly central to yet invisible in the Western; the primary difference between horses and cattle is that the latter are even more invisible precisely because they "are not broken and ridden, they are raised to be killed for food that humans eat" (Tompkins 113).

a kind of senseless, automatic, and endless repetition that disturbs and destroys life. Insofar as the cattle drive is symbolic of the imperative to expand westward and to there achieve social and individual regeneration—in short, insofar as the cattle drive is of the symbolic order and thus as such is "striving for a homeostatic balance" (Žižek *Sublime* 147)—it ceaselessly moves about a traumatic core, an impediment to its attempts to grow and to preserve that is paradoxically the necessary precondition of these attempts. It is this restless repetition that denotes the operation of the death drive.

Call intends for the cattle drive to restore meaning and purpose to his life. As Gus reflects when Call surprisingly suggests to him that they relocate to Montana to make their fortune herding cattle, "As a Ranger, Call had had a job that fit him, and he had gone about the work with a vigor that would have passed for happiness in another man. But the job wore out" (80). This ennui is typical of Westerns (and one might say of American culture); the only difference is that the ennui is usually an effect of the East, not a place that is virtually still the Frontier. Nevertheless, Lonesome Dove is a town, a metonym of civilization and thus of the claustrophobic urban spaces of the populated East, and amelioration of the ennui and purposelessness this space produces is effected by striking out into the wilderness. Yet from the start Call is ambivalent about the course he has set himself:

> Though everything seemed peaceful, he had an odd, confused feeling at the thought of what they had undertaken. He had quickly convinced himself it was necessary, this drive. Fighting the Indians had been necessary, if Texas was to be settled. Protecting the border was necessary, else the Mexicans would have taken south Texas back. A cattle drive, for

> all its difficulty, wasn't so imperative. He didn't feel the old sense of adventure, though perhaps it would come once they got beyond the settled country. (242)

The logic of necessity upon which this passage depends is crucial. For Texas to exist as such, certain necessary actions had to be taken; this necessity authorizes the actions of the Rangers and gives legitimacy to Call's life. Paradoxically, however, this necessity and the necessary legitimacy it gives Call also necessarily obviates this legitimacy. That is to say, Call's actions as a Ranger were in the service of a duty (or, if we note the pun suggested by Call's name, a calling) the end point of which was the negation of the duty itself. The homology with the death drive is striking here: Call's relentless Rangering produces the same effect as the relentless movement towards absolute stasis that characterizes the death drive, such that in both cases necessity ultimately renders itself unnecessary. Call's fear that the cattle drive is unnecessary thus reflects a certain awareness of this problem inherent to the logic of necessity. It is Gus who continually gives voice to this awareness in the novel: "I guess that's why you're ready to head off to Montany. You want to help establish a few more banks" (83). Call, however, does not use spoken language to express this awareness: the cattle drive is his language, and what it says is repeated across the novel's entirety as a ceaseless sense of failure, of the insufficiency of the symbolic network sustaining the vision of the American Frontier afforded by the Western. The cattle drive is intended to be the means by which Call expiates the guilt he feels over his relationship with Maggie, the woman with whom he fathered Newt: "For years he had stayed to himself and felt critical of men who were always running to whores. Then he had done it himself and made a mockery of his own rules" (394). Newt, of course, is the living

reminder of this failure, and as its concretization reveals the pathology underlying the characteristic laconicism of the Western's heroic protagonist. After giving Newt his horse and gun, Call "decided he would tell the boy he was his son, as Gus had wanted him to . . . . And yet, when he looked at Newt . . . Call found he couldn't speak at all. It was as if his whole life had suddenly lodged in his throat, a raw bite he could neither spit out or swallow" (920-921). The hero of the Western is not taciturn by choice, but is rather foreclosed from the symbolic order, unable to speak, precisely at the moment that should feature an overcoming of the antagonism between father and son.[11] Call's inability to speak is thus symptomatic of the breakdown of the symbolic order itself, a breakdown that manifests as the insufficiency of the Western itself: catastrophically, it is no longer able to confer meaning upon the world.

This, then, is the limit of McMurtry's critique of the Western: *Lonesome Dove* gives all the signs of being a Western, yet in the end collapses, unable to sustain its own symbolic network. He uses the Western, that is, to signal that the Western no longer works. The rugged individualism and commitment to duty typical of the Western protagonist and embodied in Call are at the end revealed to be symptoms of a kind of illness, a derangement that drives inexorably towards destruction. In short, Call and his cattle drive symbolize a register of meaning for American culture and literature which once gave meaning and life to the world but has now become a force of pure negativity: the death drive. As our analysis demonstrates, the entire novel is given over to the ceaseless reiteration of this fundamental derangement within the conventions of the Western, the impossibility of their giving meaning to the world any longer—indeed, if they

[11] Such as at the end of *Red River* when John Wayne's Thomas Dunson acknowledges Montgomery Clift's Matt Garth as his son with the symbolic gesture of incorporating an M into his cattle brand.

ever did. And yet it is here that McMurtry's novel misses the most crucial dimension of the Western: that it is nothing but this derangement, that its entire point is to present itself as the failure of the symbolic network. Or, as Žižek puts it, "Marx's great achievement was to demonstrate how all phenomena which appear to everyday bourgeois consciousness as simple deviations, contingent deformations and degenerations of the 'normal' functioning of society, as such abolishable through amelioration of the system, are necessary products of the system itself . . ." (*Sublime* 144). McMurtry's conception of the Western is one in which these deviations have overcome the genre's normal functioning (or always-already overcame it, which amounts to the same); we can thus say that *Lonesome Dove* is a kind of limit-function of the Western itself, wherein it achieves its purest expression as a symbolic network that functions through its own dissolution, which is nothing but the deformations of its normal functioning. Tellingly, Cormac McCarthy's *Blood Meridian*, the other great Western of the 1980s and published the same year as *Lonesome Dove*, complements the latter as its overcoming. That is, as a subsequent chapter will explore, *Blood Meridian* (as well as McCarthy's other Westerns) accomplishes the critique of the Western *Lonesome Dove* could not precisely because it is nothing but a series of self-reflexive deformations.

CHAPTER 2

Lead Balls of Justice: Extrajudicial Authority and the Drone Western

On March 5 2012, US Attorney General Eric Holder gave a speech at the Northwestern University School of Law in which he argued: "Given the nature of how terrorists act and where they tend to hide, it may not always be feasible to capture a United States citizen terrorist who presents an imminent threat of violent attack. In that case, our government has the clear authority to defend the United States with lethal force." The subtext of Holder's speech was in part the recent targeted killing of Anwar al-Awlaki, the putative head of Al-Qaeda in the Arabian Peninsula (hereafter AQAP), who allegedly masterminded the attempt by Umar Farouk Abdulmutallab to blow up Northwest Airlines Flight 253 on December 25, 2009 with explosives concealed in his underwear.[1] For this and for his alleged role in the Fort Hood shooting perpetrated by Nidal Malik Hasan, al-Awlaki's placement on a kill list was approved by President Obama at the beginning of April 2010, and he was killed by a Predator drone in Yemen on September 30 2011. What made the case of al-Awlaki unique, however, was that he was an American citizen; his extrajudicial execution would thus appear to violate the Due Process Clause contained with the Fifth and Fourteenth Amendments of the United States Constitution. The text of the former reads: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury . . . nor be deprived of life, liberty, or property, without due process of law" (Amend. V), while the latter reiterates this juridical enshrinement of due process, declaring that no state shall "deprive any person of

[1] This subtext becomes nearly explicit when Holder mentions an ostensibly hypothetical US citizen "intent on murdering Americans and who has become an operational leader of al-Qaeda in a foreign land." The reference is clearly to al-Awlaki, though Holder declares he "cannot discuss or confirm any particular program or operation."

life, liberty, or property, without due process of law” (Amend. XIV, sec. 1). Al-Awlaki was never charged with any crime—capital, infamous, or otherwise—and so was never brought before a grand jury; it would therefore appear that he was deprived of his life without due process of law. Holder’s speech was intended to provide justification for what would appear to be an essentially illegal act on the executive’s part; on the contrary, he declares the execution to be justified and legal because while the “Fifth Amendment’s Due Process Clause . . . says that the government may not deprive a citizen of his or her life without due process of law,” there is a distinction between “‘Due process’ and ‘judicial process’ . . . particularly when it comes to national security.” In effect, he is saying that in exceptional circumstances during which national security is endangered, due process can be provided by the executive itself, without any need for the judiciary and the process it affords.

Numerous commentators have pointed out the specious logic of Holder’s argumentation and criticized the distinction he introduces between due and judicial process. Jonathan Turley, for instance, argues:

> [B]y asserting the right to kill citizens without charge or judicial review, Holder has effectively made all of the Constitution's individual protections of accused persons matters of presidential discretion. These rights will be faithfully observed up to the point that the president concludes that they interfere with his view of how best to protect the country—or his willingness to wait for ‘justice’ to be done.

What Turley objects to is the lack of accountability this redefinition of due process entails; to him, differentiating due process from judicial process renders illegitimate the decisions

made by the President. To be sure, this criticism is valid; the system of checks and balances erected by the Constitution and the limits to which it subjects the power of the State are rendered entirely meaningless by a due process determined solely, in the last instance, by Presidential fiat. At the same time, however, the irrelevance of this criticism becomes apparent once we inquire into the origin of law and of authority. What makes law legal? What authority is able to make such determinations? These questions have been asked since antiquity, and have never received satisfactory answers—that is, answers which would resolve what Agamben identifies as the fundamental paradox of sovereignty, which "consists in the fact the sovereign is, at the same time, outside and inside the juridical order" (*Homo* 15). Rather than simply critiquing the Obama administration's redefinition of due process as an illegal aberration of the regular state of things, we should perceive it as reflective of the basic constitution of sovereign power, wherein "the sovereign, having the legal power to suspend the validity of the law, legally places himself outside the law" (*Homo* 15). Is this not precisely the fundamental premise of Holder's speech? The sovereign is bound to the law insofar as he functions as its limit, as the exception that is neither illegal nor legal but rather exceeds the very opposition of the two and serves as their foundation. The extrajudicial execution of US citizens by the US government is thus impossible to designate as legal or illegal because it is precisely an instance of the state of exception which serves as the origin of authority and of sovereign power. It is essential that we perceive this particular iteration of the paradox of sovereignty as part of a continuum, one which finds its broader historical genesis in the terrorist attacks of September 11 2001. The sense of radical necessity produced by that event resulted in the exceptional laws of the Patriot Act and the Afghanistan and Iraq Wars, and,

a decade on, has developed into the exceptional need for extrajudicial executions of US citizens.

A striking cultural phenomenon accompanied this development, one all the more conspicuous because it involves a genre whose central focus—indeed, one might say it has no other focus—is the paradox of sovereign power. I refer, of course, to the Western, which, following the critical and commercial success of Clint Eastwood's *Unforgiven* and Kevin Costner's *Dances with Wolves* in the early 1990s, was declared moribund by all and sundry, its relevance to contemporary American culture and society totally exhausted. In 1999, Ang Lee directed the Civil War Western *Ride with the Devil*, an adaptation of Daniel Woodrell's 1987 novel *Woe To Live On*; upon release, it sank immediately and silently out of sight, grossing around $600,000 on an estimated $35,000,000 budget ("Ride"). It was such a financial catastrophe it can't even be remembered as such, or as anything for that matter; it made absolutely no cultural impact whatsoever. This invisibility as well as the lack of support and promotion given to it by Universal and Good Machine, its production studios, is not a reflection of the quality of the film by any means, for while it is not a masterpiece, nor even a particularly good film, it is by no means a terrible one. It also starred reasonably recognizable actors, among them Toby McGuire (who would go on to fame playing the lead in the first three Spiderman films) and Skeet Ulrich, villain of the first film in the *Scream* franchise. It thus seems reasonable to infer from the simple facts of *Ride with the Devil*'s total financial failure and its complete inability to register culturally that the Western had reached a cultural nadir in 1999.

Since then a startling reversal has taken place. A string of critically and popularly acclaimed Westerns have appeared over the past ten years, one of which (*No Country for*

Old Men) won the Oscar for Best Picture at the 2007 Academy Awards, when its primary competition for the award was another Western-like film, *There Will Be Blood*.[2] HBO produced a critically acclaimed television show, *Deadwood*, set in the eponymous South Dakota town, that ran for three seasons. Following the current Hollywood trend of remaking successful films of the past, several classic Western films have been remade, significant among them the 2007's *3:10 to Yuma* and the subject of this chapter, the Coen brothers' 2010 remake of *True Grit*.[3] What accounts for this change in the fortunes of the Western? I submit that it is in part a response to the intensification of the contradiction at the heart of law as it has developed in the decade since 9/11. That is, the contemporary reemergence of the genre parallels the increasingly high stakes—from the extrajudicial wiretapping of US citizens by the US Government in the early years of the new millennium to the present-day extrajudicial executions of US citizens carried out by drone aircraft—of what Benjamin describes as the "objective contradiction in the legal situation" (283) wherein "violence, violence crowned by fate, is the origin of law . . . . Its purpose is not to punish the infringement of law but to establish new law. For in the exercise of violence over life and death more than in any other legal act, law reaffirms

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[2] It is fair to say that neither of these films is purely a Western; *No Country for Old Men* is set in the 1980s and concerns the beginnings of the US War on Drugs, while *There Will Be Blood* is about the early oil industry. Yet both necessarily draw upon the iconography and symbolism of the Western; at the very least we can say that they are Westerns because they are in dialogue with the genre. As Richard Gilmore notes, *No Country* "is and is not a classic western. It takes place in the West and its main protagonists are what you might call westerners. On the other hand, the plot revolves around a drug deal that has gone bad; it involves four-wheel-drive vehicles, semiautomatic weapons, and executives in high rise buildings, none of which would seem to belong in a Western" (59).

[3] While one cannot talk about the 2010 version of *True Grit* without considering its relationship to the 1969 Henry Hathaway film, starring John Wayne as Rooster Cogburn (for which he won his only Oscar, for Best Actor), it is imperative to note that the Coens intended their film more an adaptation of Charles Portis' 1968 novel than as a remake of Hathaway's film, claiming "they did not watch [Hathaway's film] in preparing for their own" (Cieply). Indeed, as we shall see, their film has far more in common with the novel than with the 1969 film.

itself" (286). This parallel is primarily the result of the Western's fixation with law and justice, of which *True Grit* is exemplary; for if the US is more and more forced to do what it determines to be the right or necessary thing to do by arrogating itself the right to act extra-judicially, then it seems natural that one of the preeminent American art forms for expressions and depictions of self-determination and self-authority should accordingly appear more and more. The intention of this chapter is to consider how and in what ways a film such as *True Grit* functions as a cultural response to the notion of justice presupposed in the Obama administration's use of drones in their prosecution of the War on Terror.

Several *True Grit*s

Indeed, that the law is a central concern of *True Grit* is demonstrated by its main premise: the quest of its protagonist, fourteen year old Mattie Ross, to obtain justice for her father, Frank Ross, who was murdered in cold blood by his hired man, Tom Chaney, in Fort Smith, Arkansas. It is, in short, a vengeance narrative. Mattie travels to Fort Smith to collect her father's body and arrange to have it sent home to be buried. Having accomplished this task, she seeks out the services of one Rooster Cogburn, a US Marshal who is described to her by the sheriff of Fort Smith as "a pitiless man, double tough, and fear don't enter into his thinking. He loves to pull a cork" (Coens, *True*). Mattie chooses Rooster to take her in pursuit of Chaney precisely because these qualities denote to her his being possessed of "true grit". Accompanying the two is LaBoeuf, a Texas Ranger who is also pursuing Chaney for the murder of a Texas State Senator. Crossing the Arkansas River, the trio track down the infamous Ned Pepper gang, whom Rooster (correctly) suspects Chaney to have fallen in

with. After accidentally encountering the gang while searching for their hideout in the hills, Mattie is captured and then left with Chaney by Pepper and the rest of his gang, nearly all of whom are soon after killed by Rooster in the film's climactic shootout scene. Mattie, with the help of LaBoeuf, is able to capture Chaney, but while they are focused on Rooster's shootout, Chaney brains LaBoeuf with a rock. Mattie then shoots and kills him, fulfilling her quest; unfortunately, the recoil of the gun knocks her backwards into a pit of rattlesnakes, one of which bites her arm. She is rescued from the pit by Rooster, who then implacably rides her back to Fort Smith and a doctor, riding her horse Little Blackie to death in the process. Mattie survives the snakebite but loses her arm to it. The film ends many years later when Mattie goes to visit Rooster, who is traveling with a Wild West show that also features the infamous outlaws Frank James and Cole Younger. When she arrives, however, she is told by Younger that Rooster has recently died. Mattie has Rooster's body transported to her home and buried in the family plot.

The 2010 version of *True Grit* stars Jeff Bridges as Rooster Cogburn, newcomer Hailee Steinfeld as Mattie Ross, Matt Damon as LaBoeuf, Josh Brolin as Tom Chaney, and Barry Pepper as Ned Pepper. It hews very closely to Portis' novel, not only in terms of narrative and dialogue, but in formal features as well, the most obvious and pertinent of which is the use of the first person to frame the narrative, which is essentially a memoir. In all of these aspects it differs greatly from Hathaway's film, which centres its energies and attention upon the figure of John Wayne.[4] The contrast between the two films is clearly

[4] The most significant narrative changes Hathaway makes in his adaptation are the death of LaBoeuf from being struck on the head with a rock by Chaney and the ending scene in which Rooster visits Mattie and she asks him if he will consent to be buried next to her in her family's cemetery plot. Rooster cheerfully and gratefully accepts, jumps his horse over a rail fence, and rides off over the horizon. Mattie's request seems a subtle, if rather awkward, reference to the end of Portis' novel, in which Mattie has Rooster reburied in the family plot after he has died on the road with the Wild West show.

demonstrated, for example, by the first appearance of Rooster in each. Our initial introduction to him in Hathaway's film sees him bringing in a wagonload of prisoners from the Indian Territory to the county jail presided over by the court of the famed "Hanging Judge" Isaac Parker. As the wagon is backed up to the jail and parked, Cogburn rides into the scene, truculently calling out to the many bystanders to back away. The camera changes angle slightly and then slowly focuses in on Rooster's face as he dismounts and walks towards the gate of the cage on the wagon. He unlocks the cage and brusquely barks at the men inside: "Stand up. Come on out. Move along!" (Hathaway, *True*). The shot cuts to Mattie asking another law officer if Tom Chaney is among the captives; he replies that Cogburn hasn't turned his list of prisoners in yet. She then asks which one of the marshals is Cogburn and is informed he is "the big fella, with the eye patch" (Hathaway, *True*). As the last of the prisoners shuffles into the jail, helped along by a kick from Cogburn, Mattie runs towards him calling out, "Mr. Cogburn!" (Hathaway, *True*). He briefly glances at her, then goes inside the jail and locks the door; Mattie is left outside, fruitlessly banging on the door. The obvious initial effect of this scene as a whole is to establish that Rooster is a man of true grit—when he first appears, he is mounted, an elevated position of control that symbolically accords him a status, competence, and power over all those around him. This hierarchy is further highlighted by the slow zoom in on Rooster's face, which focuses the viewer's attention from the wide shot of the crowd to Rooster and simultaneously reveals that Rooster is played by John Wayne. Wayne, of course, is emblematic of the idealized cowboy protagonist; the revelation that Wayne is Rooster immediately communicates a whole set of features with which we can now

identify Rooster, primary among them masculinity, virility, competence, and grit—that is, a certain toughness and implacability.

The intense focus of the camera on Wayne in Hathaway's film is strikingly contrasted by the Coens' depiction of the first instance of Rooster onscreen. The scene begins with a close-up of Mattie's hand knocking on a wooden door, to which a disembodied, vaguely comprehensible voice replies, "The jakes is occupied" (Coens, *True*). Mattie, having decided based on the sheriff's descriptions of the various US Marshals that Rooster is the one best suited to help her capture or kill Chaney, has tracked him down to an outhouse. She proceeds to pester him incessantly for an audience and remarks upon the length his business within the jakes is taking, a jibe to which he furiously responds, "There is no clock on my business!" (Coens, *True*). While Mattie is ultimately unable to secure a meeting with Rooster, the effect of the scene as a whole is on the one hand to render ridiculous Rooster's implicit authority as both a US Marshal and as the masculine, patriarchal protagonist; and on the other to correspondingly elevate our appreciation of Mattie's ability to adroitly function in a world from which women and children are conventionally excluded. The Coens could not have chosen a more different way to introduce us to Rooster than Hathaway; indeed, it is difficult to imagine John Wayne agreeing to participate in a scene that more or less explicitly states he is suffering from some sort of bowel distress (or, for that matter, him winning an Oscar for doing so). What is interesting is that the outhouse scene is also one of the instances where the Coens deviate greatly from Portis' novel; it is entirely their invention. Portis introduces us to Cogburn with the scene of his deposition in the trial of Otis Wharton, which the Coens reproduce as the first time we actually see Rooster. Their addition of the outhouse scene is

thus highly suggestive of how they intend to complicate the function and characterization of both Mattie and Rooster within the context of the Western and in relation to the film's fundamental themes of law and justice, a subject we will examine in greater detail shortly.

While the two film versions of *True Grit* differ in many details, a comparison of the subtle affinities between the ways both introduce Mattie is worth remarking. Hathaway's film begins with a panoramic shot of the Ross homestead, producing a sense of the film's setting being at once epic, atemporal, and atopic, and thus as representative of the mythic realm of the American West. It is also establishes that the West being represented is one already settled and civilized, a Frontier already closed; we thus encounter the conventional notion of the West as a space that is perpetually receding into the past—a West that is only present insofar that it is already gone. The camera cuts to a shot of Frank Ross and Tom Chaney preparing to leave on their trip to Fort Smith. Ross says goodbye to the members of his household, but doesn't see Mattie; he asks where she is, and the camera cuts to a close-up of Mattie drawing aside a curtain in the house and saying, "I'm in here, Papa" (Hathaway *True*). The shot lingers on Mattie after she speaks, exerting what we can term a dilatory effect: that is, the pacing of the preceding scenes is disrupted by the camera's dalliance on Mattie framed by the window; the length of time of the shot is expansive, suggesting to the viewer that the scene is of particular significance and that Mattie is more central to the narrative than her father and his journey to Fort Smith. The shot then switches to one of Ross coming inside to the room where Mattie is seated; we see that she has been doing bookkeeping for her father. The interplay of these two shots—of Mattie's face framed by a window and of her doing accounting at a desk—speaks volumes about how Hathaway's film will figure her throughout. It segregates her from the

world we have just seen, from a world defined by rugged terrain and expansive skies; in short, it definitively determines her as part of the civilized world, in direct contrast to the evocatively mythological landscape around her.

The Coens begin their film with a blurry, distant shot of an orange light surrounded by darkness, accompanied by the voiceover of a woman (who remains unidentified as yet). She immediately establishes that the following narrative will be framed by the first-person retrospective as a memoir of sorts: "People do not give it credence that a young girl could leave home and go off in the winter time to avenge her father's blood, but it did happen. I was just fourteen years of age when a coward by the name of Tom Chaney shot my father down and robbed him of his life, and his horse, and two California gold pieces" (Coens, *True*). The shot slowly zooms in and comes into focus, revealing that the light is emanating from a building, in front of which is a body lying on the ground, an object the camera then focuses upon. We can infer from what is being said in the voiceover, which continues to accompany the shot, that this is likely the speaker's father, and that the horse ridden at a gallop past the body is Tom Chaney fleeing after committing the homicide. After a brief shot of a silhouetted rider moving away on the horizon which fades to black, the shot cuts to a close up of a teenaged girl's face peering out of a window, in the reflection of which we can see the buildings of a small city. A whistle and the sounds of hissing steam of a train alerts us that the girl is on a train. This is our introduction to Mattie Ross, arriving in Fort Smith to collect her dead father's body and belongings. While the Coens repeatedly disavowed having watched Hathaway's *Grit* in preparation for filming their own, the framing of Mattie's face by a window in her first appearance seems rather a large coincidence. Whether they did or not is ultimately beside the point, however; what is most

significant about this scene is inflection it gives to our impression of Mattie, one which is similar to but not identical with that made by Hathaway's framing of Mattie by the window of a house. By placing Mattie behind a window, the Coens achieve a similar effect of domesticating her; she is effectively framed by the window as a being of interiors and of voyeurism, of looking out on the exterior world from the safety of an enclosed, hermetic space. The fact that she is on a train, however, subtly changes the conditions of this domestication, in that it establishes that Mattie is simultaneously a creature of civilization and of nature; she is inside, but she is inside something which can take her elsewhere. She is not fixed but peripatetic, and thus capable of a kind of metamorphosis, unlike the Mattie of Hathaway's film, who it could be said never really leaves the room in which she is assiduously counting money (a notion reinforced by the constant disparaging remarks made about her thriftiness throughout the film). This capacity for change tacitly prefigures the symbolic transformation she undergoes when she crosses the Arkansas River in pursuit of Rooster and LaBoeuf.[5]

That Mattie is aligned with society and civilization so explicitly is no small matter; Westerns typically relegate women to positions where they represent the civilized world, in contrast to the masculinized terrain of the Frontier. David LaRocca perspicaciously identifies Mattie's killing of Tom Chaney as the most significant alteration the Coens make to the narrative, a change that in his view "leaves their film at a great moral distance from the sentiment and insight of Portis's novel" (317). At first, it would seem that Portis indeed

[5] The dialectic of inside and outside is a common trope of the Western and is often expressed by means of a window or a door. One of the most striking uses of this is in John Ford's *The Searchers*, with its continuous shots from inside buildings of silhouetted figures standing in doorways looking outside, typically at protagonist Ethan Edwards—played by Wayne in one of his most powerful performances—who is always outside. The framing of Mattie in both film versions of *True Grit* by windows thus seems to be citing Ford's cinematography; in each, what is suggested is that Mattie is fundamentally representative of the civilized world.

depicts Mattie killing Chaney: "I hurriedly cocked the hammer and pulled the trigger. The charge exploded and sent a lead ball of justice, too long delayed, into the criminal head of Tom Chaney" (Portis 204). Portis' language here is striking in the juridical contrast it establishes between the bullet Mattie fires and the head into which she fires it, but what quickly becomes more striking is the inefficacy of the bullet for it only wounds and does not kill Chaney. The recoil from the ball of justice has sent Mattie tumbling backwards into a pit, and, trapped there with a broken arm, a skeleton, and a multitude of rattlesnakes, Mattie discovers to her horror that Chaney is still alive: "A man's voice called down, saying, 'I warrant there will be another [skeleton] before spring! A little spindly one!' It was the voice of Tom Chaney! I had not yet made a good job of killing him!" (210). Yet Chaney's triumph is as short lived as he turns out to be, for as Mattie listens she hears "a shout and the sounds of a scuffle and a dreadful crunch, which was Rooster Cogburn's rifle stock smashing the wounded head of Tom Chaney" (211). LaRocca argues that Rooster's killing of Chaney "exculpates Mattie from the charge of murder above the law . . . . As Portis writes it, Mattie does not achieve the kind of retribution the Coens have chosen for her; she does not avenge her father's death. Rather, 'the law' (in the form of a U.S. marshal) takes care of her unlawful desire and spares her from transgression" (316). For LaRocca, this prosthetic justice makes Portis' novel a more nuanced exploration of morality and justice and a more complex engagement with the conventions of the Western than the Coens' film, who sees the duo rather atypically "seem to give over to a celebration of stock genre conventions of the western" (317), the most salient of which is retributive justice. In this respect LaRocca's argument is convincing: the Coens are uncritically reproducing some of the most basic of Western tropes and conventions. What

is unconvincing, however, is LaRocca's corresponding valorization of Portis' novel, for in a way Portis even more subtly and uncritically reproduces the conventions of the Western.

This generic recapitulation is most clearly seen in Portis' novel in its representation of gender. On the surface, *True Grit* bucks convention by featuring a teenage girl as its protagonist, for women—and children, and especially female children—are typically excluded from such a role; indeed, as a rule the Western excludes them from any kind of meaningful agency whatsoever. In Mattie Ross, however, we have a supremely competent and confident young woman who spends the entirety of the narrative getting her way, asserting the dominance of her will over a series of almost exclusively male characters. It is also imperative to note the arena in which Mattie's assertiveness takes place: linguistic mastery is the means by which Mattie is able to express her singular will. Despite this command of language, however, Mattie is left powerless as soon as she must leave the realm of language behind and directly act. I note, of course, her being knocked back into the snake pit by the recoil of the pistol with which she shoots Chaney. Here Portis' novel veers sharply back into the world of convention: language and dependence upon language are, as Tompkins argues, resolutely associated with femininity. Masculinized silence is prized by the Western, placing action over language, and up until the climax of the novel, Portis appears to be engaged in a overt critique of this valorization. Yet Mattie's showdown with Chaney demonstrates that language is in the final instance ineffective—indeed, it is hysterical, continually attempting to cover up its insufficiency through a verbal barrage, reflecting Tompkins' observation that "The position represented by language, always associated women, religion, and culture . . . appear[s] in Westerns . . . as a critique of force and . . . as a symbol of the peace, harmony, and civilization that force is

invoked to preserve. But in the end, that position is deliberately proven wrong . . ." (55). Accordingly, the particular strategy continually (and in most cases successfully) employed by Mattie throughout the novel comes to nothing at this most crucial of moments. To get her way, Mattie constantly uses the threat of legal action on the part of her lawyer, Daggett. Earlier we see her horse trading with Colonel Stonehill; her threats of legal action secure her a very profitable deal, effectively selling Stonehill his own horses. The purpose of her father's trip to Fort Smith was to purchase, at a bargain, a small string of ponies from Stonehill to breed and sell for deer hunting. Mattie visits him soon after arriving in Fort Smith with the intention of selling him back the horses her father bought, a proposition which Stonehill greets with derision. She also demands that he reimburse her for the theft of her father's horse, a claim he similarly refuses. Later, when Mattie discovers she has been left behind by Rooster and LaBoeuf in Fort Smith, she threatens the ferryman working the Arkansas with legal action if he will not take her across. When she does cross she then threatens Rooster with legal action if he will not take her with him in pursuit of Chaney and the Pepper gang. All of these threats, and Mattie's obvious mastery of the world of law and of language, ultimately amount to nothing in the more extreme world of the lawless Indian Territory. Once Mattie has been captured by the Pepper gang and left alone with Chaney, it is only the extrajudicial act of violence that will save her, an act, however, which is in effect denied her. While she confronts and shoots Chaney with a rifle, she cannot control the force of the gun's recoil, and is knocked into the cave. It is Rooster who rescues Mattie despite having suffered multiple gunshot wounds at the hands of the Pepper Gang (the majority of whom are now dead). He rushes her back to Fort Smith, riding her horse Little Blackie to death in the process. The symbolism of this entire sequence is

difficult to ignore: Mattie, who has mastered the phallogocentric order of law and language, is ultimately unable to handle the power of the rifle phallus which confers upon her the true legal mastery over life and death, which flings her into the midst of many poisonous phalluses. She is then rescued by a one-eyed Rooster, a cock, who proceeds to use his knife-phallus to goad her horse into running itself to death in service of getting her to the doctor and saving her life, and also uses his gun-phallus to put the horse out of its misery. If the Coens thus surprise LaRocca with a film that so uncharacteristically fails to problematize conventional notions of gender, perhaps it is because they were so faithfully committed to reproducing the spirit of their source material.[6]

"No clock on my business": Rooster Cogburn, the Western Hero, and Masculinity

It is John Wayne's performance in Hathaway's *True Grit*, however, that has most indelibly stamped Rooster Cogburn with an image of Frontier masculinity. Wayne's particular blend of pithy wryness, taciturnity, single-mindedness, and overall competence both evoke the history of the Western's representation of masculinity and effectively come to define it. This puts the Coens, and Jeff Bridges as their Rooster, in a precarious situation bounded by the Scylla of imitation and the Charybdis of parody. Thankfully they negotiate these hazards adroitly, with Bridges' performance subtly paying homage to Wayne's yet never becoming subservient to it. That said, Bridges, unlike Wayne, will likely never be seen as a paragon of masculinity. Indeed, we can characterize several of his roles over the years as either overtly or implicitly depicting masculinity in crisis—and more specifically a

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[6] In contrast to LaRocca, I do not find *True Grit* to be an uncharacteristic film for the Coens. Their critical reputation for crafting subversive films through ironic send-ups of highly conventionalized genres is to me misplaced; in my view, this very irony is indicative of the intensely and fundamentally ideological nature of their work, something I find to be true of, say, *Fargo* or *The Big Lebowski* no less than *True Grit*.

Western American masculinity in crisis. This is perhaps unsurprising given that one of his first roles was as Duane Jackson in Peter Bogdanovich's adaptation of Larry McMurtry's *The Last Picture Show*, which depicts the twilight of ranching culture and its attendant masculinities in the Texas Panhandle. We also see a damaged and vulnerable Western masculinity on display in 2009's *Crazy Heart*, with Bridges portraying a washed-up alcoholic country singer (a role for which he won an Oscar for Best Actor). Even the Coens' *The Big Lebowski*, starring Bridges as the other, not-big Lebowski, relies upon Bridges' skill at representing masculinity in crisis; while the film is an homage to and send-up of Los Angeles hard-boiled detective narratives, with Bridges' Jeff 'The Dude' Lebowski as its rather unwilling sleuth, as such it shares significant affinities with the Western.[7] What, however, accounts for the difference between the two Roosters beyond the performances of Bridges and Wayne and the mere vicissitudes of time and cultural attitudes? That is, what are the Coens representing differently about masculinity and Rooster as its primary metonym? I believe that the Coens are excavating the vision of compromised masculinity that resides at the heart of the *True Grit* narrative and that is concretized in the figure of Rooster, one occluded by the hypermasculinity of Wayne's performance. At the same time, however, I argue that such a compromised masculinity does not represent a critique of the male chauvinism that seems to pervade the Western but rather serves as its ideological expression. In short, I contend that Bridges' performance as Rooster Cogburn is paradoxically more John Wayne than John Wayne—that is, even more stridently hypermasculine—precisely insofar that it continually undercuts Rooster's masculinity.

[7] As Slotkin asserts, "Like the fantasies of [Edgar Rice] Burroughs and the pulp Westerns of Zane Grey, the hard-boiled detective story began as an abstraction of essential elements of the Frontier Myth" (*Gunfighter* 217).

That such a core of compromised masculinity defines Rooster is apparent upon analysis of his name. As we have seen, "Rooster" immediately and crudely evokes the phallus; Rooster is literally a cock. This connotation is subtly echoed by his last name—Cogburn is a variant of Cockburn, a Scottish surname that typically elides pronunciation of its second hard k sound (though the pronunciation of the *g* in Cogburn suggests that at one time this sound was pronounced). Cockburn itself is a combination of two words: *cock* (in its denotation of a male chicken) and *burn*, a small stream or brook. This sense is preserved in the various versions of the familial coat of arms, all of which feature a cock. We can thus assert that our sense of Rooster's masculinity is subtly redoubled through his full name's repetition of these phallic euphemisms.[8] Simultaneously, though, Rooster's names undertake a distant subversion of this overdetermined masculinity. While deriving from a distinct etymology and sense, the "burn" of "Cockburn" necessarily connotes an injured penis—that is, it suggests castration.[9] While there are thus a multitude of cocks springing from Rooster, they bring with them a sense of their own impotence and emasculation. Such a tacit undercutting of masculinity is operative even in the correct etymology of Cogburn if we consider that its association with water evokes the Fisher King of Arthurian legend and the grievous wound he has suffered—a wound, of course, implied to be castration. This evocation is made all the stranger (if not stronger) when we recall

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[8] "Rooster" is of course a nickname; his real name is Reuben, a Biblical name (the eldest son of Jacob and Leah). In North America the name denotes a "farmer or unsophisticated person from the country; a yokel, a hick" ("Reuben, n.1"), which nicely reflects his character as well as his embodiment of the Western protagonist's stereotypical aversion to gentility and civility. All this being said, for our purposes we will consider Rooster's nickname as taking priority over his Christian one.

[9] According to the OED, both senses of "burn" derive from Old Germanic, but from two different words: for the sense of a brook, "*brunnon-" ("Burn, n.1") and for the sense of combustion, "brinnan" ("Burn, v.1"). Moreover, despite attempts to prove otherwise, it appears that these words do not derive from a common root: "A connection [of *brunnon-] is often assumed with . . . Old Germanic *brin-n-an [(to burn)], on the supposition that that root had originally the wider sense 'well up, be in commotion', applicable to water as well as to fire; but of this there is no actual evidence" ("Burn, n.1").

that Jeff Bridges starred in Terry Gilliam's 1991 film *The Fisher King*. Rooster's missing eye, too, participates in this figurative composition, in that it renders him phallic by at once making him a "one-eyed monster" and predicating this association upon an injury. Even the etymology of Rooster's first name functions as a threat to masculine potency at the same time that it directly evokes the phallus. A rooster is quite literally one who roosts, that is, one who "settle[s] on a perch or other place for sleep or rest" ("Roost, v.1"). "Roost" itself ultimately refers to the "internal framework of a roof, formed by the rafters and joists" ("Roost, n.1"); the word's denotation of a chicken coop is derived from this antecedent sense. When we think this etymology in relation to Rooster's embodiment of a Western, Frontier masculinity, however, we can see how once again the simultaneous assertion and subversion of this masculinity is taking place, in that the figure who is supposed to represent a realm removed from and radically external to society and domesticity within the mythology of the Frontier is revealed to contain the domestic in his very core. It is no coincidence that the Coens first introduce us to Rooster in an outhouse, which literally denotes an externalized domesticity; "Rooster" and "outhouse" are therefore subtly synonymous. Conclusively, then, the equation between the phallus and the Frontier is severed in the very sign which signifies this congruency.

From this etymology one might derive further confirmation of Tompkins' thesis regarding the fundamental and constitutive aversion the Western and its masculine protagonists have towards language. That is, if Rooster Cogburn's name paradoxically represents such a threat to his manhood, it does so because that is what nomination in particular and language in general does—it emasculates, it cuts through the presumed unity of the subject by introducing a gap between the self and its experience of reality,

such that access to reality is forever mediated by language. To take this line of thought to its logical conclusion, then, ideally Rooster should not even have a name—an insight reflected in the anonymity of the anti-hero played by Clint Eastwood in Sergio Leone's Westerns. Indeed, does not this flight from language and thus from society constitute the central drama of the Western? To discover an authentic self, to reject the symbolic mandate imposed upon the self by society, to regain wholeness and heal the wound this mandate introduces within the self: this is the adventure the Western perpetually embarks upon in one form or another. And yet it seems a mistake, however, to view *True Grit* in particular and the Western in general as simply performing a chauvinist fantasy of escape from a castrating, feminized world precisely because that which is escaped into offers no escape itself—the symbolic network of the Western itself never coheres, always revolves around a core of constitutive incommensurability. We can thus say that the Western produces a fantasy of masculinity predicated upon its own emasculation, a fantasy in which the authentic self is the self oppressed by the castrating effects of the symbolic network: in short, a symbolic network defined by its failure as such. Seen from this perspective, the Coens' *True Grit* is thus not subverting the conventional masculinity of the Western as typified by John Wayne and his performance in Hathaway's *True Grit*. In effect, they are presenting an even more resolutely hypermasculine identity than Wayne insofar as their film figures Rooster as that much more emasculated, an effect which shares its provenance with Althusser's assertion that "one of the effects of ideology is the practical *denegation* of the ideological character of ideology by ideology: ideology never says, 'I am ideological'" (49, his emphasis). Similarly, in the Western the masculine never announces itself as such, but affirms its existence precisely through its ostensible denegation.

Moreover, this paradigm is not unique to the genre's representation of masculinity, but extends throughout the Western as a whole: ultimately, the genre's functioning is coextensive with its inability to function.

Lacan's consideration of the role of the father in the formation of the subject further confirms our thesis regarding the assertion of masculinity through emasculation in *True Grit* in that the positive being of the patriarch is paradoxically asserted through negation: that is, as *le nom/non du père*. In other words, the no/name of the father—as founder, guarantor, and synecdoche of the symbolic order—is experienced as an injunction, as the pure negation of the law. Of the several fathers who appear in *True Grit*, Rooster is by far the most predominant; suggestively, however, the Coens link Rooster the surrogate father to Frank Ross the real father through the interment that characterizes the introduction of both—Frank in his coffin in the undertaker's and Rooster in his outhouse/place of business. It is worth noting, too, that Rooster is further linked to Frank by his disappearance into a coffin at the end of the film—in effect, he has returned to the outhouse from whence he came, provided we concur that the coffin and outhouse are essentially both receptacles for corporeal waste. What is thus essential to keep in mind is that Rooster is not simply a paternal prothesis for Mattie, replacing the father she has lost, but rather redoubles this loss, in that his masculinity (and thus his paternity) is continually and repetitively undercut. We see this undercutting not only in the occluded depths of Rooster's name, but also in the ridicule to which the Coens subject Rooster. For he is indeed a ridiculous figure. A dangerous one, to be sure, but from the perspective of Mattie (and thus of the audience) this dangerousness is attenuated by his bluster, his clumsiness, and his drunkenness—all of which function in the end as symbols of his emasculation.

Take, for example, the scene of his courtroom deposition: in it we see yet another example of the Western's acute distaste for the symbolic realm of language. While he is under examination by the prosecutor, Rooster evidently finds the procedural wrangling of the defence lawyer tiresome. He testifies that upon discovering an old man, one Tom Spotted-Gourd, "with his breast blow open by a scatter-gun and his feet burnt," the dying man tells him that the men who robbed, shot, and burnt him (the two Wharton boys) took the money he had hidden "in a fruit jar under a grey rock at the corner of the smokehouse." "What'd you do then?" asks the prosecutor. "Me and Marshall Potter went out to the smokehouse and that rock had been moved and the jar with the money in it was gone," replies Rooster. The defence immediately objects on grounds of speculation, which the judge sustains, so the prosecution tries a different tack: "You found a flat grey rock in the corner of the smokehouse with a hollowed-out space beneath it." The defence objects to this phrasing as well, sarcastically objecting: "If the prosecutor's going to give evidence, I suggest he be sworn." Not to be outdone, the prosecutor then asks, "Mr. Cogburn, what did you find, if anything, in the corner of that smokehouse?", to which Rooster answers, "Found a flat grey rock with a hollowed-out space under it, nothing there. No jar or nothing" (Coens *True*). His insistence upon mentioning the alleged jar and thereby reiterating the details of the old man's story despite there being no evidence to substantiate them reflects his contempt for legal procedure as much as the aggrieved tone he adopts throughout his time in the witness stand. This attitude becomes even more explicit under cross-examination when, nettled by the defence's probing questions (which are increasingly casting him in a bad light), Rooster declares humorously, "I always go backwards when I'm backing up" after being asked what direction he was moving in when

backing away from the axe-wielding elder Wharton, a jibe that elicits mocking laughter from the court's audience. Yet the object of this laughter is uncertain—on the surface, it is directed at Goudy, aligning the audience with Rooster as bolsterers of the populist vigilantism that his killing of the Whartons clearly represents. At the same time, however, the laughter implies that Rooster is a clown, a ridiculous figure in the vein of comic routines composed of a dialogue between a straight man and a buffoon—the laughter is directed at him as much as Gowdy. We might see this as a critique of the autonomous masculine protagonist of the Western, figuring the moral and practical necessity dictating his actions (in this case extrajudicial killing) and thus his masculinity itself as absurd. On the other hand, we can see in Rooster's ridiculousness the means by which the fantasy of a unified, prioritized masculinity asserts itself, for it is not just Rooster's willingness to go beyond the law that attracts Mattie to him, but also the correlation between this willingness and his absurdity. In effect, Rooster's degree of grit is inversely proportionate to the seriousness with which we and Mattie view it; it is thus unsurprising that throughout the film the interactions between the two constantly cast Rooster as a fool, incapable of looking after himself competently. For example, directly after the courtroom deposition scene, when Mattie proposes her quest to Rooster, she impatiently rolls a cigarette for him after watching him clumsily attempt to do so himself. This is not an example of Mattie asserting her own agency; it is one of Rooster asserting his through his apparent lack of it, despite the fact that Mattie, in taking over the rolling of the cigarette, is symbolically castrating Rooster by appropriating his cigarette-phallus and agency. Paradoxically, it is therefore through Rooster's symbolic castrations that his phallic priority is made effective.

In short, in both the original novel and the Coens' adaptation, *True Grit* paradoxically reinforces conventional, ideological determinations of gender through its ostensible subversion of these very determinations. More significantly, the realm in which this reinforcing takes place is one formed at the juncture of law, language, and gender: Mattie, the master of language (and particularly of legal language) encounters the limit of language and law in her journey into Indian Territory. What neither the Coens nor Portis seem able to perceive is how this limit is internal to language and law: *True Grit* poses the problem of law, of its founding and its conservation, yet performs an entirely ideological resolution to this problem by externalizing it in the fantastic space of the masculinized, lawless Indian Territory.

"If the law fails to do so": Extrajudicial Executions of the West

As we have suggested, law and justice are primary features of *True Grit*. One of the first events of the film is the triple hanging taking place at Fort Smith. Mattie, having discovered that the cost of her father's coffin and embalming, as well as the cost of shipping his body back home, will take all the money she has, asks the undertaker if she can spend the night in his shop. "Here? Among these people?" he asks incredulously. Mattie, seeing only the body of her father, asks which people he means, to which he replies, "I'm expecting three more souls: Sullivan, Smith, and His Tongue in the Rain" (Coens *True*). The scene then cuts to a shot of a gallows where three men (those referred to by the undertaker) are speaking their last words and waiting to be hung while Mattie listens and watches from the crowd. She asks a woman to point out the sheriff, and is told that he's the one with the mustaches sitting on the gallows; soon after, the

executioner springs the trap and the three men drop to their deaths.[10] The overall effect of this scene is thus to establish that Fort Smith, despite Frank Ross being murdered there (and thus it being somewhat lawless, chaotic, and dangerous), is a town where the rule of law ultimately presides and where justice is carried out. Indeed, following Foucault's argument in *Discipline and Punish*, we can say that the public spectacle of the execution suggests that Fort Smith is a lawful, but primitively lawful place; it is incapable of employing modern disciplinary techniques, and must rather rely upon the external imposition of force in order to assert and conserve the force of law. As Foucault notes, the public execution "has a juridico-political function. It is a ceremonial by which a momentarily injured sovereignty is reconstituted. It restores that sovereignty by manifesting it at its most spectacular" (*Discipline* 48). Foucault, of course, is speaking here about the practice and conception of monarchical law, which gave way to disciplinary law and its accompanying gradual abandonment of the spectacle of public execution. While it therefore might appear, therefore, that we are caught in an anachronism, given that there is no monarch in *True Grit* to be injured by transgression and to require a concomitant reconstitution, a turn to Robert Pippin's recent and trenchant analysis of the Western's focus on the problem of political sovereignty suggests otherwise. He writes, "[T]he problem [of the Western] is the transition from the feudal patriarchal authority that arose in the pre-legal situation of the frontier to a more fraternal, modern form" (22). Rather than constituting an anachronism, then, the public execution in *True Grit* reflects this transition:

[10] One of the men executed, His Tongue in the Rain, is Native American, and, unlike the other two, is prevented from speaking his last words. He begins to speak, but is interrupted by a hood being placed over his head, after which he begins singing (presumably his death song). In Portis' novel, the Native American is unnamed and is able to speak his last words; he talks of his readiness to die and his belief in Christ. The Coens' alteration suggests a reference to and criticism of the structural oppression from legal and state institutions experienced by Native Americans—they were subject to the law but were excluded from equitable participation in its processes.

there is no longer a sovereign, yet there is still a need to publicly affirm and assert the right and force of law. The execution scene thus establishes the political and juridical coordinates of Fort Smith through the public spectacle of their assertion.

Despite this unfettered display of the power of the state, when Mattie talks to the sheriff after the hanging she discovers that nothing has been done to apprehend Tom Chaney because he has fled Arkansas and is presumed to be hiding in the Indian Territory, where the sheriff has no authority. This discover, of course, is what prompts her immediately to inquire who does have such authority and, upon being told that the US Marshals do, which Marshal would be best suited to the task of apprehending Chaney. The structure of this path of authority is interesting to consider. Mattie does not seek extralegal means to bring Chaney to justice; she does not hire a mercenary. She rather chooses the route of the superlegal—by which I mean a juridical level superior to all others—through an appeal to an authority that is effectively absolute, insofar as it represents the authority of the sovereign. At this point of authority, however, the distinction between legality and criminality begins to break down: we need only note that Mattie hires Rooster to function in the same way as a mercenary to perceive that legality is in the final instance guaranteed by that which transgresses it, such that legality and criminality merge at the level of superlegality. Moreover, the representative of sovereignty to whom she appeals is, to be blunt, a homicidal drunk. This duality is further reflected in the deeper meaning of Rooster's name: in its denotation of an animal we see the properly monstrous dimension of sovereignty expressed as the dissolution of the boundary between man and animal. More precisely, in the indistinguishability of man and animal intimated by Rooster's cognomen we perceive what sustains animal and man (and thus nature and culture) as distinct

categories. In his juridico-etymological analysis of the figure of the bandit—that is, one who has been banned (from the city, from society)—Agamben suggestively argues that the bandit serves as the point at which nature and culture become indistinguishable. He finds that not only was the bandit legally defined as one who could be killed . . . or was even considered to be already dead" (*Homo* 104-105), he was regularly defined or characterized "as a wolf-man" (105). From this figuration of the bandit as simultaneously man and animal Agamben surmises:

> What had to remain in the collective unconscious as a monstrous hybrid of human and animal, divided between the forest and the city—the werewolf—is, therefore, in its origin the figure of the man who has been banned from the city. That such a man is defined as a wolf-man and not simply as a wolf . . . is decisive here. The life of the bandit, like that of the sacred man, is not a piece of animal nature without any relation to law and the city. It is, rather, a threshold of indistinction and of passage between animal and man, *physis* and *nomos*, exclusion and inclusion: the life of the bandit is the life of the *loup garou*, the werewolf, who is precisely *neither man nor beast*, and who dwells paradoxically within both while belonging to neither. (105, his emphasis)

We should thus understand Rooster eponymously as such: his name signifies that he is both man and animal and thus occupies instantiates a similar "threshold of indistinction" between the opposed pairs of nature and culture and of law and transgression. Of course, Rooster is not *de jure* a bandit (though he is *de facto* one, his badge the only thing distinguishing him from the outlaws he kills) but the one who enforces the ban placed

upon bandits, which effectively gives him the power of life and death over them. Ultimately, however, the bandit (as the one included in the socio-legal order through his exclusion from it) is homologous with the sovereign (who founds but is not bound by law; that is, who is excepted from it). Indeed, in the sovereign Agamben identifies the "survival of the state of nature at the very heart of the state" (106). In Rooster Cogburn we thus see "the person of the sovereign, [in whom] the werewolf, the wolf-man of man, dwells permanently in the city" (107). One might be tempted to simply object that Rooster is the exception rather than the rule, that he represents an anomalous and illegitimate abuse of power. Such would be the position of Goudy, the defence lawyer whose cross-examination of Rooster reveals, at least implicitly, that Rooster, rather than try to arrest the three Whartons, essentially executed two of them. What Goudy fails to perceive is precisely that, in the final instance, sovereign power and the law depend upon their suspension: their existence is predicated upon their prorogation, and in *True Grit* Rooster is the one who performs such suspension, who produces a zone of indistinction between law and its transgression and thus between society and its suspension: the state of nature.

The radical undecidability between law and criminality—that is, the void at the core of law and of sovereign authority—becomes even clearer through the roundabout way the Coens introduce us to Rooster. As we have seen, Mattie tracks Rooster down to an outhouse where he has been quite awhile at what he humorously refers to as his "business". She is then forced to wait until after he has given testimony at the courthouse to speak to him, a deposition to which we (and Mattie) are witness to, thereby gaining our first glance of Rooster. Counterintuitively, I want to suggest that the Coens' reimagining of Rooster's first appearance more clearly associates him with the pure authority of law than

does Hathaway's film, in which Rooster escorts prisoners he has captured into a jail and then himself disappears inside. In order to establish that Rooster is the bearer of legal authority, the Coens have simply erased everything extraneous to such an association—namely, the prisoners, the barred wagon, and the jail. What is left? Precisely Rooster's absence. We, and Mattie, cannot see Rooster; the meanest, toughest, most pitiless, and drunkest marshal is merely a voice burbling out of an outhouse.[11] Mattie, as is typical of her throughout the film, has the upper hand, pestering Rooster for an audience and remarking on the length his business within the jakes is taking, a jibe to which he furiously responds, "There is no clock on my business!" (Coens *True*). Accordingly, this exchange has the effect of undermining Rooster's authority and meanness; the father, the patriarch, and law-giver that Rooster functions as has his status as such undercut by Mattie's incessant demands. I contend, however, that this undercutting is not total, in that Rooster's concealment within the jakes reflects what Derrida, adopting a phrase from Montaigne, terms "the 'mystical foundation of authority'" ("Force of Law" 943); he is there but not there, a presence present by virtue of its absence. The foundation of Rooster's authority is thus something to which we, along with Mattie, are not privy. This concealment is the source of his "true grit", for despite Mattie's perturbation of Rooster in his outhouse of solitude, she never gains access. The source of Rooster's grit is left a mystery, precisely because his grit—that is, his authority, his capacity to lay down the law—exceeds the opposition between founded and unfounded.

Our impression of Rooster's authority and grittiness are further heightened in the scene where we and Mattie finally get our first glimpse of him: the scene of his courtroom

[11] That the Coens chose an outhouse for this scene seems to me a clear nod to the infamous jakes scene that closes *Blood Meridian*, in which the judge—that monstrous representative of law and authority—surprises (and presumably then murders) the kid in an outhouse.

deposition. Suggestively, we once again hear him before we see him; as Mattie ascends the stairs to the courtroom we hear once again hear the disembodied, gravelly, insectile buzz of his voice, this time giving testimony in the case of Otis Wharton, accused of murder and robbery. Rooster is first questioned by the lawyer for the prosecution about the events that led to his discovery of the crime and his subsequent pursuit and then killing of two of the three alleged perpetrators; he expresses irritation with the convolutions of legal process that require the lawyer to avoid asking leading questions and the like. It is upon his cross-examination, however, that his distaste for the legal system becomes truly palpable. The defence lawyer, Goudy, takes him through his testimony carefully, first asking how many men Cogburn has shot in his four years as a US Marshal, "restrict[ing] it to killed so that we may have a manageable figure" (Coens *True*); Rooster initially guesses "12 or 15", and then, when the defence lawyer expresses astonishment that he has shot so many men he cannot keep track of them, admits that with his most recent killings of the two other Whartons the number is 23. The near-two dozen men Rooster has killed as a US Marshal, along with the contempt he expresses for the institutional machinery of law and justice, reveal to us two things (apart from Rooster being a serial killer, of course): one, that Rooster is representative and sees himself as representative of a kind of pure authority capable of acting and executing decisively and correctly in the service of a necessary justice; and two, that the institution of law is ultimately incapable of doing so itself. These two interrelated connotations are near-universal tropes of the Western: the institution of law is continually represented as ineffective, impotent, or outright corrupt, or some combination thereof, while the Western hero, the one possessed of true grit, is the one capable of administering true justice by any means he sees fit. The scene ends with Goudy

catching Rooster in an apparent inaccuracy in his story; he says that he confronted Aaron Wharton, patriarch of the clan, who, initially standing next to a campfire, commenced to threatening him with an axe, advancing forward twenty feet or so. After retreating the same distance while repeating warnings, Rooster was forced to shoot. The defence lawyer reveals that, if Aaron Wharton was advancing towards Rooster with an axe, it would have been impossible for his body to be found where it was: next to the campfire with one arm having actually fallen into it. The implication is thus that Rooster began shooting immediately, giving the Whartons no chance to surrender. It remains unclear, then, exactly what happened to Rooster's partner Potter, who was mortally wounded in the shooting: whether he was shot by one of the Whartons, prompting and justifying Rooster's deadly return fire, or whether Rooster himself initiated the firefight and thereby indirectly caused Potter's death by failing to seek a nonviolent alternative. In any case, the issues of whether or not Rooster committed an extrajudicial execution and whether or not his actions led to Potter's death are immaterial: what is significant is the total undecidability of the two, for in this we see another form of the present absence characterizing Rooster's association with the foundation of authority.

Homo Homini Lupus: Law and the Frontier

One of the most revelatory insights of Agamben's in *Homo Sacer* with respect to considering the role of law in the Western is to be found in his argument regarding the notion of the state of nature, the pre-societal, pre-legal, and pre-symbolic chaos presumed to have afflicted humanity before the foundation of civilization—and the condition to which humans are assumed to return should they be taken out of civilization, or

civilization destroyed. Agamben finds that this notion has, paradoxically, nothing to do with the absence of law and everything to do with its foundation. As we have seen, Agamben argues that the sovereign, who is ultimately the source of legal authority, "is the point of indistinction between violence and law, the threshold on which violence passes over into law and law passes over into violence" (32). Sovereignty, that is, is both the foundation of law and radically external to it, and "thus presents itself as an incorporation of the state of nature in society" (35). This paradox leads Agamben to conclude: "*The state of nature is therefore not truly external to nomos but rather contains its virtuality*. The state of nature . . . is the being-in-potentiality of the law, the law's self-presupposition as 'natural law.' . . . [It does not] necessarily have to be conceived as a real epoch, *but rather [can] be understood as a principle internal to the State revealed in the moment in which the State is considered 'as if it were dissolved'*" (35-36, my emphasis). Is this not a more accurate description of the situation in *True Grit* than the typical conception of the Western as depicting the moment or process of transition from the chaos of lawless nature to the order of legally structured society? That is, in *True Grit* we move from the world of civilization to the world of nature, from Fort Smith across the Arkansas River to Indian Territory, and in this movement we see not the opposition of two discrete and opposed realms but the fantasy of the dissolution of the State. Rooster is not the force that founds authority and order, that forces the state of nature and those who dwell within it to accede to some kind of Hobbesian social contract: he represents the state of nature as a principle internal to law and society precisely insofar as those qualities which define him as gritty serve as the necessary features of one who is capable of existing under conditions in which the State is absent. The state of nature is thus the fantastic supplement to the State, to sovereignty, and

to the law: it is the imaginary scenario in which a world governed by law is deprived of that law, not the raw material out of which a world of law is wrested. *True Grit*—indeed, the Western at large—is simply one expression of this imaginary scenario.

That *True Grit* depends upon such a notion of the state of nature is quickly discerned the moment we learn that Chaney has fled the long arm of the law to the Indian Territory, which is figured in the film as completely lawless and which thereby functions symbolically and mythologically as a Frontier space. The paradox unsettling this designation, however, is that Indian Territory is an entirely legal creation: it is not external to the law but effectively nothing but the law. What is now the state of Oklahoma was formed out of two territories themselves created by the Indian Removal Act of 1830: Indian Territory and Oklahoma Territory.[12] This act was created for the purpose of ethnically cleansing Native American tribes from the American Southeast, dispossessing them of their lands so that they could be appropriated by white settlers. The forced removal of the Cherokee, Chickasaw, Creek, Choctaw, and Seminole tribes (collectively known as the Five Civilized Tribes) was mercilessly enforced beginning in 1832 by a commission headed by former North Carolina governor Montfort Stokes (McReynolds et al 91). The army was used to effect the removal, with many people literally having to drop everything and leave immediately: "Women left meals cooking over their fireplaces; men dropped their plows in the furrows; children left and forgot their toys as they were hurried out on the dirt roads that already streamed with refugees" (92-93). Moreover, this genocidal program, which took place over a span of roughly six years, ending in 1838

[12] To be more precise, Oklahoma Territory, in the west of what would become the state, was a patchwork of territories granted to a variety of tribes relocated to the area, as well as tracts of land never assigned to any people. Indian Territory, making up the east (and where the action of *True Grit* takes place), was a larger and consistently defined area that maintained its cohesion until statehood.

(though it persisted to a much lesser degree until 1842), was often carried out with no logistical planning or support, with the result that thousands died en route; more died upon arrival, for they had few supplies and had to create their own shelter. While exact numbers are difficult to determine, it is estimated "that one-fourth of the Cherokee Nation died on the way from Georgia to the new Cherokee Nation" (93). Over the next several decades, as white settlement in the area increased exponentially, the lands to which the tribes had been located was encroached upon more and more—this despite the assurance they had been given that they "should stay on their lands as long as the grass should grow and the waters run" (93). These encroachments were formalized by the federal government in 1889 with a series of land runs, which first opened up what were known as the Unassigned Lands in the center of the Territories to settlement, and then began, over the following decade, to allow settlement on various parts of Oklahoma Territory, such that by 1904 it had been almost entirely opened to white settlement. Two years later, President Roosevelt signed the bill to form the state of Oklahoma out of both territories. This was partly necessary because of the constant influx of squatters onto Indian Territory, which had never been opened up for settlement. With this, Oklahoma became the last area of what made up the Louisiana Purchase to become formally incorporated into the United States, and all non-citizen residents of Indian Territory who accepted the allotment of the land into the state were granted American citizenship.

What is evident from this history is that the definition of an important part of the Frontier was from its beginning a legal one, arising from an act of Congress. Moreover, its perceived lawlessness was precisely the result of it being excluded from the law of the United States. One is tempted to assert that the Indian Territory of *True Grit* is merely an

exceptional version of the Frontier, and that the paradox it represents is atypical with respect to the relationship between the Western and the Frontier. Yet is Indian Territory not precisely an example of Agamben's notion of the state of nature? That is, Indian Territory is not external to the law but is rather a thoroughly legal entity. Within its bounds, however, law is suspended, producing the state of nature as that which emerges through the law's suspension of itself. Moreover, its inhabitants, while forced by law to reside there, were not themselves citizens of the United States; the tribal councils of each of the Five Civilized Tribes could make and enforce their own laws, but these had no force outside Indian Territory, nor did they apply to US citizens who entered the Territory illegally. We can thus say that Indian Territory is not representative of what exists, naturally, prior to the establishment of law and of civilization—it is a necessary function of law itself. Westerns are typically understood as depicting the scene of the foundation or conservation of law, of individuals moving through the chaotic space of radical potentiality that is the Frontier and shaping its dross brutality into a human world governed by right and the rule of law. Indeed, as Agamben suggestively observes, "[Carl] Schmitt shows how the link between localization and ordering constitutive of the *nomos* of the earth always implies a zone that is excluded from law and that takes the shape of a 'free and juridically empty space' . . . . In the classical epoch of the *ius publicum Europaeum*, this zone corresponded to the New World, which was identified with the state of nature in which everything is possible" (36). In *True Grit* this zone is the Indian Territory, included in law by virtue of its exclusion from it as a region of pure potentiality and lawlessness. Moreover, as Agamben's exegesis of Schmitt implies, the New World—that is, the Frontier—is not, in an ontological and political sense, antecedent to the United States. This is to say that the Frontier did not await

the coming of the United States: the latter always-already situated it as such. It is in this sense that Turner's Frontier Thesis is accurate: the Frontier does indeed define and direct the history of the United States, but as a principle necessary to the foundation and the conservation of it as sovereign State rather than as a physical environment and resource. Following Agamben, insofar as the state of exception designates the paradoxical core of the coherent legal and political order of the State, it manifests in the United States as the Frontier: "The state of nature and the state of exception are nothing but two sides of a single topological process in which what was presupposed as external (the state of nature) now reappears . . . in the inside (as state of exception), and the sovereign power is this very impossibility of distinguishing between outside and inside, nature and exception, *physis* and *nomos*" (37).

That Indian Territory clearly functions as a Frontier space in *True Grit* is communicated by our first encounter with it when Mattie crosses the Arkansas River into the Territory in pursuit of Cogburn and LaBoeuf, who have teamed up and decided to leave her behind. Mattie, whose horse is being led back to town by the river ferry operator, brains him with an apple (a move that foreshadows Chaney's attack on LaBoeuf during the film's climax) and rides at full speed into the river. As Cogburn and LaBoeuf watch, she crosses the river holding onto Little Blackie's saddle, her head barely staying above water. Once across, she angrily demands to accompany the two men in their pursuit of Chaney. LaBoeuf refuses and commences to spanking her, but Cogburn puts a stop to this by drawing his gun on LaBoeuf; it is evident that in crossing the river, Mattie has demonstrated (to Cogburn at least) that she has the requisite grit for the journey. Her swimming of the river thus has obvious symbolic overtones. While she demonstrates great

tenacity and command of language (and, very often, specifically *legal* language) in Fort Smith these attributes belong to society, to the world of law denigrated at the beginning of the film, and therefore have no necessary force outside society. By crossing the river Mattie has symbolically cleansed herself of the taint of civilization; she has been reborn in the wilderness as an authentically self-reliant and autonomous individual. This process of renewal and rebirth begun by her traversal of the Arkansas continues as Mattie and Cogburn travel around the Territory trying to find clues of Chaney's whereabouts, and reaches its apogee with the definitively rejuvenatory moment of Mattie's killing of Chaney and her deliverance from death by Rooster. Yet those who would suggest that any version of *True Grit*—but in particular the Coens' version—is undertaking a critique of the conventions and ideological assumptions of the Western must contend with the fact that the history of the Oklahoman Frontier as a creation of law is completely occluded. While Mattie subverts many of the conventions structuring the protagonist of the Western the fundamental structure of the genre is left intact; the Frontier continues to function as a magical place divorced from reality in which personal transformation can take place. What is more, the reality from which *True Grit*'s Frontier is divorced is one that is of crucial importance to the history of not only the American West but that of the United States as a whole, given that a vast proportion of Native Americans east of the Mississippi were relocated there, ethnically cleansing the land for unimpeded white settlement. Ultimately, then, what the narrative of the Western relies upon in its idealization of the autonomous individual undergoing personal rejuvenation and transformation in the lawless space of the Frontier is a disavowed substrate of legality: the lawlessness of the Western is contingent upon an *a priori* law. Furthermore, this pre-existing law can be disavowed

because those over whom it exerts its force—Native Americans—are figured as fundamentally outside the law. Through a kind of chiasmatic inversion, the creation of law that is the Frontier functions ideologically as a lawless space because it is in force as law only with respect to those inclusively excluded by the law. This exclusion is utterly fundamental to the Western, yet is utterly disavowed at the same time—even if it seems at first glance that the figure of the Native American must be included within the Western for it to be identified as such. Rather, the Native American can only be included in the Western as that which is absolutely foreign to it, and this gesture of displacement, hidden as it is by the ostensible visibility of the Native American, constitutes the ideological core of the genre. To be sure, this displacement is profoundly violent, and yet what defines this violence is precisely the fact that it does not appear as such. The violence that on the contrary *does* appear everywhere in Westerns serves as the actualization of the genre's fantasy of autarchic individuality, and it does so through the ritualistic, cinematic stylings of the shootout.

Faciality and the Shootout

The shootout is one of the Western's most recognizable scenes. Two men armed with pistols face one another on a dusty street in an anonymous Western town. Suddenly, both draw their pistols and fire; one man collapses dead into the dirt. This basic scenario is repeated again and again across decades of film in highly varied iterations. What all reduce to, however, is a fight, typically to the death, with guns, a fight that is itself oriented along an ethical axis—that is, invariably one of the duelists is good, and the other evil (at least insofar as both relate to the internal moral economy of the narrative). Whatever the

medium, one of the ways one can identify a Western is thus the presence of a gunfight—which isn't, of course, to say that all narratives involving gunfights are Westerns. This said, the Western has undeniably exerted an influence on the generalized trope of the gunfight within cinema—a gunfight in, say, an urban crime film owes a debt, however occluded, to the gunfight as codified in the Western.

There is, however, another invariant if obscure element specific to the cinematic shootout, one only apparent, however, in negative fashion. I refer to the problem of shooting a shootout. In order to fulfill the demands of the genre, a gunfight requires a certain distance to take place. It cannot simply be a quick, point-blank affair—and if it is, it is the exception whose violation of the norm serves to reinforce the regular convention in direct proportion to the degree to which it deviates from the norm. Simply put, then, the physical distance between shooters a shootout requires prevents a director from including both in the frame with anything other than a long shot. The long shot obviously seems undesirable because it distances the viewer from the action, thereby enervating the dramatic tension of the scene. In order to get around this problem, shootouts typically turn to alternating shots of close-ups of the shooters' faces (a technique known as cross-cutting), a solution which not only preserves dramatic tension but heightens it considerably because it implies that the viewer is directly participating in the shootout.[13] The greatest directors of Westerns have, of course, taken this constraint as the grounds for great thematic and symbolic possibilities. For example, John Ford, in *The Man Who Shot Liberty Valance*, creates a formal and thematic resonance by using cross-cuts in the final

[13] *The Great Train Robbery*, one of the most notable early Westerns, helped to institute this convention with its famous final shot, a close-up in which the leader of the bandits fires his pistol point-blank at the screen. Interestingly, it is also noted for utilizing the cross-cut, which was at the time a new and sophisticated technique.

showdown between Ranse Stoddard and Liberty Valance and then switching to a long shot from Tom Doniphon's perspective when the true sequence of events is revealed—that it was Tom, firing from the shadows, and not Ranse who had actually killed Liberty. The convention of cross-cut shootouts is thereby explicitly associated by Ford with the mythologizing process that elevates the Western over the historical reality of the West, that transforms legend into fact.

The Coens follow the convention of cross-cut shootouts for the climax of *True Grit*, which in fact features two gunfights—that between Rooster and the Pepper gang, and that between Mattie and Tom Chaney. The latter, of course, is not truly a shootout, for Chaney is unarmed, but it does follow the conventions of a shootout in cross-cutting between close-ups of Mattie and Chaney. Rooster's shootout is similarly unique, in that it depicts a one-on-four shootout, rapidly cross-cutting between Rooster and each member of the Pepper gang (two of whom he kills, one of whom escapes, and one of whom—Pepper—he wounds severely, though not enough to stop Pepper from nearly killing him after his horse falls on him) over the course of its duration. What, if anything, do these two gunfights reveal about the gunfight as a convention of the Western? And how do they function particularly within the Coens' film? As we have seen, the shootout invariably involves a focus on the faces of the parties involved. What is significant about this trope of the face, this emphasis on what we can, following Deleuze and Guattari, term faciality—especially given the curious resonance between the implication of turning in the mechanics of the cross-cut and the etymology of trope?

Judith Butler notes the centrality of the trope of "turning" in theories and critiques of the relationship between the subject and the external power which constitutes it as

such: “The form this power takes is relentlessly marked by a figure of turning, a turning back upon oneself or even a turning *on* oneself . . . . [T]he turn appears to function as a tropological inauguration of the subject, a founding moment whose ontological status remains permanently uncertain” (3-4, her emphasis). We clearly see such a figure of turning in the scene of interpellation staged by Althusser in his critique of ideology, for example, when the individual interpellated as a subject by the hailing of the police officer *turns* to face the latter when he hails. To adapt a phrase from Butler, both the turning *and* the trope of turning constitute “rituals of Cartesianism” (122)—that is, the Pascalian repetitions whose enactment are coextensive with the formation of the subject that enacts them. In the shootout scene of the Western we see precisely such a ritual of Cartesianism: the implicit turning of the camera as it cross-cuts between close-ups of the dueling gunmen subjecitifies them through the focus of the camera on their faces. “The close-up in film,” observe Deleuze and Guattari, “treats the face primarily as a landscape; that is the definition of film, black hole and white wall, screen and camera” (172). This image of the white wall and black hole describes the “very special mechanism . . . situated at [the] intersection” of “two [semiotic] axes, signifiance and subjectification” (167), where, as Brian Massumi describes, signifiance refers to “the syntagmatic . . . processes of language as a ‘signifying regime of signs’” (xviii). Subjectification thus refers to the process by which subjects are formed or by which objects are presumed to be subjects. Both terms point to the aporia upon which the signifier and the subject respectively depend for their consistency: there is no signifier without there first being a screen of asignification upon which signifying can take place, just as there is no subject without there first being a radically Other void within subjectivity. Deleuze and Guattari thus tacitly aver that

language and subjectivity are inextricably intertwined; what distinguishes their position from a Lacanian one, however, is what the interplay of the white wall of signifiance and the black hole of subjectification produces: faciality. For Deleuze and Guattari, "The head, even the human head, is not necessarily a face. The face is produced only when the head ceases to be a part of the body, when it ceases to be coded by the body . . . when the body, head included, has been decoded and has to be *overcoded* by something we shall call the Face" (170, their emphasis). Faciality is thus a means of organizing not only the corporeality of the body, but also the subject and the language upon which the subject depends—to use Deleuzo-Guattarian terms, faciality at once deterritorializes the subject (frees it from existing regimes of signs) and reterritorializes it (subjects it to a new regime of signs). In short, then, we might say that faciality is akin to one of Butler's rituals of Cartesianism.

The filmic Western, then, depends on such a reterritorialization by the Face, by this signifying/subjectifying feature that transposes itself on and overcodes not only the bodies of the film's actors but also the landscape in which the action of the film takes place. One of the salient means by which this overcoding is expressed and imposed is the cinematography of the shootout. As Flaxman and Oxman note, "While the cinema may not be the inaugural event of faciality . . . [it is] the paradigmatic moment and medium of this eventuality. For Deleuze and Guattari, the close-up is tantamount to the abstract machine of faciality, so much so that they will suggest that the face itself is a close-up 'avant le cinema', whereas the literal cinematic close-up . . . is always facialized (48). The practical necessity of close-ups in the shootout is thus secondary to the function of the shootout as an expression of faciality, and the emphasis and dependence of the Western

upon the facialized shootout is itself reflective of the genre's central fantasy of the autonomous subject.

True Grit is fully committed to this fantasy; both Mattie and Rooster respond to a need literally to enact the etymology of autonomy and create the laws that each sees the world as lacking. The narrative of the film essentially reduces to a series of these Cartesian rituals. Similarly, at a formal level the close-up of the face becomes a salient means of enacting and re-enacting the fantasy of subjectivity. As we have already seen, one of the first images of the film is a close-up of Mattie's face framed by the window of the train she is riding into Fort Smith, thereby inaugurating our sense of her as an autonomous subject. Our argument averred this scene to be reflective of the border the Coens continually erect between the world of civilization and the world of nature, a boundary traversed effortlessly by Rooster Cogburn because he represents nature as the diavowed core of civilization. Yet Rooster is not simply pure nature; as we saw, he is the zone of indistinction between nature and civilization, a status succinctly conveyed by his avian cognomen. This status is further reinforced, however, by his face: is not the iconic black eye patch he wears upon his white face a clear expression of the abstract machine of faciality described by Deleuze and Guattari? They describe the basic figure of faciality as a "broad face with white cheeks, a chalk face with eyes cut in for a black hole" (167) which we cannot but see resonate with the tanned, weathered, but fundamentally and definitively white face of Rooster with its black hole of an eye patch. Moreover, we also see this machine at work in the visage of Tom Chaney, which bears upon it a black mark from his time "in Louisiana when a man shot a pistol in his face and the powder got under the skin" (Portis 25). That both Chaney and Rooster are such literal embodiments of faciality is not surprising given

that very little ultimately differentiates the two; one is a bandit, the other effectively a sovereign, and the black hole of subjectivity they share upon their faces is indicative of the zone of indistinction that captures them. Indeed, Mattie's desire to avenge her father's murder sees her adopt (and be adopted in turn by) a surrogate father whose black eye patch mirrors the black mark of her father's killer, and both of these marks reflect the one left on Frank Ross' face by Chaney when he "raised his rifle and shot him in the forehead, killing him instantly" (Portis 16). The head wound Chaney inflicts on LaBoeuf with a rock prior to the climactic shootout is also perhaps subtly evocative of this series of markings on the faces of real or surrogate fathers in the film. What all of this confirms is the fundamental disposition of the film's characters by the face. Faciality is one of *True Grit*'s primary organizing codes, as it is of the Western in general, and is the means by which the fantasy of the autonomous individual is articulated. The back and forth cross-cutting of close-ups of Mattie and Chaney in their shootout results in Mattie's assertion of autonomous subjectivity through her successful operation and firing of the phallus that is LaBoeuf's Sharps rifle. That this results, however, in Mattie's plunge into the snake pit behind her does not negate this autonomy. We need only recognize that the pit she falls into is homologous with the Deleuzo-Guattarian black hole of subjectivity, and specifically to the second figure of faciality, "the maritime subjective passional authoritarian face (*the desert can also be a sea of land*)" (184, my emphasis), in which "the white wall has unravelled, becoming a silver thread moving toward the black hole" (183). Indeed, it is by the silver line of the rope Rooster throws done into the cave that Mattie's salvation is effected. Mattie's ostensible failure to maintain control of the power of the gun/phallus and hence her subjectivity is thus revealed to be the constitutive moment of

subjectivization; her fall into the pit is a fall into subjectivity. This movement is correlative to the gesture of turning that constitutes the interpellated subject, in that both demonstrate their successful operation to be dependent upon failure: "To persist in one's being means to be given over from the start to social terms that are never fully one's own . . . . In this sense, interpellation works by failing, that is, it institutes its subject as an agent precisely to the extent that it fails to determine such a subject exhaustively in time" (Butler 197). In the case of *True Grit* we see this failure of interpellation repeatedly manifested through the figure of faciality, such that the faces of its characters serve as the support upon which our belief in the depth and richness of their inner lives (that is, their subjectivity) is sustained. Rooster's eyepatch, and Chaney's black mark, are metonyms of this faciality; each in its turn "condenses the impossible-deadly Thing" that is the inhumanity and overdetermining alienation of the face, "serving as its stand-in and thus enabling us to entertain a livable relationship with it without being swallowed by it" (Žižek *Ticklish* 345), as Mattie is swallowed by the black hole of the snake pit (which is itself of course analogous to Rooster's eye patch and Chaney's mark).

Rooster's shootout with the Pepper gang is less charged with such foregrounded rituals of Cartesianism than Mattie's showdown with Chaney. Nevertheless, as a shootout involving the formal repetition of shots structured by the face, it is intensely involved in propagating the fantasy of subjectivity in the film, with a particular focus on the political dimension of subjectivity. Agamben writes: "*Not simple natural life, but life exposed to death (bare life or sacred life) is the originary political element*" (88, his emphasis), and the shootout between Rooster and the Pepper gang dramatizes this originary element through the organization of the scene by faciality. The shootout as it appeared in Hathaway's film

has since become iconic, as has the defiant challenge to the Pepper gang with which Rooster commences the gunfight. The Coens make few substantial changes to the scene, and in both versions, the focus is on the camera's quick shuttling between close-ups of Rooster and the individual members of the gang as they exchange gunfire. The shootout begins with a long, panoramic shot of an open field, on opposite sides of which are arranged the four members of the Pepper gang and Rooster. Lucky Ned Pepper asks Rooster if he will give them the road given that he has upheld their agreement and left Mattie safe, yet Rooster is implacable: as we learn earlier in the film, Ned Pepper earned his sobriquet by repeatedly avoiding Rooster's attempts to capture and/or kill him, and Rooster accordingly avows, "I mean to kill you in one minute, Ned, or see you hanged in Fort Smith at Judge Parker's convenience" (Coens *True*). Pepper tells Rooster he thinks this "bold talk for a one-eyed fat man," a taunt that prompts Rooster's famous response, "Fill your hand you son of a bitch!" (Coens *True*). Charging his horse towards the Pepper gang, Rooster holds the reins of his horse in his teeth and draws both of the large Navy revolvers from his saddle holsters. What follows is an intricate interplay of crosscuts between Rooster and individual members of the Pepper gang as they race towards one another exchanging fire, interspersed with the same long, panoramic shot that began the scene from the vantage point of Mattie and LaBoeuf. Most of the crosscuts are of medium shots, and once the fight is truly joined are primarily devoted to showing Rooster shooting the Pepper gang. The first to die is Farrell: in rapid succession we see a medium shot of Rooster aiming, a crosscut to a medium shot of Farrell riding his horse and making one of his animal noises (it appears to be a rooster crow), another crosscut to a medium shot of Rooster firing, and finally a crosscut back to a medium shot of Farrell being shot in the

chest. This quartet of shots more or less repeats itself for each member of the gang individually (save for the doctor, who escapes by sheltering his body on the side of his galloping horse opposite Rooster), and ends with Rooster shooting Ned repeatedly as Ned shoots Rooster's horse out from under him. While the shootout is not as singularly focused on the face as the gunfights of Leone's Westerns (for example, the shootout that opens *Once Upon the Time in the West* or the final shootout of *The Good, the Bad, and the Ugly*), it participates in a similar formal repetition of the camera's gaze turning quickly between the individual participants in the fight. What makes the cinematography of the shootout in *True Grit* particularly interesting is the long shot from Mattie and LaBoeuf's perspective that follows Rooster's killing of Ferrell: this shot effectively stages the logistical problem inherent in filming a shootout in that it literally demonstrates the distance needed to fit all the participants in the frame. From this distance Mattie and LaBoeuf become stand-ins for an audience frustrated by its inability to tell exactly what's going on or to affect the action unfolding in the distance: tellingly, Mattie urges LaBoeuf to shoot one of the gang members with his Sharps rifle, which he cannot accomplish, responding, "Too far. Moving too fast" (Coens *True*). The implication, then, is that the successful shooting of a shootout necessitates a cinematography of crosscut closeups; without this technique, it is impossible to participate in (read: gaze upon) the action because it is too far and too fast.

This meta-cinematic moment is significant in two, interrelated ways: first, insofar as it is an instance of self-reflexivity in which the audience sees itself in the film, it is an example of the trope of turning identified by Butler in the operation of interpellation. It thus explicitly enacts a process always implicitly at work in the shootout, wherein the consistency of the viewing subject hinges upon a turning back on itself as it shuttles

between the perspectives of the duelists: in effect, the viewer repetitively enacts the call and recognition of the call that constitutes interpellation. Yet what is perhaps more significant than this staging of the interpellative scene is the logic of necessity that undergirds the staging itself. In order that we can disavow our position as passive viewers of the action on the screen it is necessary for a cinematography of faciality to be employed. I submit that it is here that the political dimension of such a cinematography reveals itself. Throughout *True Grit* the constant clamour of the theme of necessity is heard, and it is in the necessary demands of the shootout that this theme finds its formal corollary. Another name for the necessary is, of course, the exceptional, in that what the exception demands is an unequivocally necessary response: the state of exception, that is, is not external to the law but rather its internal limit and disavowed foundation.

Ultimately, this is what defines the narrative of *True Grit*: it is a story about the origins of law, about the necessity that demands and defines the violence which at once founds and contravenes any legal order. It is this necessity that drives Rooster and insists he capture Ned Pepper dead or alive, and likewise demands that the members of Ned's gang (whom Rooster has no interest in) try to kill Rooster. *True Grit*'s self-reflexive avowal of the formal demands of shooting a shootout thus mirrors the film's staging of the dialectical organization of the political order: "At the two extreme limits of the order, the sovereign and *homo sacer* present two symmetrical figures that have the same structure and are correlative: the sovereign is the one with respect to whom all men are potentially *homines sacri*, and *homo sacer* is the one with respect to whom all men act as sovereigns" (Agamben 84). Rooster Cogburn is just such a sovereign, for he exerts what is effectively absolute power over the deaths of all others. We can see in this a direct connection to the

contemporary political scene of the United States, in that the logic of necessity continually structuring the moral calculus of the Coens' film is the same as that determining the juridical transformations produced by the two different administrations that have presided over the post-9/11 United States. In State of Exception, Agamben notes the significance of "the . . . order issued by [President Bush] on November 13, 2001, which authorized the 'indefinite detention' and trial by 'military commissions' . . . of noncitizens suspected of involvement in terrorist activities" (3). The exceptional circumstances of incipient terrorist attack necessitated this order; these same circumstances have now necessitated the public list of Americans explicitly targeted for killing by the US government. This is the logic of the Western: the hero restrains himself from acting until action is an unavoidable necessity. The exception authorizes itself, and thereby reveals itself as the unfounded foundation of non-exceptional law. *True Grit*, then, gives us the ostensible form of authority being ridiculed and subverted at the same time that it reconfirms the inexorable necessity of that authority's imposition; indeed, it is in the subversion of authority that authority's force is most acutely expressed.

CHAPTER 3

The Evening Lands of Cormac McCarthy

An essential point of comparison between Cormac McCarthy's novels *Blood Meridian* and *No Country for Old Men* is the prominence in both of the theme and figure of law. This similarity is reflective of a broader array of shared characteristics: both novels are set in the southwestern United States and Mexico, and effectively bookend what is currently termed McCarthy's Western period; both are, if not Westerns per se, then heavily invested in the self-reflexive articulation and representation of salient features of the Western genre; as a kind of necessary subsidiary function of this mutual deployment of the Western, both are suffused with indelibly masculinized representations of graphic violence; and both feature as what we must provisionally and uncertainly identify as antagonist a version of what the latter's Llewelyn Moss calls "the ultimate bad-ass" (*No Country* 153).[1] These commonalities aside, the basic contention of this chapter is that a deeply shared connection between the two novels is a concern with the law—with the nature of the law and its origin as well as the effect of law upon American culture and identity in particular and the unfolding experience of modernity in general (which is not to say that either novel is necessarily modernist in its aesthetics or ethos). As my previous chapters have demonstrated, this is a concern that is more broadly shared by the Western in its ideological function as a vehicle for the American national mythology of the Frontier. A definitive feature of the Western, that is, is the repeated return to scenes which stage and restage the imaginary moment of law's foundation. As texts of the American West and as

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[1] This figure also appears in nascent form in McCarthy's second novel, *Outer Dark*, with the leader of the homicidal trio who vaguely follow in the wake of Culla Holme's wanderings and who eventually murder the child born from his incestuous union with his sister Rinthee. I point this out in order to suggest that McCarthy's works cannot be so easily divided between a "Tennessee Period" and a "Western Period"—there are certain motifs that thread their way throughout his oeuvre.

what are in essence complicated versions of the Western, *Blood Meridian* and *No Country for Old Men* are thus intensely interested in representing this imaginary scene in a manner that I contend is, in contrast to the vast majority of contemporary Westerns, fundamentally self-reflexive. McCarthy's Westerns, in other words, represent and thematize law in order to demonstrate and explore how law is the fundamental ground upon which the Western takes place.[2]

Surprisingly, none of the considerable scholarship takes up this issue of the representation of law in McCarthy's work in any substantive way, though everywhere in the criticism one can see the spectre of law at work. Vereen Bell, whose *The Achievement of Cormac McCarthy* is the first major entry in the field of McCarthy studies, describes the "prevailing gothic and nihilistic mood of all of Cormac McCarthy's novels" (1) as furnishing these texts with an ontology of "no first principles, no foundational truth, Heraclitus without Logos" (9). It is curious that Bell uses the example of Heraclitus deprived of the core of his philosophy to characterize McCarthy, given that, as Steven Frye notes, quotations and paraphrases of Heraclitus appear in his novels: "In the notes that appear with the first draft manuscript of *Blood Meridian*, McCarthy includes a quote from . . . Heraclitus . . . . McCarthy then writes: 'Let the judge quote this in part and without crediting source'" (107). This marginalia eventually lead to the judge's infamous "War is god" (McCarthy *Blood* 249) monologue, which, as Frye discovers, essentially reproduces Heraclitus' 53rd fragment: "War is the father of all and king of all, who manifested some as gods and some as men, who made some slaves and some freemen" (DK 22B53). The

[2] While law is central to the Western, most examples of the genre are given over to representing law *as* central. McCarthy's Westerns are intensely concerned with the recursive representation of the *centrality of law in Westerns*. It may seem a small difference but it is absolutely crucial to an understanding of how McCarthy is intervening within the genre.

judge also plagiarizes Heraclitus' 59th fragment when he asks the kid at their final encounter: "The straight and the winding way are one and now that you are here what do the years count since last we two met together?" (McCarthy *Blood* 330).[3] While one could conclude from this reference that it was McCarthy's intention to parody or pervert a Heraclitean worldview by putting the philosopher's words in the mouth of the judge—that is, to give us Heraclitus without Logos—evidence suggests that the notion of Logos serves as a significant feature of his oeuvre's conceptual foundation, and also helps to further consolidate the thematic importance of law within his novels. For example, during the same conversation wherein he cites Fragment 59, the judge tells the kid in response to his assertion that a reason is not needed for a person to be in a particular place: "That's so . . . . They do not have to have a reason. But order is not set aside because of their indifference . . . . If it is so that they themselves have no reason and yet are indeed here must they not be here by reason of some other?" (328). In *No Country*, too, Chigurh seems to adhere to a Heraclitean view of the world: "All followed to this. The accounting is scrupulous. The shape is drawn. No line can be erased" (McCarthy *No Country* 259). And during a conversation between the kid and the ex-priest Tobin, the latter muses on God's presence in the world, conceiving of it as a voice that "speaks most profoundly in such beings as lives [sic] in silence themselves." This voice, he says, "No man is give leave of," but it becomes audible only "[w]hen it stops" and you realize "you've heard it all your life" (*Blood* 124). Tobin's description of a disembodied voice whose presence is paradoxically signaled by its absence seems a clear evocation of Heraclitus' conception of Logos:

[3] Fragment 59 reads, "The straight and the crooked path of the fuller's comb is one and the same" (DK 22B59).

> Of this Word's being forever do men prove to be uncomprehending, both before they hear and once they have heard it. For although all things happen according to this Word they are like the unexperienced experiencing words and deeds such as I explain when I distinguish each thing according to its nature and declare how it is. Other men are unaware of what they do when they are awake just as they are forgetful of what they do when they are asleep. (DK 22B1)

To paraphrase: Logos is a universal transcendent order governing the world that while accessible to human consciousness and rationality exceeds our capacity to comprehend it in its totality. While Logos is etymologically connected to law, it is not purely reducible to it; it represents a different kind of law or order than that denoted by nomos, which designates human laws and legal systems (and which are thus by definition contingent and non-universal). McCarthy's constant suggestions of this notion of a transcendent order that "contains complete within itself its own arrangement and history and finale" (McCarthy *Blood* 329) do not, however, connote the theme of humanity's endless quest to discover or experience Logos as such; nor does he lament the impossibility of this ever taking place, as Bell's interpretation would have it. Instead, his novels suggest that human understanding is predicated upon this impossibility: our capacity to differentiate, to assign particular value and meaning to things, and to conceive of the world as one governed by a discernible set of rationally ordered laws necessarily presupposes the existence of a Logos whose function is purely negative, rendering every attempt to match words to things a failure at the same time that it is what makes these attempts possible in the first place. *Pace* Bell, then, we might say that, for McCarthy, Heraclitus is *always* without Logos —the

notion of Logos is as such self-negating. McCarthy's fiction demonstrates an unwavering fidelity to this insight in its constant interest in the origin of value—which is to say its constant interest in the origin of the authority that renders determinations of value possible, that is, the origin of the authority from which legality descends. Discussing a scene in *Blood Meridian* in which a character shortens the ornately engraved barrels of a shotgun over the protests of a farrier (or gunsmith) who himself first refuses to make the alteration and then appeals to a "military authority" to stop it, Bell writes, "It finally dawns on [the farrier] that he is in the presence of something the law itself cannot manipulate" (117). What Bell fails to note is that this thing beyond the law is the law itself: any distinction between right and wrong is possible only by presuming the existence of something that exceeds this distinction and which is present only through its absence, through the impossibility of its being present.

It is my contention that McCarthy's fiction is devoted to exploring this paradox of the law. Very often it appears in his work through the representation of horrific, graphic violence, a feature for which many critics have attempted to discover an inherently reasonable ground and justification. Barcley Owens notes that scholars "are unanimous in reacting with initial shock and dismay" to the novel's "graphic argot of unmitigated, resonating violence" and the concomitant absence of any "progressive myth of good overcoming evil . . . [or of] courageous men taming the West for civilization" (7). According to Owens, two opposed "general critical camps" have emerged out of this reaction, composed of "those who agree with parts of Vereen Bell's 'nihilist' thesis and those who side with Edwin T. Arnold's defence of McCarthy as a moralist" (10)—a distinction which ultimately reduces to whether the violence in *Blood Meridian* is

gratuitous and excessive or functional and critical. It is here, I contend, that we can discern a major, if unacknowledged, trace of legality within McCarthy criticism, in that the bifurcation described by Owens is an ethical one concerned with the justness of violence in McCarthy's work. Owens' take on the state of McCarthy criticism is thus an incisive one, as is his insistence that "McCarthy himself has unswervingly directed our attention toward 'mindless' violence' throughout the text, and undue critical attempts to deflect it elsewhere . . . may very well cloud the initial shock of witnessing man's atavistic nature" (12). He is right that there is a definite negative tendency towards obfuscation in McCarthy scholarship; take, for example, Shaviro's rhapsodically arcane Deleuzoguattarian assertion that, in an expression of textualized nomadology, the scalphunters "trace a fractal path upon the surface of the earth" (113), and thereby allow the novel to "explode the American dream of manifest destiny, of racial domination and endless imperial expansion" (112). It is not clear what Shaviro means by "fractal paths", nor how such movements contribute to a critique of the American dream and its disavowed reliance upon racial violence and colonialism. Yet the shortcoming of Owens' critique of the criticism is that it effectively falls victim to the very problem it identifies: that is, its dependence on a notion of the inherent violence of "man's atavistic nature" apparently on display in *Blood Meridian* obfuscates the dependence of this violence on specific material conditions which have produced it. *Blood Meridian* is resolutely contextualizing, and the point of its attendance to the material conditions that give rise to particular events and actions is not to suggest that whatever the context, humanity is fundamentally and unchangingly violent. Rather, it is to insist that historical context always determines the abstract—in other words, that we can conceive of the universal only

through the particular. We can say that humanity is universally violent only within a particular worldview that establishes the contours of this violence in advance, recalling Žižek's distinction between the subjective violence "performed by a clearly identifiable agent" and the objective violence "that sustains our very efforts to fight violence and to promote tolerance" (*Violence* 1).

The enormous degree to which *Blood Meridian* is informed by precisely such material conditions—that is, by historical fact—has been well-attested by scholars, most notably in John Sepich's *Notes on Blood Meridian*, an excellent, exhaustive compilation of the considerable body of historical sources upon which McCarthy drew in the writing of the novel. Sepich intends his study to showcase "both McCarthy's devotion to historical authenticity and the audacity with which he tailors sources to his own ends" (*Notes* 3). Elsewhere Sepich writes: "a glance at the historical record from which McCarthy draws for settings and characters in *Blood Meridian* can provide context needed for a reader's appreciation of the novel" ("What kind" 93) and that if this "historical base is overlooked McCarthy's novel might appear as nothing more than three hundred pages of circumstantial evidence (all gory) to assert Judge Holden's claim of war's dominance as a metaphor in the lives of men" (110). While it is certainly correct for Sepich to write against an impulse to reduce *Blood Meridian* to an exercise in nihilism or a spectacle of violence for violence's sake, his failure to theorize the function of history in the novel somewhat enervates the force of his argument, insofar as it neglects to think of history itself as possessed of a history—one both conceptual and political. Put another way, Sepich's oversight is essentially the same as that of the critics who dwell on the degree to which the violence in *Blood Meridian* can be justified: what *Blood Meridian* forces one to confront is

not, say, the violence of history, nor even the violence undergirding the very notion of history itself, but rather the objective violence and history which must be disavowed in order to identify things as violent or historical in the first place. Again, however, it is surprising that Sepich's comprehensive study does not take into account the centrality of law not only to the figurative, linguistic, and thematic landscape of *Blood Meridian*, but to the very issue of historical fact itself. History conceived as such depends upon a framework of implicit legality: what is admissible as historical fact is determined in advance by a presupposed set of value judgments which necessarily exclude other facts. It is a commonplace to say today that historical narrative is by its very nature exclusionary and that there can be no history capacious enough to convey the past in its totality: in part, what *Blood Meridian* does is to force a confrontation with the fact that certain historical facts are legitimated as such at the expense of others.

Accordingly, this preponderance of historicity in *Blood Meridian* has led most critics to conceive of the novel as undertaking a revisionist historical critique of both the American West and the genre of the Western, which has so strongly shaped the contours of the historical narrative defining this region and era. For example, Campbell describes *Blood Meridian* as "an excessive, revisionist, and contradictory narrative of the American West which both rewrites the myths and histories inherited from Frederick Jackson Turner and maintains and utilizes many of the Western archetypes familiar in this genre of writing" (217). Likewise, David Holloway describes the novel as in part making a "sustained assault on the notion of manifest destiny, a critique conducted in large part through McCarthy's deconstruction of the Turner thesis, where frontier space is defined in a binary collision of savagery and civilization" (193). Timothy Parrish offers an especially

nuanced analysis with his assertion that all of McCarthy's "Westerns are not revisionist histories in the way that term is normally understood. They accept violence as a condition of being alive and they are not simply (and easily) critiquing a cartoonish version of an exceptionalist American history" (71). Extending the scope of this reading to the related context of masculine identity as an effect of particular mythologizations of history, John Dudley argues McCarthy's fiction "offers a revisionary study of contemporary masculinity which simultaneously interrogates the narrative myths that provide his novels with their popular appeal and cultural resonance" (175). Looking at the masculine protagonists of each of McCarthy's novels, he avers, "Each contends with a masculine code that they perceive to be vanishing or devolving, but which might be more accurately understood as *inherently flawed or dangerously inadequate*" (177, my emphasis). Such a worldview recalls that of McMurtry's Westerns (both the *Lonesome Dove* series and the contemporary novels set in Texan oil country like *Horseman, Pass By*), in which the mythology of the West is demonstrated to be insufficient in relation to both its historical and present-day reality.

Such is certainly the case with McCarthy's *Border Trilogy*, particularly its first novel, *All the Pretty Horses*, whose protagonist, a 16-year-old cowboy and horse-breaker named John Grady Cole, abandons a rapidly modernizing Texas for the still vibrant ranchlands of Northern Mexico. It is a novel suffused with the nostalgic sentiment so characteristic of the Western. When one reads *All the Pretty Horses* against the last novel in the trilogy, *Cities of the Plain*, however, a different view begins to emerge, for *Cities of the Plain* effectively functions as the mirror image of *All the Pretty Horses*. Cole returns, older but still working what ranching jobs he can outside of Alamogordo, New Mexico. In part, *Cities of the Plain*

repeats the narrative events of *All the Pretty Horses*; Cole falls in love with a young Mexican girl, though instead of the teenaged daughter of a wealthy *hacendado*, she is a teenage prostitute. Likewise, Cole gets in a knife fight again, though this time with his lover's pimp, who cuts him to pieces and leaves him to bleed to death. One is tempted to say that this outcome merely doubles down on the premise of *All the Pretty Horses*: El Paso and Ciudad Juarez are modern-day Sodom and Gomorrah, the cities of the plain, and in the historical span between the two novels the purity of the American West has been debased beyond recognition. However, if we read *Cities of the Plain* back against *All the Pretty Horses*, palindrome-like, as if *Horses* were the reflection of *Cities*, a parallax shift of sorts is effected: the beautiful, pastoral landscape of the first novel *is revealed as identical to* that of the degraded world of the third.[4] This is the crux of McCarthy's revisionism: through the palindromic structure of *The Border Trilogy*, he demonstrates that the sentiments of nostalgia and authenticity which continue to make the Western such a vital cultural force are not simply secretly debased, but are paradoxically *expressed through that very debasement*. This is, as I have argued, the primary means by which McMurtry's novels preserve the core of the Western's ideological commitments: by figuring the conventions of the Western as ineffective, McMurtry paradoxically reinforces them in their efficacy. In McCarthy's fiction, however, I contend that this ideological resinscription is foreclosed: *Blood Meridian*, that is, does not revise the Western, revealing how the genre functions mythologically and ideologically, nor does *No Country* conduct a retrograde

[4] Christopher Lee Forbis notes that "mirror patterns, palindrome patterns, exist in remarkable number in *Blood Meridian*" and, accordingly, has documented a large quantity of them in that novel. Indeed, in his view *Blood Meridian* is itself a palindrome, one metonymized by the "perfectly-spliced hat" the judge has made in Chihuahua. While at first this seems a little far-fetched, Forbis is careful to point out that this central palindrome is found on "the novel's middle page." In any case, it seems safe to assume that if McCarthy employs palindromic patterns in one novel he might do so with a trilogy of them.

lamentation of the eclipsing of a pure, old world (and masculinity) by a new, savage, amoral one. McCarthy's novels rather present the Western purely, as a stable genre, and in so doing destabilize it: it is impossible to read *Blood Meridian* and to think that it is celebrating the Western and the colonialist doctrines of American Exceptionalism and Manifest Destiny of which the Western is the ideological vehicle, precisely because it shows the Western as being such a vessel in a completely unmediated way.

One of the chief ways McCarthy achieves this paradoxical destabilization of the Western through the stable assertion of its conventions is by foregrounding law and legality. Both *Blood Meridian* and *No Country for Old Men* possess immediately apparent figures of law: in the former, Judge Holden, and Sheriff Ed Tom Bell in the latter, both of whom repeatedly call attention to their relation to the law. Indeed, large parts of the sections of *No Country* narrated from Bell's perspective are given over to explicit meditations on the nature and purpose of law enforcement in the face of (what at least Bell sees as) the radically altering criminality represented by the drug cartels. For instance, at one point Bell recalls, "Here a while back they found a DC-4 over in Presidio County. Just settin out in the desert . . . . It was stripped to the walls . . . . Well the sheriff over there—and I wont say his name—he wanted to get set up and nail em when they come back for the plane and finally somebody told him that they wasnt nobody comin back" (*No Country* 217). To Bell this incident demonstrates his individual irrelevance as an officer of the law as well as that of the law in general; it's not that the cartels "have no respect for the law," it's that they "dont even think about the law. It dont seem to even concern em" (216). Comparably, in *Blood Meridian* the judge regularly uses legal terminology and treats interactions with gang members and others as hearings in a courtroom over which

he presides. The transnational settings of both novels is another prominent legal feature they hold in common, in that the traversal of the US-Mexico border undertaken by the Glanton gang, by Moss, and by the cartel operatives is a movement inherently defined and mediated by the law. Undergirding these more superficial, though still significant, references to legality, however, is a shared concern with critiquing how the law operates generically, and thus ideologically, to construct an image of subjectivity and of sovereignty that continues to exert a profound influence over American national, political, and social identity.

There is, however, a significant difference in how the two novels approach this concern with the law. In *No Country for Old Men*, the three main characters—Moss, Bell, and Chigurh—are connected by a link that is effectively legal in nature. When Moss discovers the aftermath of the shootout in the desert and takes the satchel of money he finds, he becomes an outlaw, and in thereby stepping outside law becomes a being for whom the law holds no protection. Bell, as law's representative, attempts to restore this protection, and in this attempt brings about Moss' death (thereby making him a distal cause of Moss' wife's death). At first glance, we might conclude logically that the hit man, Anton Chigurh, thus represents the outlaw as such, as one defined by a relation of absolute externality to the law, yet Chigurh seems more to represent the foundation of a new order that transcends the values of the one to which Bell and Moss cling. In short, then, *No Country for Old Men* is primarily concerned with the foundation and scope of law's legitimacy: whence does law derive its authority? And to whom does its authority apply, and how?

Blood Meridian, on the other hand, is at its core a confrontation with the racist structure of the Western as it is fundamentally determined by law. The novel's narrative, that is, is essentially the story of the legally sanctioned murder of Native Americans by the Glanton Gang, a group of largely white, American men contracted by the colonialist governments of Chihuahua and Sonora. While *Blood Meridian* is just as focused upon the origins of legal authority as *No Country*, its narrative reveals that this concern is crucially dependent upon the legalized, state-sponsored genocide of Native Americans. This is what makes *Blood Meridian* unique as a Western: it is not so much an anti-Western as it is the most naked expression of the Western as such. It fully embraces the violent racist fantasy that is the Western and in so doing brings it to light. In other words, it demonstrates that the Western is always a story of the violent subjugation of Native Americans by the colonists of North America, and at no point in *Blood Meridian* are we able to forget this. What *Blood Meridian* reveals is that the abstract concern with law and the foundation of legal authority characterizing the Western is what simultaneously gives body to and disavows the genre's intractably antagonistic and fantastic representation of Native Americans. The wildness of the Wild West, that is, is fundamentally dependent upon the disavowed stability and order provided by the legalized subjugation and eradication of Native Americans.

This feature of *Blood Meridian* makes it stand in stark contrast to both *Lonesome Dove* and *True Grit*. In the former Native Americans are present as part of the screen of the Frontier upon which Call, Gus, and the rest of the Hat Creek outfit play out the fantasy of the failure of Frontier mythology. They are, in short, utterly ideological in representation and function. Similarly, in *True Grit* Native Americans appear only incidentally; the fact

that it is in Indian Territory that the vast majority of the action of the film takes place is not acknowledged other than to situate Indian Territory as the "lawless" place necessary for the fantasy of law's founding to occur. Significantly, in the Coens' version of *True Grit*, those Native American characters who appear on screen either do not talk, or have their speech silenced; this seems more tokenism than substantive critique of the racist tendencies of the genre, however, insofar as the genocidal history of the film's setting are not brought to light whatsoever.

Blood Meridian and *No Country for Old Men* expose a particular problem of the representation and function of law in the Western as it relates to the regulation of pleasure. According to Foucault, this regulation plays a role in the operation of the subject's desire. He argues, for instance, in the first volume of *The History of Sexuality* that the injunction against deviant sexuality stereotypically associated with the Victorian age did not stymie pleasure but rather delineated its contours and possibilities: "Pleasure and power," he writes, "do not cancel or turn back against one another; they seek out, overlap, and reinforce one another" (48). Similarly, Žižek argues by way of Lacan that pleasure is simply impossible without its regulation by the symbolic authority of the Other when he writes of the "logical paradox of 'impediment', of universalized prohibition, brought about by the very absence of the Law/Prohibition" (*For They Know* 9). Indeed, for Žižek a particularly maddening feature of contemporary capitalist ideology is the repressive desublimation first identified by Marcuse, wherein pleasure "is liberated (or rather liberalized) in socially constructive forms" (Marcuse). Žižek sees in this ostensible freedom the much more pernicious, irresistible "injunction to enjoyment", wherein "Law is the agency of prohibition which regulates the distribution of enjoyment on the basis of a

common, shared renunciation . . . whereas superego marks a point at which *permitted* enjoyment . . . is reversed into *obligation* to enjoy" (*For They* 237, his emphasis). As I've previously shown, the Western is typically understood as offering an imaginative escape from social antagonisms fissuring the United States: class conflict, the history of slavery, the perceived feminization of society, the alienation endemic to various stages of capitalism, all find their resolution in the fantastic space of the American West which affords the individual the possibility of absolute autonomy. Paradoxically, however, if there is such total (if imaginative) freedom to be found in the Western, then would it not make desire impossible—would not the very pleasure ostensibly offered by the Western be foreclosed necessarily? That it is not, that Westerns appear today to continue to coordinate national, cultural, mythological, and aesthetic fantasies into a melange that is deeply resonant within the American imaginary, suggests that the pleasure produced by the Western is one that is paradoxically generated via the repetitive frustration of the genre's conventions. Put another way, the Western is a genre that idealizes a state of lawlessness: it is governed, generically speaking, by a law of no law. Through their foregrounding of law, both *Blood Meridian* and *No Country* express a preoccupation with the function of law in Westerns as it pertains to the ideological coordination and regulation of pleasure. Moreover, coming as each does during the cultural and political ascendancy of presidents (Ronald Reagan and George W. Bush) whose popular appeal was rooted to a significant degree in their performance of ideals of masculinity and individuality heavily indebted to the Western, it seems likely that McCarthy intended both of his novels as responses to the

cultural milieu which generated and was in turn shaped by these cowboy presidents.[5] Indeed, it is my hypothesis that McCarthy's Westerns make a more effective critique of the ideology of the Western than McMurtry or the Coens precisely because they uncover the reliance of this ideology upon its repeated failure. There is no point, in other words, in exposing the falsity of George W. Bush's performance as the protagonist of a Western when such falsity is *the very means by which the performance succeeds*. What McCarthy does is render explicit the link between such falsity and pleasure: there is no "pure" or "true" Western, for the truth of the Western—its capacity to generate and regulate pleasure, if you will—lies within its falsity.

The Significance of Law in McCarthy's Appalachian Novels

It is not only McCarthy's Westerns that belie an intense focus upon the nature of law and its intersectional suturing of nature, society, and the individual: his earlier, Appalachian novels are also rife with figures, scenes, tropes, and the thematization of law. Indeed, this feature, along with McCarthy's singular prose style and the overwhelming predominance of masculine characters in his fiction, is one of the most consistent of McCarthy's oeuvre; it is surprising that scholars have not taken note of it. *The Orchard Keeper*, *Outer Dark*, *Child of God*, *Suttree*—each of these novels expresses a complex and nuanced representation of law wherein it initially appears to function as a manifestation of

[5] The Obama presidency, as I've argued, similarly relies upon a notion of justice that suggestively resonates with that of the Western. Interestingly, McCarthy's most recent project, the screenplay for the Ridley Scott film *The Counselor*, is about an American lawyer working illegally with the Mexican cartels in the Mexican North and American Southwest. President Obama, of course, was a lawyer, and there is a long tradition of featuring lawyers in Westerns, from Rance Stoddard in *The Man Who Shot Liberty Valance* to William Blake in Jarmusch's *Dead Man*. Perhaps McCarthy is subtly continuing his exploration of the Western as it pertains to the prevailing cultural attitudes of contemporary America as they are refracted through the lens of the nation's political leadership.

the distorting, destructive effects of modernity. This first impression, however, is overcome by one that figures law not as a force unsettling the world, but rather as the expression of said world's constitutive disjuncture: the world is fundamentally out of joint, and the law is merely the concrete instantiation of this disconnect. *The Orchard Keeper*, McCarthy's first novel, is about the marginal figures of a rural Tennessee county. Of the three main characters, Marion Sylder is a bootlegger who is constantly in conflict with law enforcement, Arthur Ownby is an old man who violently resists any appearances of modernity within the mountains and valleys he calls home, and John Wesley Rattner is a young boy who is mentored by both Ownby and Sylder, helping the latter in his illicit activities. The bootlegger and the old man end up incarcerated, while the young boy, as a witness to the injustice which attends these imprisonments, ends the novel by utterly rejecting the violence and hypocrisy of society, casting himself out from it. What unites each character is his symbolization of the spectral remnant of the American pastoral: each embodies a telluric authenticity and individuality that has largely disappeared from the world in the face of the irresistible force of modernity. In Agamben's terms we might say each correlates to an iteration of bare life, of that which is included within politicized life by virtue of its exclusion from it, an exclusion that is the negative gesture by which political life is sustained as such. And yet McCarthy is not simply presenting a nostalgic eulogy for a pastoral idyll overcome by the pitiless march of history. That is, the carceral denouement of each character is not simply a situation in which a harmonious world is thrown out of joint by the intrusion of the external, senseless force of law: the world in the three protagonists lived and of which they were the representative was *already* disjointed. It is coherent as a setting only insofar as it is *a priori* inconsistent, characterized by a kind

of structural impossibility that is its constitutive feature. What McCarthy suggests is that it is not that we cannot return to a state of harmony and fulsomeness, it is that our ability to conceive of such a prelapsarian state is predicated upon its being impossible as such. The law does not distort the world, it gives body to the distortion that is our fundamental relation to the world.

This depiction of a world in which the law is not a distorting force but rather the expression of the constitutive disjuncture of the world is even more strongly conveyed in *Outer Dark*, McCarthy's second novel. While there are several explicit examples of legality in *Outer Dark*, its central premise suggests a preoccupation with a notion of natural law. Like *The Orchard Keeper*, there are three intertwined narratives in *Outer Dark*: one follows the wanderings of Culla Holme, who is in pursuit of his sister, Rinthy, whom he has impregnated. During his search for Rinthy, he also repeatedly attempts unsuccessfully to find work. At the beginning of the novel Rinthy gives birth and Culla abandons the child in the woods, where it is found and taken in by an itinerant tinker. Culla tells Rinthy that the child died, but she digs up the false grave Culla has dug for it and discovers his lie; she then wanders in pursuit of the tinker for the rest of the novel, which makes up the text's second narrative line. The third is composed of brief interludes in italics that depict a trio of men murdering people with whom Culla has previously come into contact during his journeys. The implication is that the men serve as a kind of nemesis to Culla, as Furies meting out an implacable justice in the wake of his presence, which seems to bring with it the taint of his crimes of incest and attempted infanticide. Even though he encounters them twice, they never attempt to hurt him; it is only those whom Culla has encountered that they kill, suggesting that they are not exactly analogous to mythic forces of vengeance

and justice, but rather serve as the concrete manifestation of the disruption that Culla has caused to the equilibrium of a natural law. This cycle of Culla wandering with the three men following murderous and aleatory in his wake culminates in the nameless leader of the trio killing Culla and Rinthy's son in front of him, an act, however, that does not restore balance to the world nor absolve Culla of his crime. It rather seems to strengthen our sense that the world of *Outer Dark* is predicated upon a fundamental instability and that Culla is the positive manifestation of this very instability.

Culla's function as the concretization of the world's constitutive disjuncture is further reinforced by the several scenes of legality in *Outer Dark*. At various times, Culla is chased by a posse for being a suspected grave robber (the trio are the actual guilty party), arrested for and convicted of trespassing in an abandoned house, for which he is sentenced to work for ten days at fifty cents a day (ironically, the only work he's able to get throughout the novel), and nearly lynched for having witnessed a man die during a hog stampede. What each of these incidents share is a sense of the law's utter arbitrariness, for it always seems to judge Culla guilty in advance, which seems a rather pointed commentary on the nature of law itself in terms of the injustice that necessarily lies at its heart. Moreover, this senselessness of the law further reinforces Culla's status as an outsider: he is always guilty because he occupies the position of bare life that functions as the zone of indeterminacy between legality and criminality. In other words, Culla is included in the communities through which he travels precisely by his exclusion from them; he is what gives body to the fundamental antagonism that sustains these communities and the legal order upon which they depend. The fact that it is often Culla who is blamed (or who likely will be blamed, as in the case of the lynched store owner)

for the crimes committed by the murderous trinity demonstrates the inverse affinity between the two: the three men are the sovereign to whom all others are *homines sacres*, while Culla is the *homo sacer* to whom all others are sovereigns. It is this antagonistic affinity which suggests McCarthy's proclivity for setting his novels in worlds that found legal and social order upon a fundamental disjuncture; what's more, it would seem that for McCarthy such worlds are representatives of our own. Culla is not so much a violation of natural law as he is the representation of a violation that is internal to any conception of natural law, a violation that finds its corollary in the leader of the trinity, whose authority founds law but is at the same time utterly inimical to it.

In *Child of God*, McCarthy's bleak third novel, we encounter one Lester Ballard, a backwoods serial killer of Appalachia whose necrophilia and tendency to skin and wear parts of his victims points to an inspiration in real-life serial killer, Ed Gein. Much of *Child of God* is given over to providing a history of Ballard's escalating levels of violence, a primary cause of which appears to be legal in nature. A vague etiology of Ballard's status as an outsider is provided throughout the novel by brief interstitial chapters in which anonymous members of his rural community reminisce about Ballard always having been an angry, unpleasant, and violent person. His status as such, however, is definitively concretized when he is dispossessed of his farm by John Greer, who uses the legal apparatus to enforce his acquisition of Ballard's land in an auction. And yet Ballard is not, like Culla Holme, an outsider who continually seeks to become part of a community; he continually and defiantly reaffirms his essential externality to society. During the auction of his property that opens the novel, Ballard, gun in hand, vulgarly demands that the auctioneer get off his property. "Watch your mouth, Lester. They's ladies present," the

auctioneer admonishes him. “I don’t give a fuck who’s present” (McCarthy *Child* 7), he replies. The auctioneer threatens him with arrest, pointing out the presence at the auction of the “high sheriff,” but again, Ballard is angrily defiant: “ I don’t give a good goddamn where the high sheriff is at” (7). These remarks effectively summarize Ballard’s character: at no point does he care who is present, and at no point does he care about legal authority.

This characterization of Ballard as fundamentally and furiously marginal grows even stronger as the novel progresses and Ballard escalates the violence of his criminal activity from assault, to necrophilia, to theft, and finally to murder. This homicidal orgy comes to an end when, clothed in a ludicrous, grotesque transvestite outfit that includes a wig made from the scalp of one of his victims, Ballard attempts to avenge his dispossession by killing Greer at his former farm. Greer shoots him point-blank with a load of buckshot at the entrance to the farmhouse, and Ballard wakes up in a hospital with one of his arms amputated and a deputy guarding his room. While still recovering in the hospital a group of men from the town abduct Ballard, take him to a house in the country, and give him a choice: show them where he’s hidden the bodies of his victims and get returned to the hospital, or be lynched. He takes the men into the caves, and quickly manages to lose them in its labyrinthine passages. For three days he attempts to find a way out of the caves, and when he finally succeeds he returns to the hospital, telling the nurse on duty, “I’m supposed to be here” (192). Ballard’s return and declaration demonstrate that his desire is not to escape society, to exist apart from law in a state of total autonomy; nor does Ballard wish to be a part of society, to expiate his crimes and be rehabilitated (even if that rehabilitation the purely symbolic one of his being executed). He rather shows that he is what gives body to the constitutive absence around which law and society form: he is

not representative of an opposition to law, of transgression as such, but rather represents the opposition and transgression internal to law. This figuration is echoed in Ballard's transvestitism, which renders visible the violence and antagonism disavowed by the discourse and practice of heteronormativity: Ballard wearing the clothes and makeup of his female victims and fashioning wigs from their scalps does not simply mark him as a murderous deviant, but also exposes the deviancy whose disavowal is the gesture sustaining what are identified as normal gendered behaviours. That Ballard is not external to law—in the sense of both the set of public laws prohibiting certain acts as well as that of the unspoken rules determining and regulating the norms and values of a community—is concisely expressed in the novel's title, which derives from the description of Ballard given early in the book: "He is small, unclean, unshaven . . . . A child of God much like yourself perhaps" (4). McCarthy is not merely asserting that in God's eyes all of humanity is equal and redeemable and that morality and law are in the last instance purely relative; he is pointing out the same zone of indistinction as identified by Agamben, wherein the giver of laws—the sovereign—is ultimately indistinguishable from the outlaw, the one who has been banned: "He who has been banned is not, in fact, simply set outside the law and made indifferent to it but rather abandoned by it, that is, exposed and threatened on the threshold in which life and law, outside and inside, become indistinguishable. *It is literally not possible to say whether the one who has been banned is outside or inside the juridical order*" (Agamben 28-29, my emphasis). Just as the sovereign is both inside and outside law, so too is the outlaw, the bandit. Lester Ballard is thus not so much the possible nightmare of the American fantasy of autonomy as he is the direct realization of the

paradoxical contours of this fantasy, wherein the price of the individual's sovereignty is his radical vulnerability: to be self-lawed is to be bare life.

While the eponymous protagonist of *Suttree*, McCarthy's picaresque fourth novel, is (thankfully) not a necrophiliac serial killer, he is, like Lester Ballard, a man who rejects society and law. Cornelius Suttree is born into a life of relative privilege in Knoxville, Tennessee, yet abandons it (along with a wife and young child) to live in a dilapidated houseboat on the Tennessee River and eke out a living as a fisherman. Much of his abundant free time is spent consorting with the lumpenproletariat of Knoxville, an array of garishly named figures (some of their more outlandish cognomens include Oceanfrog Frazer, Boneyard, and Trippin Through the Dew) who are characterized as a whole as "*Illshapen or black or deranged, fugitive of all order, strangers in everyland*" (McCarthy *Suttree* 4, his emphasis). In short, Suttree casts himself out to live among outcasts. He abandons himself to the abandoned, to the bare life of Knoxville. Set over the course of about two years, *Suttree* is composed of a series of vignettes that detail its protagonist's attempts to liberate himself from the existential oppression of society, of which his rejection of his life of privilege is merely the first gesture. This existential oppression—what Suttree describes as the "congenitally disaffected" (128)—is symbolized in the text by the recurrent trope of the double, a spectral twin of Suttree who follows him and whom he cannot, ultimately, escape. The myriad examples of "Suttree and Antisuttree" (28) appear to derive ultimately from Suttree's fear that he is haunted by his infant twin brother, "Born dead and witless both or a terratoma grisly in form." Indeed, Suttree imagines that his brother's skull bears on "the right temple a mauve halfmoon" that is matched by "a like mark on his own left temple" (14), a concrete reminder of this spectral other self whose

presence in the world is sustained by its very absence. This recurrent doppelganger trope is versatile in its connotation; it is simultaneously a *memento mori*, a reflection of the alienation symptomatic of subjectivity under contemporary capitalism, and an implication that Suttree is the paradoxical individualist everyman common to the American imaginary. In addition, however, it recapitulates the novel's concern with law and authority, for this second self of Suttree's is also representative of the social self upon which is imposed an intolerable symbolic mandate. What Suttree rejects about society is the unavoidable fissuring to which it subjects its members, a fissuring produced through the operation of interpellation. Suttree is hailed by the police several times in the novel, and each time he profoundly resents the alienating performance he must give in order to correctly acknowledge the hail: "A police cruiser must ask his name, where is he going. Suttree proper and wellspoke, bridling the malice in his heart" (383). This resentment is not confined solely to the police, however; they are simply the most concrete manifestation of its operation. Suttree is aware that he is constantly being interpellated, and moreover that his existence as such is dependent upon the irreducible gap produced by interpellation: he resents and fears the other Suttree necessarily produced through the symbolic order that governs society, law, and language itself.

The end of the novel sees Suttree symbolically escape his socially produced other self. Being sought by the police, he decides to skip town, but before leaving he stops by his houseboat, which he previously abandoned. There he finds "the houseboat door ajar and someone sleeping in his bed. He entered in a fog of putrefaction . . . . Suttree nudged the sleeper with his toe but the sleeper slept . . . . He kicked away the covers. A snarling clot of flies rose . . . . Caved cheek and yellow grin. A foul deathshead bald with rot,

flyblown and eyeless" (465). This is the last stage of Suttree's apparent liberation from his oppressive Other. Just as Huckleberry Finn fakes his own death and thereby frees himself from the oppression of his social, symbolic self, so too does Suttree find this other self symbolically dead; and just as Huck lights out for the Territory, so too does Suttree take this opportunity to leave Knoxville for good. Indeed, after he has left, the body in the houseboat is found. Some boys watch the removal of the corpse; "Shit, one said. Old Suttree aint dead" (470). This refused identification implies that the corpse will be recognized as Suttree's, and that he will consequently be free from not only the attention of the police, but the oppressive symbolic mandate forced upon him by the interpellative hail produced by the name and identity of Suttree itself. In effect, he has become his own anti-Suttree; he has traded places with this other self and taken on its spectral, elusive character.

Ominously, however (not to mention unsurprisingly, for a Cormac McCarthy novel), this liberation is revealed as existentially toothless. On the road at some unspecified time or place, Suttree is offered water by a boy doling out dipper-fulls to a road crew. As he takes a drink "he beheld himself in wells of smoking cobalt, *twinned* and dark and deep in child's eyes" (471, my emphasis). The anti-Suttree is back; again, just as we see in *The Adventures of Huckleberry Finn*, the social self is not so easily escaped. Just after he gets his drink, a car stops for Suttree. As they drive away, "he looked back [and] the waterboy was gone. An enormous lank hound had come out of the meadow by the river like a hound from the depths and was sniffing at the spot where Suttree had stood" (471). This hound seems to represent the ultimate inescapability of the subject from the split which is constitutive of his existence as such; it marks Suttree, tying him ineluctably back to his

Suttree-ness, to that alien, symbolic self he has tried so hard to leave behind. Indeed, we are left with little doubt that the hound is no mere hound and that its pursuit means Suttree will never be able to escape himself by the ominous and desperate passage which closes the novel: “Somewhere in the gray wood by the river is the huntsman and in the brooming corn and in the castellated press of cities. His work lies all wheres and *his hounds tire not*. I have seen them in a dream, slaverous and wild and their eyes crazed with ravening for souls in this world. Fly them” (471, my emphasis). Significantly, this passage reveals that it is not due to any failure on Suttree’s part that he cannot escape this metaphysical huntsman. That is, it is not because he retains some attachment to his old self or that he is afflicted by some pathological distortion of his sense of self; rather, he is nothing but this symptom, nothing but the constitutive split produced in him by the dictates of the symbolic. McCarthy is thus suggesting that our very desire to escape from the oppression of the alienating effects of society (and thus of the law) is itself symptomatic of this alienation. It is not just that escape is impossible; it is that the notion of escape produces its own impossibility.

We can assert, therefore, confidently the predominance the theme and notion of law holds for McCarthy’s oeuvre. Initially this predominance might seem to be characterized as a whole by a rejection of law as the force which sustains an unjust social order, one which is disrupting or negating an authentic, autochthonous community or identity. Upon more careful consideration, however, what becomes evident is that this fissuring is internal to what is ostensibly being disrupted. McCarthy’s early novels thus resolutely refuse to idealize a vanished, unblemished time and place obliterated by the progress of history and the corrupting influence of civilization and its juridical foundation

and structure; similar to Benjamin's reconceptualization of history, whereas "we perceive a chain of events," McCarthy "sees one single catastrophe which keeps piling wreckage upon wreckage and hurls it in front of his feet ("Theses" 257). In short, his Appalachian novels conceive of law as a symptomatic expression of a disjuncture internal to the human experience. For McCarthy, man is "'an animal sick unto death', an animal extorted by an insatiable parasite (reason, *logos*, language)" (Žižek *Sublime* xxvii), and what some might see as exceptional perversions or abuses of the law are revealed to be the internal conditions of possibility for both the law and the telluric America with which it comes into conflict.

The Judge qua Judge

With McCarthy's move to El Paso and the beginning of his Western period, his fiction's preoccupation with the law as well as its insight into the internal transgression which forms the basis of legality reaches its apogee. It is in the monstrous figure of its antagonist, Judge Holden, that *Blood Meridian* condenses the problem of law and sovereignty, which constitutes one of the central concerns of the Western genre; the judge also provides perhaps the purest distillation of the particular way in which McCarthy repeatedly approaches the issue of law in his novels. While virtually every critical study of *Blood Meridian* has grappled with the judge from one degree to another, surprisingly none consider him as a judge—what he judges, what his jurisdiction is, what his being a judge

suggests about law in the novel.[6] This lacuna is all the more surprising given that the novel constantly foregrounds the question of the judge's relation to the law over which he ostensibly presides and the sovereignty this adjudication necessarily implies. Indeed, after Tobin the ex-priest recounts to the kid the chilling tale of how the Glanton gang came to meet the judge, the kid questions the scope (and therefore the legitimacy and provenance) of the judge's title:

> The kid looked at Tobin. What's he a judge of? he said.
>
> What's he a judge of?
>
> What's he a judge of.
>
> Tobin glanced off across the fire. Ah lad, he said. Hush now. The man will hear ye. He's ears like a fox. (135)

This question is one that is never answered without ambiguity. Near the close of the novel, when the kid is recovering from an infected arrow wound and suffering from hallucinations, he has a fever dream in which he sees the judge overseeing the work of "a coldforger who worked with hammer and die," a "false moneyer with . . . gravers and burins who seeks favor with the judge and [who] is at contriving from cold slag brute in the crucible" counterfeit coins, "a face that will pass, an image that will render this residual specie current in the markets where men barter." "Of this is the judge judge," we

[6] Leo Daugherty comes the closest to considering the judge as a judge with his reading of *Blood Meridian* as a Gnostic allegory. Daugherty associates Holden with the archons of Gnostic mythology, demigod-like beings who fell under the sway of an evil power. Becoming archons, they undertook "the creation of the world . . . . [and] the creation of man" in order to capture "some of the original divine substance", trapping it within the dross materiality of the world and the human body. The means for humans to escape the evil material world and release the divine substance is found in knowledge or gnosis, and "thus a central task of the archons [is] to prevent the human acquisition of liberational knowledge at all costs" (123). In Ancient Greece, archon was the name given to the chief magistrates—judges—of some Greek city-states. Unfortunately, Daugherty does not substantiate this tantalizing connection between the archons of Gnosticism and of Greece in relation to Holden as a judge.

are told, “and the night does not end” (310). This seems a rather cryptic (if ominous) answer to the question posed by the kid; it is certainly not the answer we might expect, if we did in fact expect any satisfactory answer to explain the judge or presume ourselves to be capable of reckoning him. It is thus the very ambiguity of the judge, the impossibility of his being contained by any epistemology, that we must consider. If we, like the kid (and like Tobin), have no way of knowing what the judge is judge of—that is, if we are unable to determine the origin of law and of legal authority—are we thus not simply encountering the paradox residing at the heart of legality itself? Even the kid’s fever dream ultimately reveals nothing about the judge, for while he may oversee the coldforger’s production of counterfeit coins, determining whether or not the images engraved thereon are of sufficient legitimacy, the source of his authority to do so is left unrevealed. The judge’s authority, we might say, is thus predicated upon its lack of predicates.

Moreover, the fundamental mystery of what gives the judge authority to judge suggests that we are not to understand him as being simply one character among others: he functions, quite obviously, as a symbol for a rather large array of concepts, phenomena, and figures. Indeed, the judge can be thought of as an arch-archetype: that is, he figuratively serves as a point of origin and absolute density for many archetypes of Western culture. This sense of his figurative primacy is reinforced everywhere throughout the novel, from the neotenous characteristics Wallach notes him as possessing (Wallach 127) to his unsettling ubiquity: as Tobin tells the kid, “Ever man in the company claims to have encountered that sootysouled rascal in some other place” (*Blood* 124). It is also reinforced by the kid’s hallucination, in that the judge’s judging of the coins produced by the coldforger suggests the very means by which signification occurs. The coins themselves

participate in this theme of the *arkhe* of types, in that they are ostensibly copies of an original; the degree to which they resemble this (necessarily absent) original is presumably what the judge judges. Yet, like the judge himself, there is "no trace of any ultimate atavistic egg by which to reckon [the coins'] commencing" (310): the original of which they are purportedly imitations exists only as an abstract entity, a presupposition which the mere existence of the coins necessarily produces. Such precession is homologous to that of the operation of linguistic signification; the coins are so many words, and the original they copy is identical to that empty signifier which signifies nothing but signification itself (that is, the phallus). The abstracted original predicated by the coins is likewise akin to the fetishistic belief undergirding the operation of exchange value: the equivalencies produced by exchange value owe their existence as such to the presupposition of a neutral field of infinite value from which they take their individual measure. Any one thing becomes equivalent to any other, and the medium through which this equity is established is the abstracted realm of currency in which ultimately all coins must be false ones. What the kid's delirious vision reveals, therefore, is that the judge presides over meaning itself. This is not so much revelatory as it is perfectly consonant, however, when we consider that meaning itself is a function of the symbolic order: that is, of what can be thought of, in both its operation and its origin, as law.

What thus seems evident from the kid's hallucination is that the judge is not simply a counterfeiter, a charlatan, a mountebank, a liar—though he certainly encourages others to view him as such. Indeed, this is the trap that springs constantly throughout *Blood Meridian*, a trap that is also articulated by the kid's query regarding what the judge judges and its concomitant implication that his legitimacy to do so is suspect. In other words, the

predicates which determine the judge as judge over the legitimacy of counterfeit currency themselves universalize in advance the judge's worldview—which is to say that to question the judge's legitimacy is paradoxically to confirm it as such. The *a priori* designation of the judge as a liar, as a manipulator of interpretation and of truth, reveals the operation of the contemporary ideological gesture of cynical distance regularly critiqued by Žižek as the hallmark of the postmodern subject of global capitalism. He writes: "We can no longer subject the ideological text to 'symptomatic reading', confronting it with its blank spots, with what it must repress to organize itself, to preserve its consistency—cynical reason takes this distance into account in advance" (*Sublime* 26-27). In a similar vein, to critique the judge for misrepresenting himself, for submitting a false claim to authority, as the kid does, is to attempt to make a symptomatic reading of him—yet in his radical undecidability, the judge anticipates such a reading and incorporates it into himself, thus paradoxically securing his position through that which attempts to unseat him. The symptom, we might say, is in this case the reader himself. When the judge is pursuing the kid and Tobin in the desert and cryptically levels the accusation at the kid that he "alone reserved in [his] soul clemency for the heathen" (299), and when the judge repeats this inculpation when he visits the kid in the San Diego jail, asserting, "You sat in judgement on your own deeds. You put your own allowances before the judgements of history and you broke with the body of which you were pledged a part and poisoned it in all its enterprise" (307), we should understand the judge to be pointing to the hypocrisy and double standard that sustains any attempt to render a judgement that separates the one judging from the act being judged. That is, the kid sets himself in opposition to the judge without recognizing that the very means by which he does so

confirm the judge in his authority. As the judge puts it to the kid, “For even if you should have stood your ground . . . yet what ground was it?” (307).

In practice, the judge regularly avails himself of the presumed legal status to which his sobriquet ostensibly entitles him, claiming to “represent Captain Glanton in all legal matters” (237). In the service of this office he successfully deflects a murder allegation leveled at the gang—which one of their members, Jackson, is indeed guilty of committing. During their sanguine peregrinations the gang makes their way to Tucson and quickly go to a food hall to eat, whereupon the proprietor, a man named Owens, refuses to serve Jackson because he is black. Without further provocation Jackson calmly shoots Owens in the head, sending “a double handful of Owens’s brains . . . out the back of his skull” (236). Not long after, the commander of Tucson’s garrison, Lieutenant Couts, finds the gang drinking in a nearby cantina, and announces to Glanton his intention to arrest the man responsible for the murder. Glanton flatly denies that he or his gang had anything to do with the shooting, and Couts, “stunned at the baldness of these disclaimers” (237), insists that the evidence points directly to the gang, at which time the judge intercedes: “[The lieutenant] and the judge sat together and the judge went over points of law with him. The lieutenant nodded, his lips pursed. The judge translated for him latin terms of jurisprudence. He cited cases civil and martial. He quoted Coke and Blackstone, Anaximander, Thales” (239). The next day the gang rides out unimpeded.

Indeed, not only does the judge constantly use the language of law and jurisprudence, his disquisitions often rely upon a legal rhetoric to make some deeper ontological observation. For example, when the gang first gets their contract to harvest scalps from Angel Trias, the governor of Chihuahua, they purchase four dozen Colt Dragoon pistols as

armament. Glanton tests one of the pistols by firing it repeatedly in the square in which the sale is taking place, shooting to death a cat, chicken, and goat in rapid succession, and then ringing a church bell with his last shot. Not long after a deputation of soldiers arrives to investigate, and the judge immediately addresses himself to the sergeant in charge, one Aguilar, introducing him to each member of the gang in some strange attempt at diplomacy. When they reach Jackson, the judge undertakes what amounts to an overview of Jackson's life and the "varied paths [that] conspired here in the ultimate authority of the extant . . . like strings drawn together through the eye of a ring" (84). This biography is interspersed with "references to the children of Ham, the lost tribes of Israelites, certain passages from the Greek poets, anthropological speculations as to the propagation of the races in their dispersion and isolation through the agency of geological cataclysm and an assessment of racial traits with respect to climatic and geographical influence" (84-85). All this being said, Aguilar tries to shake Jackson's hand and is silently refused. The judge quickly offers an explanation to the offended sergeant in Spanish, who seems satisfied. Jackson, however, demands to know what the judge said to Aguilar, to which the judge makes the following portentous pronouncement:

> It is not necessary, he said, that the principals here be in possession of the facts concerning their case, for their acts will ultimately accommodate history with or without their understanding. But it is consistent with notions of right principle that these facts—to the extent that they can be readily made to do so—should find a repository in the witness of some third party. Sergeant Aguilar is just such a party and any slight to his office is but a secondary consideration when compared to divergences in that

larger protocol exacted by the formal agenda of an absolute destiny. Words are things. The words he is in possession of he cannot be deprived of. Their authority transcends his ignorance of their meaning. (85)

The judge is effectively using Aguilar as a kind of archive for Jackson's biography (as the judge has determined it), applying the legal metaphor of a "case" to justify both his doing so and his disinclination to inform Jackson of what he has said about him. Regardless of what Jackson, the plaintiff, knows or desires, the trial—that is, historical progression and the linear advancement of time—will take place. Aguilar serves as a kind of ad hoc stenographer to this trial, a surface upon which are printed the facts of Jackson (one that evokes, it should be noted, the "mystic writing pad" of Freud); the stenographer has no need of understanding what he has recorded, but needs only to record it.

The judge, of course, considers himself to be not only an authority on law, but also the foundation of authority itself. He explicitly says as much in a conversation with Toadvine. After the gang has begun openly and wantonly killing Mexican citizens, murdering and scalping (and hence profiting from) those they were contracted to protect, and the Mexican army has consequently begun pursuing them,

> [t]he judge had taken to riding ahead with one of the Delawares and he carried his rifle loaded with the small seeds of the nopal fruit and in the evening he would dress expertly the skins of the colorful birds he'd shot, rubbing the skins with gunpowder and stuffing them with balls of dried grass and packing them away in his wallets. He pressed the leaves of plants into his book and he stalked tiptoe the mountain butterflies with his shirt outheld in both hands, speaking to them in a low whisper, no curious

> study himself. Toadvine sat watching him as he made his notations in the ledger, holding the book toward the fire for the light, and he asked him what was his purpose in all this. (198)

To be clear: the gang is in desperate flight through the mountains and badlands of the Chihuahuan Desert, pursued by an army intent on killing them, and the judge behaves as though he is on some sort of genteel Audubon-esque biological survey, an attitude which Toadvine finds rather infuriating. In response to Toadvine's question, the judge declares, "Whatever in creation exists without my knowledge exists without my consent . . . . Only nature can enslave man and only when the existence of each last entity is routed out and made to stand naked before him will he be properly suzerain of the earth" (198). A suzerain, as the judge patiently explains to the befuddled Toadvine, "rules even where there are other rulers. *His authority countermands local judgements*" (198, my emphasis). The judge thus figures himself as just such a supreme authority with the ability to reverse or annul the decisions made by other authorities, and the means by which he asserts this suzerainty is fundamentally an epistemological one—by entering objects into his ledger, he effectively reduces their existence to an order which *a priori* assumes its own concreteness and determines these objects in their essence as comprehensible only as a part of it. This worldview is precisely the same as that which underlies the source of legal authority, which retroactively posits its own legitimacy, disavowing and obscuring its inaugural transgression of the very edicts that define its scope. The sovereign—the suzerain—is, to use Agamben's terms, included within the legal order by virtue of his exclusion from it—in exceeding it he becomes its extimate foundation. The judge's simultaneous absence and excess is a direct representation of this extimacy—that is, he is both not there

(in the sense that his origins—biographical, ontological, and vocational—are constitutively unknown) and all too much present (for instance, in his ubiquity, his massive corporeality, and his unsettling ability to do seemingly anything, from his masterful fiddling to his polyglotism), and as such stands as the concrete manifestation in the novel of the radical undecidability that ultimately characterizes legal and sovereign authority.

The judge throws the representation of law in McCarthy's other novels into stark relief. As I've shown, in many of McCarthy's works the law superficially serves as one of the primary means by which an authentic way of life and sense of self are thrown into crisis; in essence, the law symbolizes the profoundly unsettling and alienating effects of modernity. And yet, as I argue, this disruption is consistently shown to be *internal to* what is being disrupted—rather than an alien, external force introducing disequilibrium to the world, the law is the manifestation of the internal disjuncture upon which the world's stability is predicated. The judge, and *Blood Meridian* as a whole, is merely the purest expression of this constitutive instability, in that the judge, as representative of the law and of legal authority, is a figure of almost total transgression at the same time that the world he disrupts—namely, that of the scalphunters and the kid—is itself wholly chaotic. The judge does not simply represent the murderous, nightmare logic of modernity, which according to the generic narrative of the Western perverted the positive potential of the American West; he is rather representative of the law and order which necessarily undergird the ostensibly anarchic fantasy of the Wild West. The scalphunters are utterly savage beings, and the judge is, precisely because he is representative of the core of civilization, the most savage of them all. As Agamben would put it, the law, and the sovereign who serves as its symbolic manifestation, is simultaneously the wolf in the city:

"And just as sovereign power's first and immediate referent is . . . the life that may be killed but not sacrificed, and that has its paradigm in *homo sacer*, so in the person of the sovereign, the werewolf, the wolf-man of man, dwells permanently in the city" (107). If, then, the judge is the undisputed sovereign of *Blood Meridian*, he must therefore have an immediate referent in a figure correlative to *homo sacer*. It is the kid who functions as this referent, and it is to an analysis of his entanglement in the judge's web of juridical discourse that we now turn in order to understand how the bare life of the kid is simultaneously produced by and the condition of the legality represented by the judge.

Blasarius Yonder

One of the most striking instances of the judge's use of legal terminology occurs during the fortune-telling scene—though it is, unsurprisingly, a cryptic, subtle instance at first glance. Tellingly, however, it occurs during the same chapter as the scene involving Sergeant Aguilar. Glanton has agreed to let a family of itinerant street performers, or "bufones" as he calls them (89), travel with the gang for a time. The father serves as both ringmaster and performer, with his specialty being juggling, while his son had "a pair of bald and bat-eared animals slightly larger than rats and pale brown in color and he pitched them into the air and caught them on the palms of his hands where they began to pirouette mindlessly" (89-90). His wife practices cartomancy, and that night when the group has stopped to camp she begins to tell the fortunes of gang members at Glanton's request with a deck of Tarot cards. While the woman sits facing away from the fire and the men encircled about it with a kerchief over her eyes, the juggler asks which of the gang members will draw a card. The first to do so is Jackson, who draws the Fool. The juggler

calls out the name of the card—"El tonto"—and the woman, after repeating the name and making "a singsong chant" while Jackson waits "*like a man arraigned*" (92, my emphasis), correctly guesses that it is Jackson who drew the card. She then divines Jackson's fortune, which, however, is not given to the reader directly—perhaps because Jackson himself does not understand the Spanish in which it is told to him and the group at large. It is only via the judge's translation that we learn she has apparently admonished him to "beware the demon rum" (93).[7] This interposition of the judge between Jackson and his biography redoubles the scene with Sergeant Aguilar earlier in the chapter and thereby underscores the degree to which the judge's jurisdiction encompasses dominance over the lives of others—that is, the judge presides over and mediates interpretation of (biographical) history.

Once Jackson's fortune has been told, the juggler seeks another gang member to participate. None are willing, and so the judge directs the juggler:

> Young Blasarius yonder, he said.
>
> Cómo?
>
> El joven.
>
> El joven, whispered the juggler. (94)

El joven: the kid. I distinctly recall the excitement with which I first noticed this passage during my second reading of *Blood Meridian*. The kid is not anonymous, as all the

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[7] Her prophecy does turn out to be true, for Jackson is the first to die at the climactic massacre of most of the gang by Yumas at the ferry station on the Colorado. After two nights of drunken revelry by the gang, Jackson, presumably still drunk, goes at dawn to the river to urinate, where he is shot by several arrows and then has his skull crushed with a warclub. Moreover, the judge tells Jackson that the woman "means to say that in your fortune lie our fortunes all" (93), which given that the majority of the gang who live to see the ferry are killed there suggests that the judge is also clairvoyant, a conclusion corroborated by Sepich (*Notes* 107). That said, given the frequency with which the gang is simultaneously drunk and in mortal danger, such foresight seems less prophetic and more typical of the tactics typically employed by fortune tellers and charlatans alike to create the illusion of divinatory powers.

scholarship insists, I thought: he has a name, "Blasarius"! Sepich, however, posits that "Blasarius" is not the kid's Christian name but rather simply a nickname bestowed upon him by the judge. This is because his research finds that "Blasarius" is specifically a legal term: "When Holden refers to the kid as 'Young Blasarius' . . . his words may be taken both as remembering the kid's participation in the burning of the hotel at Nacogdoches in Chapter 1 . . . and as foreshadowing Holden's later charges that the kid had withheld himself from full commitment to the gang . . ." (*Notes* 114). The judge is thus not only literally accusing the kid of being an arsonist; he is once again relying upon a legalistic framework that situates him as the arbiter and suzerain of meaning—in the same way that he enters the natural world into his ledger book with his sketches, his pressed leaves, and his cured bird carcasses, the judge uses language to effectively interpellate everyone around him as subjects of law. Curiously, given the exhaustive scope of Sepich's research, he does not delve into the etymology of this term—though the fact that he was able to dredge up its origin in *Black's Law Dictionary* is impressive enough, where it is defined as "an incendiary" (138). For "Blasarius" is a word that, as far as I have been able to tell, exists only in *Black's* and *Blood Meridian*.[8] The primary significance Sepich attaches to "Blasarius" is that it "strengthens a reading of the novel in which the gang is associated with fire" (*Notes* 114). This is certainly correct, for images and symbols of fire abound

[8] It is quite evident that McCarthy referred to *Black's* several times while writing his novel, for, as Sepich reveals, "When McCarthy includes as one of *Blood Meridian*'s chapter subheadings the French sentence '*Et de ceo se mettent en le pays*' (74) he uses a traditional phrase from French law" (*Notes* 100) that is found in *Black's*. In addition, at the close of his infamous "War is god" oration, Holden capriciously asks Tobin his opinion of the judge's pronouncements. In response to Tobin's "The priest does not say," Holden says, "The priest does not say . . . . Nihil dicit" (250). "Nihil dicit" is itself a legal term found in *Black's*, meaning: "He says nothing. This is the name of the judgment which may be taken as of course against a defendant who omits to plead or answer the plaintiff's declaration of complaint within the time limited. In some jurisdictions it is otherwise known as judgment 'for want of a plea'" (818). From this we can presume the judge is saying that Tobin's refusal to "plead" or "testify" (essentially, refuse to participate in the conversation) is itself a plea; not participating is a form of participation. Once again, then, we witness the judge's constant use of legal terminology to discursively determine objects of knowledge as such.

throughout *Blood Meridian*. Indeed, even the novel's subtitle, *The Evening Redness in the West*, evokes the guttering flame of the setting sun. Yet Sepich does not fully excavate the depth of meaning suggested by "Blasarius". This may be because it is apparently only present in *Black's Law Dictionary*. It is not in the OED, and so one can only guess at its etymology. Given that it denotes an incendiary—either a literal arsonist or one given to fomenting civil unrest—it seems likely that it shares an etymology with a word like "blaze". The OED states that "blaze" derives from "Old English *blase* . . . [and] is cognate with . . . modern German *blass* 'pale, whitish' (originally 'shining')". This etymology immediately evokes the judge, whose whiteness and paleness are two of his salient physical characteristics, thus underscoring the close link between Holden and the kid. The judge more or less explicitly asserts this bond during his conversation with the kid when the latter is imprisoned in the San Diego jail based on the judge's accusation that he orchestrated the ferry massacre in collusion with the Yumas. "Dont you know that I'd have loved you like a son?" (*Blood* 306) the judge asks the kid, implying not only that the kid has betrayed this love, but also that a potential bond of filiation unites the two. Later in their conversation, however, the judge tells the kid, "Our animosities were formed and waiting before ever we two met. Yet even so you could have changed it all" (307), suggesting that the pair are structured by some kind of archetypal antagonism. All of this recapitulates the deep, fundamental connection between the judge and the kid, and the (hypothetical) etymology of the cognomen bestowed upon the latter by the former is one more iteration of this connection.

That the etymology of "Blasarius" is at present only hypothetical nicely reflects the diegetic absence around which, Addie Bundren-like, the novel arguably revolves. That is,

we are only able to hypothesize what happens to the kid when he is surprised in the jakes by the judge: “The judge was seated upon the closet. He was naked and he rose up smiling and gathered him in his arms against his immense and terrible flesh and shot the wooden barlatch home behind him” (333). Given the reaction of the men who open the door to the jakes afterwards, it seems likely that this meeting was not a pleasant one. Walking precariously along the duckboards from the saloon to the jakes, two men pass a third urinating next to the outhouse:

> Is someone in there? the first man said.
>
> The man who was relieving himself did not look up. I wouldnt go in there if I was you, he said.
>
> Is there somebody in there?
>
> I wouldnt go in.
>
> He hitched himself up and buttoned his trousers and stepped past them and went up the walk toward the lights. The first man watched him go and then opened the door of the jakes.
>
> Good God almighty, he said.
>
> What is it?
>
> He didnt answer. He stepped past the other man and went back up the walk. The other man stood looking after him. Then he opened the door and looked in. (334)

This is our only clue as to what lies within the jakes. While it seems very likely that what the men see is the kid’s dead and mutilated body, what is most significant about this scene is that whatever they see is not described. It is present only as an absence. One might

conclude, apropos Arendt, that the kid's fate is so horrible it exceeds language. Yet such a view is dependent on an understanding of language as a positive abstract universality, the particular utterances of which always fall short in adequately expressing their intended meaning: there is an irreducible gap, that is, between signifier and signified. What this perspective fails to recognize, however, is that this shortcoming is internal to the symbolic as such. It is not that particular expressions of the symbolic order *fail* to give voice adequately to the universal. Rather, they articulate the failure immanent to the symbolic order, the absence and absolute negativity that constitutes the foundation of language in its universal dimension.

If we thus understand *Blood Meridian* to be refusing to represent the horrifying, violent death of its protagonist, then we are missing the point: what is horrible about this absence is that it gives body to the abyss at the core of language itself. The judge is not an aberration, nor are his actions indicative of a terrible abuse of language and of law. When he enters objects of the natural, external world into his all-consuming ledger, destroying them in the process, he is not perverting the otherwise benign operation of the symbolic. He is rather rendering explicit the violent excess constitutive of language and thus of law.[9] Wallach argues that *Blood Meridian*, and the judge as its avatar, revel in the endless dance of the proliferation of meaning: "Judge Holden, then, is a massive yet flickering artifice in the margins of reality, compounded of Shiva's dance and the Derridean trace it parodies, the dance of writing's simultaneous creation and effacement of meaning" (134). In contradiction to this reading, what lies at the heart of *Blood Meridian* is absence. We see it

[9] This violence is the same as that identified by Benjamin when he writes of the violence which founds and conserves law and legal authority.

in what appears to be the fundamental unknowability of "Blasarius", in the mystery of what happens to the kid in the jakes, and in the judge himself, who

> Whatever his antecedents . . . was something wholly other than their sum, nor was there system by which to divide him back into his origins for he would not go. Whoever would seek out his history through what unraveling of loins and ledgerbooks must stand at last darkened and dumb at the shore of a void without terminus or origin and whatever science he might bring to bear upon the dusty primal matter blowing down out of the millennia will discover no trace of any ultimate atavistic egg by which to reckon his commencing. (*Blood* 309-310)

The judge does not stand outside language, he does not transcend it: he is the direct representation of the impossibility that founds law and language. The power of *Blood Meridian* is the way in which it mercilessly incites our desire to reduce the judge to some genesis, to domesticate his horrid transgressive nature and to denounce his monstrosity and aberrance, at the same time that it forces us to confront that this desire is a symptom of the judge's constitutive ambiguity: by our very attempt to judge the judge we confirm the power his constitutive impossibility has over us.

Putting your soul at hazard: Law's Insufficiency in *No Country for Old Men*

While it is Judge Holden who serves as the focal point of *Blood Meridian*'s representation of law, in *No Country for Old Men* this focus is split into two characters: the terrifying, robotically relentless killer Anton Chigurh, who echoes the judge's narrative function as antagonist as well as his figurative function as sovereign; and Sheriff Bell, who

is the novel's most explicit representative of law.[10] Even though this splitting leads to a less foregrounded thematization and interrogation of the origin of legal right and authority than in *Blood Meridian*, where the judge so clearly occupies the indeterminate position of lawgiver and absolute outlaw that in fact characterizes "the mystical foundation of authority" ("Force" 943) investigated by Derrida, the central importance of the theme and subject of law to *No Country* is undeniable. Indeed, the novel's narrative is reducible to a story of the eclipsing of legal authority, moral rectitude, and social stability by a terrifying new order governed by murder and greed. Yet in typical McCarthy fashion, what seems an initially straightforward critique of the destructively immoral character of modernity—of the new men who have rendered the country uninhabitable for the old—is revealed upon closer examination to be unsettled by the very terms and features with which it conducts itself. This is to say that rather than read the novel through its title as depicting a world thrown off its rails by the external spectre of a new and alien authority and morality, we should understand the novel's fundamental assertion that this is "no country for old men" as describing a positive feature of its world. Sheriff Bell and Llewellyn Moss are not existentially negated by that which is represented by Anton Chigurh. Their existence is expressed in its positivity by this very gesture of negation. What this suggests about the novel's representation of law is that it indicates the constitutive imbrication of law and law's transgression: that which violates the law is not simply alien to it but extimate, the foreign body at its heart by means of which it is articulated and known. *No Country*, as with McCarthy's work in general, demonstrates a keen interest in how this intercalation

[10] Perhaps it is even more accurate to say that *No Country* splits the judge into the triad of Bell, Chigurh, and Moss: absolute law, absolute transgression, and the bare life which sustains the difference between the two by serving as their zone of indistinction. Moreover, is also possible to identify direct predecessors to Bell, Chigurh, and Moss in *Blood Meridian*: Moss in the kid, Chigurh in the judge, and Bell in Glanton. This latter pair makes sense insofar as both function as impotent lawgivers and patriarchs.

reflects a fundamental conflict of American culture, political structure, and society: that between the ideal of the autonomous individual and a nation composed of said individuals. The Western functions as an attempt at resolving this conflict or easing its tension, while at the same time repetitively reiterating it and underscoring its intractable influence. The power of McCarthy's fiction—whether Western or not—resides in large part in its ability to render this double bind clearly by making the reader feel its effects *as a reader*. Reading McCarthy, we cannot escape the knowledge and the sensation of being always implicated in the worlds he creates—the country unsuitable for the old (type of) man is our own.

We also see the interdependence of law and transgression through the characterization of Sheriff Bell. More than anyone else in the novel he stands in for the "old men" of its "Sailing to Byzantium"-citing title. Many of the italicized first-person reminiscences of his that begin each chapter are directed towards witnessing and expressing a mixture of grim horror and disgust about the steadily increasing dissolution of contemporary society. Bell tells stories from his own experience as a lawman and also relates newspaper stories that document this societal decline; indeed, the novel begins with him recalling the conversation he had with a young man he helped send to the electric chair. "He'd killed a fourteen year old girl . . . . The papers said it was a crime of passion and he told me there wasnt no passion to it . . . . And he told me that he had been plannin to kill somebody for about as long as he could remember. Said that if they turned him out he'd do it again. Said he knew he was goin to hell" (3), Bell recalls, and wonders, "What do you say to a man that by his own admission has no soul? Why would you say anything?" (4). That Bell perceives the young man as lacking a soul, or at least takes his

word that he does not have one, is significant in that it expresses the juridico-political logic of the *homo sacer*: to be without a soul is to be bereft of what is human, it is to be the residuum of bare life that functions as the disavowed yet constitutively vital supplement of the *polis*. Herein lies the key to understanding Bell as ontologically geriatric: in his insistence that language reaches its limit with the figure of transgression (which is the same as saying law reaches its limit with this figure), Bell persists in the fantasy that there is a full and harmonious interior to the symbolic order, one that confronts (and is now incapable of overcoming) a degraded external world. During another of his first-person monologues, Bell says: “I read the papers ever mornin. Mostly I suppose just to try and figure out what might be headed this way” (40). What he does not see is that what might be coming has by necessity already arrived; what he takes to be an external boundary he must police and keep free of contaminants is in fact an internal limit, an irreducible gap that is constitutive of both language and law.

Yet Bell undergoes a revelation regarding this internal limit when he confesses the true events of his military service during World War 2 to his uncle. He is respected in his community not only as a sheriff but also as a decorated war hero, having been awarded the Bronze Star. Serving in the European Theater, one day Bell’s unit “was in a forward position monitorin radio signals and . . . was holed up in a farmhouse” (274). Their radio operator suddenly notices that things have gone alarmingly silent, and the next instant Bell wakes up outside with the farmhouse blown to pieces; a mortar shell has struck it. The rest of the men in his unit are buried in the rubble of the building, and Bell can see German infantry advancing on their position. He is able to find and retrieve a .30 caliber belt-fed machinegun out of the ruins of the house, and uses it to keep the Germans pinned down

until dark. “And that’s what they give me the Bronze Star for,” Bell tells his uncle. “The major that put me in for it was named McCallister and he was from Georgia. And I told him I didnt want it” (275). While he eventually accepts the commendation after McCallister angrily insists he do so, Bell tells his uncle why he initially rejected it: “When it got dark . . . . I cut and run” (276). While his uncle assures him he had no choice, Bell finds no absolution in his confession, only a continuance of the guilt and shame he has felt for decades: “I should of done it and I didnt. And some part of me has never quit wishin I could go back” (279). It is here that Bell demonstrates that he does not perceive himself as having been displaced by the forces of modernity; rather, he sees himself as one of these forces, as symptomatic of modernity itself: “I’m not the man of an older time they say I am. I wish I was. *I’m a man of this time*” (279, my emphasis). Bell’s status as dispossessed “old man” is thereby given a contradictory new dimension: he himself is one of the new men who have effected the effacement of the old from the world. What he sees as his profound moral transgression in breaking the covenant of fidelity he swore to uphold in his military service is thus also an expression of the dissolution constitutive of his perception of and being in the world. It is not that Bell has contributed to or effected the negative transformations he sees increasingly afflicting the world, transformations metonymized in his mind by Chigurh; it is that the resting state of the world is nothing but these transformations. In this way Bell is much like Woodrow Call; the being of each is expressed precisely through a disjuncture with itself. To put it in psychoanalytic terms, the psyche of each is founded upon a split between ego ideal and ideal ego. How each sees himself is predicated upon a fundamental disjuncture with how each believes his self appears to others.

This paradox of identity is most acutely expressed by Bell's simultaneous integral part in and total misreading of the events of the novel. Through an extremely subtle and laconic effect of dramatic irony the reader learns that the anonymous Mexican hit man who kills Moss and the teenage hitchhiker he has picked up is also responsible for the death of the police officer whose murder is only directly referenced in retrospect by Bell in one of his internal monologues: "Now they got that Mexican up here in Huntsville for killin that state trooper that he shot him and set his car afire and him in it and I dont believe he done it" (281). Bell visits the man on death row after testifying on his behalf, unasked, during his trial for the murder to tell him that he's sorry because he thinks the man is innocent of the crime; he is of the belief that Chigurh committed the murder. The man mocks him cruelly and mercilessly: "Where do they find somebody like you? Have they got you in diapers yet? I shot that son of a bitch right between the eyes and drug him back to his car by the hair of the head and set the car on fire and burned him to grease" (297). The attentive reader will recall that these actions were elliptically referenced immediately before Bell arrives in Van Horn and discovers that Moss has been killed: "The Barracuda pulled into a truckstop outside of Balmorhea . . . . The driver got out and shut the door and looked at it. There was blood and other matter streaked over the glass and over the sheet-metal" (236). The driver is the Mexican on death row, and he has just killed the police officer, presumably because he was pulled over for speeding (he leaves to kill Moss after learning his whereabouts from a wiretap with his "car squatting on the big rear tires and fishtailing and the tires whining and unspooling clouds of rubbersmoke behind him" (215)—not the most subtle way of driving, to say the least). He cleans the car at the truckstop and drives on to kill Moss (who nearly kills him). We know that he has just killed

the police officer because in the next paragraph, which switches focus to Bell, Bell passes "a car burning by the side of the highway" with "police cars at the scene and one lane of the highway . . . blocked off" (236). Bell's mistaken certainty in the innocence of the Mexican hitman thus underscores the degree to which he is constitutively out of joint with respect to the world: while there are many instances where he expresses self-awareness of this disjuncture, in this instance, in a kind of Rumsfeldian epistemology, he doesn't know what he doesn't know—in other words, not only is he out of joint with respect to the world, he is out of joint with his very out of jointness.

We find further evidence of his condition in the dramatic irony that reveals Bell's direct responsibility for the death of Moss (and the nameless hitchhiker). Bell visits Moss' wife to find out as much as he can about Moss' situation. She refuses to tell him anything, but Bell says to her that he can try to help Moss get out of trouble. After Carla Jean and her grandmother arrive in El Paso, she calls Bell: "If I tell you where he called from do you give your word that no harm will come to him," she asks. Bell replies, "I can give my word that no harm will come to him from me. I can do that" (214). Bell speaks more than he knows here, for he is consistently unable to harm anyone throughout the novel; he follows in the aftermath of violence trying to reconstruct what happened and why, but he is never present for the decisive moment. Moreover, he speaks falsely, for the phone conversation between Bell and Carla Jean is, we learn in the next section, being wiretapped by men of the Mexican cartel. Once they have Moss' location the hit man leaves to kill him. Bell is thus doubly alienated: not only is he unable to either prevent violence from taking place or to protect the people of his county, he unwittingly makes that violence possible in the first place. The repetition of this trope of secret transgression is directly linked to Bell's

vocation and symbolic mandate as lawman: it expresses the obscene, transgressive supplement to law that is constitutive of its functioning. As Žižek would put it, law is the highest crime, and its status as such is obscured (and law therefore obtains its legitimacy) through its disavowed yet constitutive transgressive supplement: Bell fulfills his function as lawman precisely because his legitimacy as such is compromised by his secret wartime cowardice, his failure to recognize the Mexican hit man's guilt, and his contribution to the murder of Moss. It is not the world that is debased; it is Bell who is the stain around which the world is organized.

"He doesn't have a sense of humor": Anton Chigurh as Sovereign

My analysis of Sheriff Bell sounds rather similar to that I made of *Lonesome Dove*. What makes *No Country for Old Men* fundamentally different from McMurtry's vision of doubly alienated protagonists, however, is rendered apparent by the presence of Anton Chigurh. If Bell is, like so many of the characters in *Lonesome Dove*, a failed sovereign of sorts, a representative of authority who cannot fulfill his symbolic mandate yet whose very identity as such is bound up in this failure, then Chigurh is sovereignty at its purest and most forceful—one that has no analogue in McMurtry's novels.[11] As Chigurh tells the businessman whose money it was that Moss found in the desert when he returns the satchel to him, "I have no enemies. I dont permit such a thing" (253). He is without enemies because he kills them; as Carson Wells warns Moss, "There's no one alive on this

[11] While the judge and Chigurh share an affinity in that both are the sovereigns of their respective fictional worlds, they are also quite different insofar as the latter seems more or less a human version of the former. *Blood Meridian* ends with the judge repeating that "he will never die" (335), and the terrifying power of the novel is such that we believe him. Chigurh, while a frightening figure, is fallible; Moss wounds him severely, and he speaks to Wells of how "getting hurt changed [him]" (173). As a being without terminus or origin, nothing changes the judge. He is definitively not human—though perhaps it is more accurate to say he represents the inhuman core of the human. He is the genus of which Chigurh is a species.

planet that's ever had even a cross word with him. They're all dead" (153), a fact that Wells soon learns the hard truth of when Chigurh shoots him in the face for taking the contract to kill him. Chigurh's lack of enemies suggests that he accords with Agamben's definition of the sovereign, or the being to whom all others are *homines sacri*. In other words, he views all others as beings over whom he has absolute power of life and death and thus, correspondingly, serve as "the point of indistinction between violence and law, the threshold on which violence passes over into law and law passes over into violence" (Agamben *Homo* 32). This relationship of sovereignty to the world therefore participates in the logic of the exception, and Chigurh says as much to Carla Jean when she begs for her life: "You're asking that I make myself vulnerable and that I can never do. I have only one way to live. *It doesnt allow for special cases*" (259, my emphasis). These remarks are particularly illuminating because of their evocation of the relation between the law and the state of exception. Chigurh's singular mode of existence—the law his life follows, if you will—does not allow for exceptions, but this is because *it itself is the exception*. In precisely the same manner as the sovereign, Chigurh occupies and embodies a zone of indistinction between law and transgression. Yet Chigurh is not simply representative of a new sovereignty eclipsing the old, despite his reassurance to the man to whom the satchel of money belongs that "We'll be dealing with new people now" and that the "old people" have "moved on to other things" (253)—by which he means, of course, that he has killed them. Chigurh is rather a direct depiction of the scandalous genesis of sovereign authority and thus of law; he explicitly manifests the constitutive violence residing at law's core.

That Chigurh is intensely concerned with the institution and maintenance of order is belied by his occasional use of a coin toss to determine the fate of those he intends to kill. If the person correctly calls the coin he spares them. He sees it as crucially important that the person call the coin his or herself: "You need to call it . . . . I cant call it for you. *It wouldnt be fair*. *It wouldnt even be right*. Just call it" (56, my emphasis). It is evident from this assertion that Chigurh's worldview demands strict adherence to certain ethical principles, of which the coin is a distilled manifestation. It can only be one thing or the other, heads or tails. There is no ambiguity to the coin toss and no way of influencing or predicting its outcome, and consequently it is manifestly just—provided, that is, that the person whose fate hinges on the coin calls it on their own. Indeed, when Chigurh gives Carla Jean the chance to save her life with a coin toss, "He straightened out his leg and reached into his pocket and drew out a few coins and took one and held it up. He turned it. *For her to see the justice of it*" (258, my emphasis). Carla Jean initially refuses to call the coin, yet what she fails to see is that not calling the coin is still in effect calling it, for she would die just the same as if she'd called it wrong. Which she does, calling heads and getting tails. She tells Chigurh, "You make it like it was the coin. But you're the one," an indictment he counters by saying, "Perhaps. But look at it my way. I got here the same way the coin did" (258). This assertion once again expresses his belief in a fundamental order to the world; while one can postulate about what might have been, ultimately time unfolds in one way and one way only, each moment irrevocably moving down a singular path. As he tells Carla Jean right before shooting her, "You can say that things could have turned out differently. That they could have been some other way. But what does that mean? They are not some other way. They are this way" (260). In this deterministic perspective we can

see how Chigurh embodies the ultimate indistinguishability of, on the one hand, the capacious potentiality of the future, and on the other the absolute singularity by which events occur—which is another way of saying he functions as the threshold between the rigid order of law and the chaotic, transgressive violence of its institution.

Curiously, Chigurh also blurs the distinction between the old world Bell perceives as irrevocably lost and the new world that has effected this effacement. While Chigurh is on the surface simply the direct realization of this new world, that is, he also appears to uphold precisely those values Bell sees as vanishing from the world. For instance, he keeps his word in the most absolute fashion possible; this dedication is why he kills Carla Jean: "You give your word to my husband to kill me?" she asks. "Yes," replies Chigurh, because even though Moss is dead, Chigurh's "word is not dead. Nothing can change that" (255). He also tells the businessman, "I'd say that the purpose of my visit is simply to establish my bonafides . . . . As someone who is *completely reliable and completely honest*" (252, my emphasis). Bell, of course, sees himself as failing to live up to the cultural and ethical legacy of his father, who for him represents a better yet lost world receding irrevocably into the past. He feels certain that had his father been in his position during the war, he would not have saved himself as Bell did but "set there till hell froze over and then stayed a while on the ice," and that this loyalty "makes him a better man than [Bell]" (279). Bell feels profound shame for falling short of this ideal: "But you go into battle *it's a blood oath* to look after the men with you and I dont know why I didnt . . . . If I was supposed to die over there doin *what I'd give my word to do* then that's what I should of done" (278, my emphasis). It is telling that Bell uses the same language as Chigurh here: both greatly value the consistency and ethical certitude of keeping one's word. The only difference, of course,

is that Bell fails to keep his word, and Chigurh keeps his word in the pursuit of what are oftentimes monstrous ends. What this comparison ultimately provides, then, is further evidence that McCarthy is not simply making a retrograde lamentation of the dissolution of an authentic moral and cultural world—he is undertaking an exploration of what sustains the notion that such a world has indeed vanished.

Žižek, writing of the Coens' adaptation of *No Country for Old Men*, argues that Chigurh functions within the narrative as a figure of "*obstruction*: the *objet a* as the agent of the Cunning of Reason, the obstacle which always perturbs the realization of our goals" (xx, his emphasis). This is perhaps most useful insofar as it reveals the limitations of the Coens' film, for the degree to which Chigurh ultimately does *not* "undermine the fulfillment of subjects' plans and intentions, guaranteeing that, one way or another, things will always somehow go wrong" (xx) in McCarthy's novel is made far less evident in the Coens' adaptation. What one should add to Žižek's reading is thus that while Chigurh "ruins the game" (xx)—the game of the happily-ever-after ending, of moral and cultural stability, of the successful occlusion of law's constitutive transgression—such ruining is at the same time the very point of the game, and what McCarthy ultimately exposes in *No Country for Old Men* is the near-total degree to which this ruining is, in direct proportion to how unpleasurable it is, an intensely pleasurable experience. It is my contention that such exposure disrupts the pathways this pleasure through displeasure takes, in that their efficacy relies entirely upon their remaining clandestine—to acknowledge that ruining the

game is the point of the game is to negate the game absolutely.[12] This self-reflexive destabilization is a hallmark of McCarthy's fiction in general, and is indicative of the intense degree to which his novels undertake an ideological critique that focuses upon how the very position from which ideology is critiqued is itself irrevocably ideological (ideology and "the game" being synonymous in this particular context, of course). To speak in terms of games, however, is to abstract and elide the deadly seriousness with which McCarthy approaches the concrete means by which the Western organizes itself ideologically—the representation of the Native American.

"What kind of indians was them?": The Ideological Figure of the Native American

The ideological disruption effected by McCarthy's fiction is, unsurprisingly, at its strongest in *Blood Meridian*. If the Western is generically defined—particularly in more contemporary examples—by a tendency to violate its own conventions and thereby assert its ideological commitments even more forcefully, then *Blood Meridian* makes such violation impossible insofar as it so nakedly presents these ideological commitments. This is particularly evident in its treatment of the relationship between the Western and Native Americans. The Western, as a crucial vehicle for the transmission and evolution of the Frontier mythology which so strongly determines American identity and culture, is rooted in the ideological fantasy of violent antagonism towards Nature, of whom Native

[12] Žižek's analysis of courtly love provides a useful analogy: "The point, therefore, is not simply that we set up additional conventional hindrances in order to heighten the value of the object: *external hindrances* [such as the arbitrary tasks demanded by the object of affection in courtly love, or Chigurh in *No Country for Old Men*] *are there precisely to create the illusion that without them, the object would be directly accessible*—what such hindrances thereby conceal is the inherent impossibility of attaining the object" (*Metastases* 94, his emphasis).

Americans are figured as the savage avatars.[13] Very often the Western thus relies upon utterly (and obviously) fictionalized representations of Native Americans, a tendency which leads Tompkins to assert: "The human beings who populated this continent before the Europeans came and who still live here, whose image the Western traded on—where are they? Not in Western films. And not in this book, either" (10). While Tompkins is right that the Native Americans who appear in Westerns are simply ideological caricatures and generic devices, "props, bits of local color, textural effects" (8) having nothing to do with actually existing Native Americans, she uses this as justification to avoid talking about precisely what function such an ideological figure plays in the Western. Indeed, that she favourably cites *Dances With Wolves* as a movie "that represents Native Americans in a serious, sympathetic way" (10) speaks volumes about the serious flaw her argument makes in washing its hands of the issue of the representation of Native Americans in Westerns: for while Costner's film does react against the Western's most blatantly pernicious stereotypes of Native Americans, it still ends with John Dunbar riding off into the sunset accompanied by the white woman captured by the band of Lakota Sioux as a child with whom he has a baby, with the implication that they have become more Indian than the Indians themselves. In short, the form of the Western (and of its predecessor/incorporated genre, the captivity narrative) is preserved, while the content is inverted; it thus doesn't matter that the Lakota Sioux are represented in a sympathetic way because, *ideologically*, they still perform the same function: as the telluric beings of a fantasy through which the drama of authentic American identity unfolds.

[13] As typified, for instance, by Theodore Roosevelt's notion of American character being forged by "victory after victory in the ceaseless strife waged against wild man and wild nature" (1861).

My point is thus that it is entirely possible for the Western to portray Native Americans sympathetically, and yet that such a portrayal does nothing to destabilize the ideological commitments of the genre. So long as the function of the fantastic figure of the Native American remains intact, the genre carries on unimpeded. What *Blood Meridian* accomplishes is precisely such a disruption of this function: it does not represent Native Americans in an ethnographically correct way, nor does it represent them sympathetically (indeed, the novel is unrelenting in its attack upon the reader's attempt to sympathize with any character). It rather represents the ideological figure of the Native American *as such*, and thereby exposes the function this figure plays in the fantasy of authentic American individualism. If *Blood Meridian* does not transcend the Western or render the genre totally ineffective as an ideological vessel, it at least exposes the internal limit of the genre as intractably dependent upon a racist, genocidal fantasy. Tompkins suggests, in her valorization of *Dances with Wolves*, that the Western can be redeemed, that it can escape its dependence upon the racist, ideological representation of Native Americans; what *Blood Meridian* demonstrates is that the Western is to a great extent *nothing but* this ideological figure.

The obvious question at this point is: how, precisely, does *Blood Meridian* demonstrate this? The immediate answer is easily found in its narrative premise: it is a novel about a group of American men under state contract to hunt Native Americans for money. Simply by telling this story *Blood Meridian* is making a statement about Westerns in general, namely that the genre as such is, in a fundamental sense, always about the sanctioned, large-scale murder of Native Americans, and the profits thereby extracted. To give Tompkins credit, she suggests as much when she observes, "Indians are repressed in

Westerns—there but not there—in the same way women are" (9). What her argument lacks is a consideration of how such inclusive exclusion is the aesthetico-generic correlate to the political and historical exclusion to which Native Americans were subject as iterations of the figure of *homo sacer*, as "human life . . . included in the juridical order . . . solely in the form its exclusion (that is, of its capacity to be killed)" (Agamben 8). *Blood Meridian* explicitly provides the link between the repression—the inclusive exclusion—of Native Americans in Westerns and in the juridico-political history of the United States. The particular means by which it does so are, for all the horrifying violence which attends them, rather subtle. In what serves as a critique of the notions of American exceptionalism, the significance of the Frontier, and Manifest Destiny, as well as the Monroe Doctrine, the filibuster episode early in the novel provides us with a stereotypically Western vision of Native Americans. After brutally murdering a Mexican bartender the kid is recruited by a militia intent on recapturing Mexican lands ceded by the Treaty of Guadalupe Hidalgo. The filibusters are led by one Captain White (a telling surname), who is outraged by what he sees as the betrayal of American soldiers by the US government's failure to keep all the land conquered during the Mexican-American War: "We fought for it. Lost friends and brothers down there. And then by God if we didnt give it back. Back to a bunch of barbarians that even the most biased in their favor will admit have no least notion in God's earth of honor or justice or the meaning of republican government" (*Blood* 33). White's indignation and his justification for undertaking his voyage of reconquest are expressed in explicitly racialized terms: "What we are dealing with . . . is a race of degenerates. A mongrel race, little better than niggers. And maybe no better . . . . We dealing with a people manifestly incapable of governing themselves" (34).

This naked expression of imperialism and Manifest Destiny is definitively undercut, however, by the catastrophic outcome of the filibustering expedition. After traveling south for several weeks, losing several men to disease and struggling through an unforgiving desert, White's ragged band of recruits sees "clouds of dust that lay across the earth for miles" (50), which is eventually revealed to be a large herd of cattle, mules, and horses. It is an ambush; driving this herd before them is a band of Comanches, and the awful spectacle of their sudden emergence out of the livestock is worth quoting in its entirety both for its cinematic sweep and for the complexity of its take on the ideological figure of the Native American in the Western:

> A legion of horribles, hundreds in number, half naked or clad in costumes attic or biblical or wardrobed out of a fevered dream with the skins of animals and silk finery and pieces of uniform still tracked with the blood of prior owners, coats of slain dragoons, frogged and braided cavalry jackets, one in a stovepipe hat and one with an umbrella and one in white stockings and a bloodstained weddingveil and some in headgear of cranefeathers or rawhide helmets that bore the horns of bull or buffalo and one in a pigeontailed coat worn backwards and otherwise naked and one in the armor of a spanish conquistador, the breastplate and pauldrons deeply dented with old blows of mace or sabre done in another country by men whose very bones were dust and many with their braids spliced up with the hair of other beasts until they trailed upon the ground and their horses' ears and tails worked with bits of brightly colored cloth and one whose horse's whole head was painted crimson red and all the horsemen's faces gaudy

> and grotesque with daubings like a company of mounted clowns, death hilarious, all howling in a barbarous tongue and riding down upon them like a horde from a hell more horrible yet than the brimstone land of christian reckoning, screeching and yammering and clothed in smoke like those vaporous beings in regions beyond right knowing where the eye wanders and the lip jerks and drools. (52-53)

The nightmarish visual unity of the description of the Comanches is counterposed by only three words spoken by one of the filibusters (likely mirroring the reader's own reaction to the scene): "Oh my god, said the sergeant" (53), a contrast that underscores the cinematic quality of the scene. McCarthy's use of a single long sentence also helps to emphasize this effect, in that the conjunctions which link each subordinate clause produce the sense of one sustained, unfolding event, much like a long take in film.

It is in the diction of the passage that its figuration of Native Americans takes shape, however. First, the Comanches are couched in terms that hearken back to the Puritans' characterization of Native Americans as demonic: they are "legion" and "a horde from . . . hell." Moreover, they are explicitly described as savages, "half-naked," "gaudy and grotesque," "howling in a barbarous tongue," and "screeching and yammering." That the inability of the Comanches to properly speak reflects their savagery is particularly significant in that it subtly evokes Agamben's exploration of the abstract political roots of *homo sacer*: "There is politics because man is the living being who, *in language*, separates and opposes himself to his own bare life and, at the same time, maintains himself in relation to that bare life in an inclusive exclusion" (8, my emphasis). It is not that the

Comanches are incapable of speech, but rather that they pervert speech as such, exercising the human capacity for language while expressing only cacophony (to the white ear, to be sure) through that exercise. McCarthy thereby directly evokes the conventional Western representation of Native Americans as inherently lacking political life: Native Americans exist as the "life that does not deserve to be lived" (Agamben 137), and are thus, politically speaking, *homines sacri*, precisely because they are represented as being incapable of utilizing language in this fundamentally political way. Indeed, such incapability is inscribed into language itself, for "only language as the pure potentiality to signify . . . divides the linguistic from the nonlinguistic and allows for the opening of areas of meaningful speech . . . . Language is the sovereign who, in a permanent state of exception, declares that there is nothing outside language and that language is always beyond itself" (Agamben 21). The figuration of Native Americans as nonlinguistic is thus ideological because it is the means by which the exceptional nature of language (and thus of law) is displaced onto, sublimated into, a suitably external figure.

Yet while McCarthy reproduces the Western's racist fantasy of the Native American here, at the same time he undermines it, in that his careful construction of the passage simultaneously resists the typical way in which the Western depicts the conflict between the heroic white settlers and the barbarous Indians. In John Ford's *Stagecoach*, for instance, the Apaches attacking the eponymous means of transportation are an external, hostile force attempting to breach its hermetic bounds. It is through this conflict that the fractious social antagonism of those inside the coach is unified into a harmonious whole: "Their being packed into the coach makes visually clear their necessarily common fate.

The narrative mostly concerns, within this enforced dependence, *the dissolution and growing lack of credibility of class and even putative moral distinctions*" (Pippin 5, my emphasis). *Stagecoach*, then, relies upon a conceptualization of politics analogous to Carl Schmitt's, wherein political unity ultimately derives from the conflict between the friend and the enemy. Through its identification of and conflict with the enemy, the society of friends derives its unity and cohesion; this, according to Schmitt, is the original political relation. And yet as Derrida demonstrates, this relation is predicated on the friend being, in the last analysis, indistinguishable from the enemy, such that "what is true of the enemy (I can or I must kill you and vice versa) is the very thing that suspends, annuls, overturns or, at the very least, represses, transfigures, or sublimates friendship, which is therefore simultaneously the same (repressed) thing and *something altogether different*" (*Politics* 122, his emphasis). Here Derrida and Agamben are very close to one another, for both see in Schmitt the articulation of—though not, despite his assertions to the contrary, a resolution to—the fundamental paradox of the political. Indeed, Derrida speaks of how the "death of a *human being*, thus implied in this concept of the enemy—that is, in all war, exterior or civil war—is neither natural death, since the enemy must be killed, nor murder, for wartime killing is not seen as a crime" (122, his emphasis), a statement that quite clearly anticipates Agamben's fixation upon the exclusion of bare life and of *homo sacer* from both the state of nature *and* the juridical order: bare life is neither natural nor political, but the zone of indistinction between both out of which their opposition flourishes.

In *Stagecoach*, then, as in the Western as such, "the categories whose opposition founded modern politics (right/left, private/public, absolutism/democracy, etc.)" are sustained through the ideological fantasy of the Indian as the absolutely hostile and external Other. In *Blood Meridian*, however, this fantasy is at once preserved and dissolved. It is preserved insofar as the Comanches are, to a degree which seems almost gleefully on the nose, embodiments of total chaos, violence, and inhumanity; indeed, the brutality with which they slaughter the filibusters draws upon a long tradition of casting Native Americans as mercilessly bloodthirsty. Not only do we see them "riding down the unhorsed Saxons and spearing and clubbing them," they commence to "hacking and chopping at the naked bodies, ripping off limbs, heads, gutting the strange white torsos and holding up great handfuls of viscera, genitals, [while] some of the savages . . . fell upon the dying and sodomized them with loud cries to their fellows" (*Blood* 54). Even this passage's description of the filibusters as "Saxons" itself contains the simultaneous evocation and negation of the fundamental fantasy of the Western, in that, on the hand, it situates this conflict as primordially Eurocentric, pitting "strange white torsos" against intractably racialized, inhuman Others. On the other hand, however, Saxons were themselves precisely such dehumanized barbarians in relation to the civilization of the Roman Empire and post-Roman Britain; the friend and the enemy, at once distinct and indistinguishable. It is this confusion of stable oppositions, however, that reflects *Blood Meridian*'s critique of the Western's dependence upon the ideological figure of the Native American. This is not to say that the novel posits the Comanches and the filibusters as equally savage, as sharing a common Hobbesian humanity wherein *homo homini lupus*,

but rather that *Blood Meridian* calls into question the categories of civilized and savage, friend and enemy, and internal and external by demonstrating how each term is expressed within its opposite. That is, the filibusters are not attacked by a hostile, alien force—first of all because *they are* that invading force themselves. But, more significantly, what they find in the Comanches is their own semblance: for instance, in the multitudinous array of outfits the Comanches wear, which include “silk finery and pieces of uniform,” “frogged and braided cavalry jackets,” “a stovepipe hat,” “an umbrella,” “white stockings and a bloodstained weddingveil,” “a pigeontailed coat worn backwards,” and “the armor of a spanish conquistador.” Again, the point is not that the Comanches have perverted these Eurocentric signs, but rather that their appropriation of civilized garb demonstrates that this perversion is itself a symptom of the filibusters, and thus of the fundamental fantasy of the Western.[14] What is figured as external to the filibusters—the Other to Captain White’s whiteness, the Indian to the heroic cowboy—is thus revealed to be absolutely internal to their identity. Within the ideological economy of the Western, the Indian is the Real of the cowboy, the extimate core around which the fantasy of the heroic, autonomous, individual revolves. As Žižek might put it, “The proper answer to [the ideological figure of the Native American] is therefore not ‘[Native Americans] are not really like that’ but ‘the [Western’s] idea of [Native American] has nothing to do with [Native Americans]’; the ideological figure of a [Native American] is a way to stitch up the inconsistency of [the] ideological

[14] A further subtlety is introduced via Owens’ discovery of the likely historical inspiration for McCarthy’s description of the Comanches, an engraving of the Battle of Plum Creek by T.J. Owen “depicting the unnerving incongruities of Comanche dress: a warrior wears a stovepipe hat and holds an umbrella” (37). McCarthy thus weaves historical accuracy directly into the ideological fantasy of the Native American. This isn’t to say that Comanches were “really like that” but rather that history itself is not outside ideology: historical facts are as much symptoms as any ideological distortions.

system" (*Sublime* 49). The inconsistency of the Western as ideological system consists in the paradox of law's founding, and this inconsistency is "stitched up"—occluded, repressed—through its displacement onto the figure of the Native American, in whom one can perceive the inverse reflection of this inconsistency.

Yet the filibuster episode is, within the larger context of the novel, merely a preamble to the horrifying, genocidal violence of the Glanton gang. Were *Blood Meridian* merely content with critiquing the mythologies and ideologies arising from narratives of the American West, it could end with the massacre of the filibusters—or, more properly, with the kid's reunion with Captain White, when, after having survived the battle and found his way through the wilderness to a village, he is shown by the villagers "a glass carboy of clear mescal. In this container with hair afloat and eyes turned upward in a *pale face* sat a human head. . . . It was Captain White. Lately at war among the heathen" (69-70, my emphasis). Owens observes that this "belittles White's rhetoric and exposes the fallacy of his rant about white supremacy" (31). The ironic denouement of the filibuster episode thus serves to directly critique the notions of American exceptionalism, Manifest Destiny, and the mythology of the American Frontier (particularly as it is expressed through the Western), and thereby the associated deterministic assumptions about the destiny of the American nation and the nature of American identity. With the scalphunters, this critique is continued, but it is both rendered in far starker terms and broadened to include foundational notions of Western civilization itself. While Captain White justifies his racist and chauvinistic jingoism with an appeal to noble ideals—to honor the memory of the fallen soldiers of the war, and to serve as "the instruments of

liberation in a dark and troubled land" (*Blood* 34)—and even though the loftiness of these ideals is indissociable from White's bigotry, the scalphunters are inspired by nothing more than the profit motive. And even this motivation seems to rather quickly fall by the wayside, so that ultimately they kill and scalp simply to kill and scalp. When the kid first joins Glanton he has just earned a contract to kill Apaches from Angel Trias, the governor of Chihuahua; Trias will "pay him a hundred dollars a head for scalps" (*Blood* 79). The historical Trias did indeed put an outrageously lucrative bounty on the scalps of Indians: "A group of fifty Indian hunters paid two hundred dollars a scalp would have to bring only four scalps a month into Chihuahua City in order to exceed the army's rate of pay, and for work not much more hazardous than the army's. [One] group was known to have killed as many as two hundred Indians on a single trip, bringing in one hundred and eighty two scalps" (Sepich *Notes* 7). When the scalphunters massacre the encampment of Gileño Apaches under their contract with Trias they bring in "one hundred and twenty-eight scalps and eight heads" (*Blood* 167), a red harvest that should reap them about $13,600.[15] At a dinner held in their honor Trias pays them their money, and the lack of ceremony with which Glanton divides up their shares demonstrates how little money ultimately matters to them: "Glanton took charge of the long canvas bag stamped with the state cartouche and cutting the governor short he rose and dumped the gold out onto the table among the bones and rinds and pools of spilled drink and in a brisk drumhead disbursement divided out the pile of gold with the blade of his knife so that each man was paid his spoken share

[15] The gang's 128 scalps seems a likely oblique reference by McCarthy to the historical scalphunting report of 182 scalps brought in found by Sepich; or perhaps he simply recorded the number incorrectly.

and no further ceremony to it (170). The gold, equated as it is with the detritus and waste on the table, functions as no more than a perfunctory, vestigial element in a ritual whose primary focus extends beyond any mere participation in a system of supply and demand. The scalphunters, ostensibly in thrall to the profit motive, so carelessly organize and recklessly squander the money they make it seems likely their true motivation lies in some other quarter, and their subsequent actions suggest what this motivation might be.

Unable to reach the remaining Apaches, who have gone north into Texas, they begin killing and scalping anyone whose scalp could be taken for Native American. Given that much of Mexico's population is mestizo, not only does this include "a band of peaceful Tiguas" (173), it also means they kill 36 men in a gunfight in a saloon in the town of Nacori and then massacre an entire village, scalping all they kill. They then return to Chihuahua City "haggard and filthy and reeking with the blood of the citizenry for whose protection they had contracted. The scalps of the slain villagers were strung from the windows of the governor's house and the partisans were paid out of the all but exhausted coffers" (185). While it is obvious from this anarchic slaughter that the gang cares more for the act of killing than for the profit it brings, McCarthy is also suggesting something about the nature of the Western. The interchangeability of the scalps the gang exchanges for money echoes the historical use of non-Native actors in Western films; for the Western, any scalp will do as long as it looks sufficiently Indian. What is more, not only do the scalphunters abandon the pretext of hunting human beings for profit—which, of course, is staggeringly horrific in itself—they begin killing simply to keep killing. The point in this is to demonstrate that *this is precisely what the Western is about*: the fantasy of the Western,

the role it plays in the promulgation and continuation of the Frontier mythology, has its fundamental and most horrifying dimension occluded. The Western is above all concerned with the reckless, inexplicable, unjustifiable potential for killing: for there to be radically autonomous individuals, there must be those upon whom this autonomy is exercised without restriction and to whom it is denied absolutely, and this is what the Native American is to the Western. *Blood Meridian* disrupts the occlusion upon which this ideological fantasy depends; the scalphunters do not represent a perversion of the Western, they represent the Western as such.

Blood Meridian is not simply a Western, however, nor is it exclusively devoted to laying bare and critiquing the ideological foundations of the genre. Indeed, its critique extends to fundamental components of American literature and culture, of which, of course, the Western is an exceptional (and thus, following an Agambinian logic, also an exemplary) expression. Regarding the presence and representation of Native Americans in the novel, *Blood Meridian* demonstrates the scope of its critical lens through its inclusion within the ranks of the scalphunters several Delawares. Delaware, of course, is a name bestowed by the British upon the various tribes who made up the Lenape, the aboriginal inhabitants of the area roughly between the lower Delaware and Hudson Rivers. Once again, the presence of the Delawares demonstrates the depth of McCarthy's historical research, for the historical presence of the Lenape in the American West is well attested. Decimated by disease and war, the Lenape were forced to move to what would become Ohio after signing the Treaty of Easton in 1758. After successive forced relocations over the next hundred years, most remaining Lenape ended up in reservations in Oklahoma

Territory.[16] Over this time period many joined military and civilian expeditions as scouts and trackers. McCarthy provides a brief summary of this history after one of the Delawares is carried off and presumably eaten by a gigantic grizzly bear. His fellow tribesmen trail the wounded animal for three days before losing its tracks, whereupon "They caught up their horses and turned back . . . . They did not speak. They were men of another time for all that they bore christian names . . . . They'd learnt war by warring, the generations driven from the eastern shore across a continent, from the ashes at Gnadenhutten onto the prairies and across the outlet to the bloodlands of the west" (138). Gnadenhutten, of course, is the site of the eponymous 1782 massacre, which saw American Revolutionary troops slaughter of 96 Unami and Munsi tribespeople. McCarthy's reference to Gnadenhutten thus enacts a link between the origins of the American nation and the violence perpetrated against Native Americans in its name, and the historical trajectory traced by the brief ethnobiography of the Delawares parallels the westering movement of the United States, thereby unmistakably (if subtly) predicating the significance of the Frontier in American history upon this same violence.

Blood Meridian is therefore including within itself as a Western a critique of the historical and cultural conditions which gave rise to the Western, conditions which are fundamentally characterized by and bound up in the ideological figure of the Native American. This self-reflexivity is the novel's greatest strength; while it is, as Harold Bloom says, "the ultimate Western, not to be surpassed" (*Blood* v), it is unsurpassable as such precisely because it itself surpasses the bounds of the Western and thereby delimits them. It hyperbolically asserts the generic conventions of the Western and in so doing reveals the

[16] Interesting, a small group of Lenape moved to land in southwestern Ontario, where their descendants live to this day in the Moravian, Munsee-Delaware, and Six Nations Indian Reserves.

point around which the genre is simultaneously organized and dissolved. This point, of course, is the Native American, the foundation of the Western's fantasy of limitless sovereignty, a fantasy which is itself symptomatic of the founding fantasy of the United States: the establishment of a new sovereignty through a revolutionary break with the sovereigns of Europe. In both cases, *Blood Meridian* tells us, the constitutive paradox of sovereignty, its foundational flaw whereby the sovereign is at once of the law and external to it, is covered over by the figure of the Indian. The United States is founded upon the ashes of Gnadenhutten, and it therefore uncovers them wherever it goes: it cannot escape this repressed historical genesis. What's more, *Blood Meridian* tells us, it is in this very inability to escape that the Western derives its ideological efficacy: America's promise of radical autonomy, codified and ritualized by the Western, persists only insofar as it remains experienced as virtual, as irrevocably out of reach yet tantalizingly within reach. It is in this sense that *Blood Meridian* reveals the true limit of the Western, namely, the genre's intractable commitment to the racist ideological figure of the Native American.

Coda

The Internal Limit of the West in James Welch's Fools Crow

As one of the more important figures of the clumsily named Native American Renaissance, James Welch and his prose and poetry play a significant role in posing and exploring the paradoxes of being Native American within the contemporary United States. This problem is characterized in Welch's work by a structuring bifurcation in which Native American identity is antagonistically split between the call of heritage, tradition, and history on the one hand and the systemic racism and inherent alienation of the modern world on the other. Other Native American writers, such as Leslie Marmon Silko, resolve this split through a turn and return to traditional Native culture, ritual, and spirituality. In Silko's landmark *Ceremony*, for instance, in order to overcome the post-traumatic stress disorder induced by his experiences in the Bataan Death March and the alcoholism that arose as a symptom of his PTSD, the protagonist, Tayo, delves into personally rejuvenating, traditional Laguna Pueblo ceremonies. The efficacy of such a turn is regarded with far greater ambiguity in Welch's oeuvre. For example, the epilogue of *Winter in the Blood*, his first novel, ends with the text's nameless protagonist tossing a tobacco pouch into the grave of his recently deceased grandmother. The critical literature is unanimous in its observation that this gesture constitutes the protagonist's reconciliation to the trauma of the deaths of his brother and father or at the very least provides the framework in which such healing can take place. This personal reconciliation is interpreted more broadly as an allegory of the reclamation of a sense of connection to a cultural identity and place, "of recovering a relationship to self and nation that has been displaced . . . . The narrator of *Winter in the Blood* discovers a Blackfeet cultural identity not by unearthing a ready-made

history but through the process of recovery" (Tuton 634). Eisenstein makes the similar if offensively mystifying claim that Welch's novel shows how "the Indian worldview can . . . alter one's linear based relation to time; it can give an individual the mythic means—the wisdom that goes 'beyond age'—to engage the pain that might constitute one's more individual, more immediate, history" (9). Like Silko, then, scholars see Welch as acclaiming the recuperative power of heritage and ceremony.

In contrast, however, I consider the protagonist's gesture to be fundamentally ambivalent. Certainly, to see it as heralding a moment of healing or the possibility of healing's onset is valid; at the same time, though, it is equally plausible to see it as a *rejection* of heritage and cultural history, as a literal burying of something that is dead, powerless, and irrelevant. My point is not to privilege this latter view over the former, but rather to assert their irresolvable simultaneity. Whereas Tuton asserts, "Unlike Vizenor and other postmodernist theorists who . . . deconstruct identity, Welch, writing during the Red Power era, situates American Indian identity as a central concept in recovering knowledge of ancestral life ways and homelands" (635), it seems equally accurate to say that the narrator of *Winter in the Blood* is a paradigmatic example of Vizenorian crossbloodedness, though certainly one who inhabits this identity uneasily at best.[1] Indeed, the repetitive *mise en abyme* of this double bind between recovery and rejection, between reconciliation and alienation, is one of the most crucial features of Welch's work, one recurrently manifested along a multitude of planes including the diegetic, tropological,

[1] The crossblood or "mixedblood," Kimberly Blaeser explains, "is a marginal character, one who exists on the border of two worlds, two cultures, the white and the Indian. In fact, the existence of the mixedblood resists even that definitiveness" (155). The narrator of *Winter in the Blood* believes himself to be of mixed ancestry (Blackfeet and Gros Ventre), though he discovers that he is in truth a full-blooded Blackfeet at the end of the novel. Again, however, this does not represent a recuperation of wholeness, but rather subverts the stability of "pure" Blackfeet identity insofar as mixed, hybrid ancestry and identity *is* this purity as such.

thematic, and generic. The lattermost of these axes is of particular importance to both understanding Welch's fiction and to this dissertation, for it is through his dialogue and confrontation with the Western that Welch's representation of the irreconcilable, constitutive bifurcation of Native American identity and experience is focused most acutely.

In his third novel, *Fools Crow*, Welch provides his most explicit and trenchant critique of the ideological contours of the Western. Set in Montana Territory in the 1870s, its narrative's immediate focus is on the exploits of White Man's Dog (later Fools Crow), a young Pikuni Blackfeet man of the Lone Eaters tribe who rises in status in his tribe over the course of the novel and witnesses the irrevocable changes occurring to the Blackfeet way of life in the face of white encroachment on their land. Widely lauded for its presumed authentic representation of traditional Blackfeet culture and life—Bevis asserts that it brings the reader "closer to the buffalo-culture Indian world than in any other novel to date" (46)—*Fools Crow* also represents the destruction of this way of life in a manner that subtly evokes and critically inverts the Western. Our first indication of this critique is given by the novel's title and its simultaneous yet incommensurable connotations regarding nomination and identity. The grammatical ambiguity of "Fools Crow" produces two separate senses of the name and thereby challenges the presumption of unitary identity implied by the Western's privileging of the autonomous, heroic individual. This ambiguity resides in the impossibility of deciding whether, in the final instance, "Fools" operates as a noun or a verb. Certainly, the events of the novel seem to provide a ready answer to this uncertainty, for it is White Man's Dog's successful attack on a Crow encampment, which sees him kill the Crow chief Bull Shield and take his scalp, that earns him his new

sobriquet, Fools Crow. From this perspective "Fools" thus functions as a verb, with its implied subject being the novel's protagonist: "(He) Fools Crow". Yet it is also possible to read "Fools Crow" as a genitive construction, with the "s" of "Fools" taking the role of the possessive clitic: "Fool's Crow", the Crow who belongs to the Fool. While not grammatically nor diegetically warranted (regarding the former because the possessive clitic is signified by an apostrophe, and regarding the latter because Fools Crow fools the Crow when he defeats them in battle), this secondary semantic valence finds validation in its reiteration of the Welchian theme of bifurcated identity, in that "Fool's Crow" is an ever present implication unsettling the stability of the singularity of the novel's title and its eponymous protagonist.

Moreover, such unsettling is internal to both senses of the novel's title. There is an infinite recursion disturbing the ostensible certitude connoted by "Fools Crow", in that its subject is forever present as an absence: to wit, the question of who fools Crow can only ever be answered with a tautology. Who fools Crow? He does. And who is he? The one who fools Crow. We can see in such a grammatical *mise en abyme* a clear echo of Lacan's observation that identity is always predicated upon the endless movement of signifiers, such that, tautologically, what they ultimately signify is this movement as such. There is thus a constitutive fracture within *Fools Crow*'s concept of identity.[2] Likewise, the genitive construction "Fool's Crow" is internally split, for, being the Fool of the Crow, its subject is defined by means of an external relation. His being is caught up in the claim another has

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[2] Indeed, as Nelson observes, "The novel moves beyond an acknowledgment of 'hybridity' as the inescapable interrelation of different cultures to argue the inherent, constitutive indeterminacy of traditional culture. In so doing, *Fools Crow* refutes the equation of hybridity with loss of identity. At the same time, the novel's emphasis on the specificity of perspective enacted in the production and interpretation of story works against an overly general or determinative understanding of Native experience" (3).

upon it. The question remains, of course, exactly who this other is, who in the novel is equated with the Fool. Perhaps it is enough to assert that the Fool's identity is irrelevant and that its primary significance is the splitting of identity it produces. Were we to speculate, however, perhaps the Fool is the Pikuni tribe to which Fools Crow belongs. He, of course, is given knowledge of the apocalyptic future in store for his tribe and his descendants during the dream-vision he receives from Feather Woman, knowledge that, Cassandra-like, he cannot put to use.

Pursuing this mythological thread further, we can also read Fools Crow as an analogue of Odysseus. Both senses of his name support this, for if he is Fools Crow, then he is a trickster, a man of cunning, and if he is Fool's Crow, then he is equated with Crow, a recurrent deity in many North American tribal mythologies who is likewise always a trickster figure. Welch's point in this allusion, however, is not to elevate Native culture, to posit the Odysseus of the Lone Eaters and thereby assert the cultural and political equivalency between Native civilization and Western civilization. On the contrary, Welch is reasserting the governing theme of his fiction: the intractable split between the past and the present, between Native tradition and heritage and the contemporary experience of Native Americans that founds Native identity. Welch alludes to Odysseus with Fools Crow not to demonstrate that Fools Crow is an iteration of the Odyssean archetype, but rather to show that this archetype is now a part of the stories Natives tell about themselves. The past cannot be recovered. It can only be recreated, reimagined, and retold from the context of the present. It can only be a version of the present. Welch thereby suggests that recuperation of ritual, tradition, and culture is not enough by itself, for what is recovered will inevitably be shaped and determined by the context from which the recovery is made.

In this way Welch is able to posit the fracturing of cultural and personal identity to which the Native American is subject as the constitutive and historical foundation of Native American identity itself. The gesture is profoundly political, to claim as one's own the historical injustices and traumas to which one's people were subject, to situate these injustices and their devastating effects as the foundation of one's cultural identity. Ritual, Welch's fiction avers, is not sufficient, unless it be ritual that incorporates into itself the loss of ritual as such. A gesture at once defined by loss and by reclamation; the fundamental ambiguity of wordlessly tossing a symbol of heritage into a grave.

Such reclamation is particularly acute in the case of how Welch's novels relate to the Western. The particular regionality of his work makes it especially well-suited to dealing with the poisonous legacy of the Western as compared to that of his contemporary writers, many of whom come from tribes and areas that had comparatively little to do with the historical reality of the Wild West. Huge portions of Welch's home state of Montana are used for ranching; indeed, cattle ranching is central to the life of the protagonist of *Winter in the Blood*, and Jim Loney, the eponymous protagonist of Welch's second novel, often finds work on ranches outside of town (which, it should be noted, is located along the Milk River—the very same waterway at which the cattle drive in *Lonesome Dove* ends). Ranch and range stand largely in contrast to the work of such writers as Silko, Sherman Alexie, N. Scott Momaday, Simon Ortiz, and Louise Erdrich, whose works are, generally speaking, set in the American West, but in regions which did not have significant historical or cultural ties to the cowboys so central to the mythography of the Western. I highlight this distinction not to claim that Welch has a more authentic relationship to the Western, but rather to suggest that the specific regionality of his work is particularly well

suited to directly confronting the paradox to which the Western subjects Native American identity. To be sure, this paradox is one that all Native American writers must contend with, and its patent absurdity is highlighted in direct proportion to the degree to which their geographical and cultural heritage diverges from the mythography of the Western. Thus, for instance, do we see Alexie title his first collection of short stories *The Lone Ranger and Tonto Fistfight in Heaven*—while there are very few scenes one could associate directly with the Western in the collection, the title succinctly indicates the overdetermination to which the Western subjects Native American identity.

Indeed, even to employ the phrase "Native American identity" is to reiterate this very subjection insofar as it myopically telescopes the enormous diversity of aboriginal culture into one conflated, amorphous whole. Yet it is this conflation that writers like Welch must contend with, precisely because it *does* inform and determine the contemporary experience of Native Americans regardless of their particular tribal heritage and history. A primary mechanism of this conflation is, of course, the Western and its tendency to compel the Indian "to appear before us as a loose collection of fragments, at once hinting at and concealing a complete human identity" (Prats 23). The Western's fractious imaginary representation of Native Americans is directly undone by *Fools Crow* in the novel's attempt to recreate the worldview of the Blackfeet, to represent as accurately as possible how the Blackfeet viewed themselves and their relation to the world around them. In this way they are no longer the ominous, phantasmic harbingers of death and destruction, but fully realized representations of human beings, with rich inner lives and a unique, functional, and meaningful society and culture. The rituals, traditions, practices, and semiology of the Blackfeet are not present simply as props intended to provide the

narrative colour and a sense of authenticity and danger. Rather, these details combine to form a cohesive whole that restores humanity to Native Americans within the context of a narrative contending with the dehumanizing effects of the Western. Moreover, *Fools Crow* represents Blackfeet culture and society without resorting to an appeal to the presumed "shared humanity" between the Blackfeet and non-Native readers—the humanity of the Blackfeet is demonstrated in *Fools Crow* precisely by the uniqueness and difference which characterizes their culture. Indeed, the notion of a shared humanity that transcends specific cultural and racial difference is precisely what structures contemporary attitudes of white supremacy, for what does or does not constitute "humanity" is defined *a priori* by whiteness—the sharing takes place only insofar as that culture perceives what it values as human in the Other.

At the same time, however, Welch's novel demonstrates that revisioning the Blackfeet (and by extension Native Americans) is not enough on its own, for, as we have seen in our analyses of *Lonesome Dove* and *True Grit*, to alter the content of the Western while leaving its form intact does nothing but strengthen the form. If, then, one is to challenge the hegemony of the Western, one must contend with the overdetermination to which the genre subjects the very components of narrative, and it is one of the greatest strengths of *Fools Crow* and of Welch's oeuvre more generally that it undertakes this contest. For instance, the Western privileges the heroic, autonomous protagonist; how then does one write a novel set in the American West without, *at the structural level*, simply reproducing the same old racist fantasies of that individual asserting his autonomy by violently subjugating the phantasm of a fragmented, dehumanized Indian? *Fools Crow* undercuts the primacy of the individual first through its destabilization of nomination (or,

to be more accurate, its representation of nomination as fundamentally destabilized). It also, however, challenges the Western's fantasy of individual autonomy through its critique of the upward mobility inherent to that fantasy. Insofar as Westerns imagine the founding of a new, distinctly American social order, the genre's typical narrative necessarily follows a trajectory tracing the growth of personal and social wealth. In *The Virginian*, for instance, the titular character begins the novel as a ranch hand and ends as a wealthy partner in the ranch and a man of some political and social importance. Similarly, the narrative in *Unforgiven* is driven by Clint Eastwood's character, the none-too-subtly named William Munny, attempting to collect the bounty put out on two ranch hands. Munny was once a violent, dangerous outlaw, but has reformed his life and turned to farming and raising his two children. Dissatisfied with the life he is able to offer the children, he sees the bounty as a way of giving them a head start in the world, and, indeed, the film's brief epilogue tells us Munny took his children and left the farm after returning home from his bounty hunt, "some said to San Francisco where it was rumoured he prospered in dry goods" (*Unforgiven*). Likewise, *Lonesome Dove*'s cattle drive is intended to reap large profits for the Hat Creek Outfit. Even *Blood Meridian* revolves around the outsized profits earned by the scalphunters—though in McCarthy's novel's case the violence which generates this wealth and thereby, within the symbolic economy of the Western, founds the new social order is figured as coextensive with this social order itself.

The Western's fantasy of individual autonomy and corresponding narrative of upward mobility and the accumulation of wealth is incorporated into what we can describe as the first movement of *Fools Crow*: the horse raid on the Crow in which White Man's Dog participates. Before going on the raid, he is convinced he is afflicted with a

malevolent spirit that forces his luck to be bad and prevents him from achieving wealth and social status:

> Not so lucky was White Man's Dog. He had little to show for his eighteen winters. His father, Rides-at-the-door, had many horses and three wives. He himself had three horses and no wives. His animals were puny, not a blackhorn runner among them. He owned a musket and no powder and his animal helper was weak. Many times he had prayed to the Above Ones for stronger medicine but he knew that wasn't the way. *It was up to him*, perhaps with the help of a many-faces man, to find his own power. (*Fools* 3-5, my emphasis)

It is clear from this passage that White Man's Dog greatly desires wealth, a higher social position, and power. What is particularly interesting is his conviction that it is "up to him" to secure these things, for such a bootstrap mentality is central to the American (and Western) imaginary. In short, this first movement of *Fools Crow* is framed as a classic rags-to-riches story. At the beginning of the novel White Man's Dog sees himself as unlucky, unfavored, and poor, and his fellow Lone Eaters view him the same way; Yellow Kidney, who organizes the horse raid, has strong concerns about inviting White Man's Dog: "He did not like to have an unlucky man on this trip. Bad luck, like the white-scabs disease, can infect others" (12). Yet despite Yellow Kidney's trepidations the raid is successful for White Man's Dog; charged with leading a group of younger men in stealing the Crow's remuda while the more experienced horse thieves in the party go after the prize horses in the Crow camp, his group absconds with "over one hundred and fifty horses" (34). During the theft, White Man's Dog kills a Crow youth who catches the group; while he feels a

great sense of remorse, this act, along with the theft, wins him great regard amongst his fellow Lone Eaters (a sentiment further amplified by the wealth his share of the horses brings him).

Welch hews closely, if subtly, to the parabola of the Western narrative in this scene. White Man's Dog has, on his own, found his power; with the requisite pluck, determination, and can-do attitude, he's bettered his station in life and raised himself up by his own bootstraps. Moreover, true to Western form, he's done so by killing an Indian. In what seems an example of what Prats identifies as "enforced *reversion"* wherein "the Indian appears first as a whole image" but is then identified "through the familiar fragment, which appears *after* the Indian does" (31, his emphasis), White Man's Dog has nearly made off with the Crow horses undetected "when he saw a rider galloping up from the south" (*Fools* 31). Right before attacking and killing the rider with his knife, White Man's Dog "saw *the look of recognition in the young eyes*" (31, my emphasis). The significance of these recognizing eyes is twofold: first, just as Prats describes, the Indian initially appears in his entirety, and then is reduced to a fragmentary image which synecdochally stands in for the whole. With the Indian thus vanquished White Man's Dog undergoes a social, financial, and spiritual rejuvenation, just as the mythology of the Western (and, more broadly, of the Frontier) promises. The youth's gaze of recognition also signifies, however, the contradiction to which the Western subjects Native American identity: if one is to be the hero of a Western, one must be violently disposed towards the Indian. Characters in Welch's Western fiction, then, are, as Native Americans, *violently disposed towards themselves*. It is as though, for example, the climactic gunfight of *The Good, The Bad, and the Ugly* was fought by three copies of the same person rather than

three discrete individuals. Leone's use of extreme close-ups of the duellists' eyes suggests as much, of course, as does the very title of his film—for who is the good one, who the bad, and who the ugly? Indeed, Leone's point throughout is that such differentiations are imaginary, and what ultimately facilities the imaginary differential boundary between the individuals in the Western, what imaginarily separates the lawman from the outlaw and the hero from the villain is the Real of the Indian's non-differentiability. In the Western, each Indian is the same in order that the heroic protagonist can be different, individual, autonomous. The familiarity which attends the conventionally necessary moment of violence in *Fools Crow*'s horse raid is the first instance in the novel of Welch laying this contradiction bare, inverting the form of the Western by *following its generic demands exactly*.

As we have seen, the mutability of names and consequently of identity is a major feature of *Fools Crow*. This instability of nomination constitutes an implicit critique of the priority accorded individuality and autonomy by the Western. The name the protagonist of *Fools Crow* begins the novel with further elaborates this critique in a manner that also reiterates the Welchian exploration of the contradictions of Native American identity. For nearly half of *Fools Crow*, its protagonist is named White Man's Dog. If, as I have argued, *Fools Crow* undertakes a critique of the Western by shaping its narrative along a typically Western trajectory, then it would seem that the protagonist's name is an ironic commentary on what following such a trajectory as a Native American makes you: a dog whose master is the white man. Even considered on its own the name seems an undeniably and intentionally provocative choice on Welch's part, given that *Fools Crow* is so directly concerned with recounting a historical period in which the actions of white

men impact the lives of Native Americans so acutely. Indeed, perhaps "White Man's Dog" is intended as a critique of Eurocentric modes of narrative as a whole: any protagonist will always be another white man's dog. The fact, then, that White Man's Dog has his name changed suggests that Welch is averring the possibility of appropriating or reclaiming narrative and thereby creating within it a space in which the contradictions Native American identity is subjected to can be resolved. This possibility is further indicated by the grammatical transcendence that occurs in the protagonist's nominative metamorphosis: he moves from a name that is dominated by a genitive construction to one in which said construction hovers spectrally in the background.

What greatly complicates this reading of White Man's Dog's name, however, is its actual meaning, revealed much later in the novel, after he has received his new name. This actual meaning is first hinted at by the difference between White Man's Dog's name and the terms typically used by the Blackfeet to designate white people. In general, they call whites "Napikwans", with members of the US military specifically referred to as "seizers". This divergence is concretized when Double Strike Woman, White Man's Dog's mother, recalls the origin of his moniker: "He was nine winters, and he had taken to following an old storyteller around—Victory Robe White Man. One day one of the men saw the storyteller alone and said, 'Where is White Man's Dog?' and the name stuck. Double Strike Woman had never liked it" (220). The white man to whom White Man's Dog's name refers thus has nothing to do with white men, but with one who functions as a repository of Blackfeet culture, tradition, and narrative. What are we to make of this total reversal? White Man's Dog goes from being a possession of that which destroys Blackfeet society and culture to being a possession of the core of that society and culture. Moreover, does

the true background of his name thus invalidate our reading above of its false significance? Has Welch thereby undermined the undermining this reading suggests the protagonist's name change accomplishes? I submit that, like the radical ambiguity characterizing *Winter in the Blood*, Welch is refusing to let either perspective dominate. This both reflects the impossible contradiction to which American Indian identity is subject and establishes this contradiction as the basis for thinking about, narrating, and representing that identity.

The most interesting feature of the convoluted process of revelation the protagonist's name goes through in *Fools Crow* is the importance of retrospection to it. With Double Strike Woman's remembrance, our view of White Man's Dog undergoes a parallax shift, such that we must retrospectively reconsider and reconstruct both the ways in which his name signifies and the ways in which *Fools Crow* contends with the Western. It is as though we must first see the Western overdetermine the narrative and then see how that overdetermination was a misprision in the first place. A directly related shift occurs in *Fools Crow* with respect to its status as a Western. As we have observed, the novel begins with a narrative scenario that strongly evokes the Western, with its protagonist striving to elevate himself socially and financially and doing so by horse rustling and killing an Indian. This narrative is paralleled later on by the brief shift in point of view to the nameless whiskey wagon guard. Like the protagonists of many Westerns—such as Ethan Edwards in *The Searchers*, John Dunbar in *Dances with Wolves*, or Cullen Bohannon in AMC's TV series *Hell on Wheels*—he fought in the Civil War as "a young Georgia cavalry officer riding time after time into the guns of the North" (292). Unwilling to see the war through to its end with the Confederacy's defeat, he and "men like him . . . deserted the army of General Lee for the wide-open spaces of the West" (293). While working as a

ranch hand in the Texas panhandle he hears rumours of gold being discovered in Montana Territory, "Lots of it, just layin' in those creek bottoms" (292). He leaves the next day to seek his fortune in the gold fields of Montana. Like White Man's Dog with his raid on the Crow, this anonymous Southerner follows a path defined by the Frontier mythology, wherein the individual, social, and cultural trauma of the Civil War can be resolved within the purifying and rejuvenating space of the Frontier. This brief narrative excursion is, in short, a Western in nascence—the only difference is that its hero does not survive his encounter with the wilderness incarnated in the person of the savage Indian. While escorting a shipment of whiskey from Fort Benton to Canada, the Southerner stops to urinate and is ambushed and killed by one of Owl Child's band of renegades. Owl Child is the son of Mountain Chief, leader of the Many Chiefs, one of the most powerful Pikuni tribes. Rejecting any attitude towards the encroaching white settlements other than total hostility, Owl Child raids caravans, farms, and outposts with a group of similarly disaffected young men he has recruited from the Blackfeet tribes—among them Fast Horse, the Lone Eater friend of Fools Crow whose reckless actions caused Yellow Kidney to be captured and mutilated by the Crow during the horse raid. Owl Child's band kills the remaining men of the whiskey caravan, all the while knowing that their actions will bring the wrath of the US Army down upon the Many Chiefs and the Hard Topknots, another Pikuni tribe, both of whom are separately encamped less than a day's ride from the site of the ambush.

Once again, there are two ways we must read this scene. First, Welch is undermining one of the most central tropes of the Western: the heroic, autonomous individual's actualization as such through the slaying of the Indian. This is an overt gesture

of political resistance on Welch's part, for by refusing to follow the conventions of the Western and cast the Indian as the ideological figure upon whom the violent fantasy of white subjectivity is exercised he is at once exposing that ideological figure as such and rejecting its presumed authority. At the same time, however, Welch is suggesting that such resistance is insufficient because it reasserts the fundamental form of the Western, with the places of cowboy and Indian reversed. Owl Child and Fast Horse, that is, are simply Pikuni who are living the fantasy of the autonomous individual, repeating the same ritual of regeneration through violence that undergirds the Western and the Frontier mythology of which the genre is a part. Indeed, Fools Crow suspects that the bad spirit which afflicted him before the horse raid was not completely destroyed by the ceremony the medicine man Mik-api performed for him but was only cast out of his body, free to roam until it had found another host. While his father believes otherwise, Fools Crow wonders if this host is Fast Horse. The latter's actions during and after the horse raid certainly bear this out—particularly if we understand the bad spirit to be an allegory for the Western's fantasy of autonomous individuality. This association is suggested when Fools Crow makes a final attempt to convince Fast Horse to leave Owl Child's band and return to the Lone Eaters, tracking the renegades down by himself on the plains. As he travels alone, he enjoys his solitude, and experiences a "sudden understanding of what Fast Horse found so attractive in running with Owl Child. It was this freedom from responsibility, from accountability to the group, that was so alluring . . . . If one cut the ties, he had the freedom to roam, to think only of himself and not worry about the consequences of his actions" (213). This is what Indians becoming cowboys entails: a capacity to enjoy the fantasy of individual autonomy that comes at the cost of rejecting the Indian without and within. This dual

rejection is signaled by Fast Horse's final movement into total isolation. Having discovered Yellow Kidney's body where it was left in the abandoned war lodge by the white hunter who murdered him, Fast Horse decides to anonymously return it to the Lone Eaters. Watching as the horse to which he attached a travois carrying Yellow Kidney's body moves towards the Lone Eaters' encampment, "he felt an impulse to ride into camp, to the lodge of his father" (333). This brief desire to return to his people is quashed, however, by his inability to ask for their forgiveness: "The suffering he and Owl Child and the others had caused had hardened him in a way that was irreversible. To ask for forgiveness would be to ask for entry back into the lives of his people, and he was not one of them now; now was he with Owl Child and his gang" (333). Turning his horse to the north, Fast Horse decides to go beyond the Medicine Line into Canada, where "he knew he would be welcome at the whiskey forts . . . . *There were many men alone up there*" (334, my emphasis). Thus does Fast Horse become truly autonomous; he is no longer beholden to any other, and he rides off into the wilderness, away from society, just as the protagonist of the Western must do. Moreover, he rides away into a self that is fundamentally divided against itself: he is now an Indian whose identity as such is bound up in its rejection of and flight from being an Indian. It is not so much that Fast Horse rejects his people and heritage, but rather more that he rejects the part of himself that is defined in relation to the Blackfeet and in so doing founds his identity upon that very gesture of internal rejection.

"A poorly done winter count": Fools Crow Goes to the Movies

The fate of Fast Horse thus stands as the end point of Welch's critique of the fantasy of radical individualism so central to the Western and to American self-conception. For

this fantasy to function as such it must exclude Native Americans from participating in it, and this necessary exclusion is rendered most clearly when a Native American follows the fantasy through to its logical conclusion: an autonomous Indian whose autonomy comes at the price of his Indianness. Yet Welch's novel is not simply reactionary, documenting how the contradictions of American identity are displaced onto Native Americans; *Fools Crow* also suggests a strategy for reappropriating and repurposing these contradictions as the basis of a new way of understanding the nexus of history, heritage, and the present day. This strategy is most powerfully articulated by the inverted Western that stands at the climax of *Fools Crow*. As we have argued, simply altering the content of the Western does nothing to change its form. An Indian can become a cowboy, but only insofar as the Indian actively works towards destroying his Indianness. Welch presents and then rejects this strategy for the impossible contradiction that it is. The alternative the novel suggests is found when Fools Crow leaves the Lone Eaters' camp at the behest of "Nitsokan, dream helper" (317). The Lone Eaters have learned that other Pikuni tribes have become afflicted with smallpox. The presence of the disease along with the increasingly threatening presence of the US military has caused great uncertainty amongst the tribespeople, and it is within this context that Fools Crow receives instructions from Nitsokan in a dream, who tells him to ride south for three days without stopping, bringing nothing with him. After travelling for three days Fools Crow discovers a strange place—a hidden valley, uninhabited except for a solitary woman, who eventually reveals herself to be Feather

Woman, an Eve-like figure from Blackfeet mythology.[3] Fools Crow, exhausted by his journey and from not having eaten for three days, is given food and drink by the woman and promptly falls asleep. He begins to dream deeply, and it is during this dream that Feather Woman shows him a series of moving images on a yellow animal skin—shows him, in other words, what can only be described as a movie. Fools Crow, of course, does not think of it as such, and, indeed, his first impression is that the yellow skin simply portrays "a poorly done winter count or war history" (356). While he looks at the images of lodges and horses, which confuse him because the "lodges belonged to different bands and came together only during the Sun Dance ceremonies [in the summer] yet, in the design, the white [background] represented the snow of winter moons" (356), he sees the horses begin to move, and "a wisp of smoke coming from one of the lodges" (357). No longer a mere painting, the yellow skin has effectively become a screen onto which is projected a series of short films—four in all.

The films are successively precognitive, depicting, respectively, the immediate present, the near future, and the future years and perhaps generations hence. The first film, with its confusing congeries of lodges, reveals to Fools Crow the Pikuni tribes afflicted with the smallpox epidemic. He is dismayed to see that "the painted ermine lodge of Three Bears" and "two other lodges from the Lone Eaters band" have "moved their lodge to that village of death" (357). The first series of images clears and a new design appears on the

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[3] It is worth noting here that in one respect *Fools Crow* is *not* a Western: in its representation of gender. Certainly, as we have seen, Welch extensively dialogues with those traits, behaviours, and aspirations typically associated with masculinity in the Western. Crucially, however, this representation of masculinity is not, as is typical in the Western, dependent upon the reduction of women and femininity to props in service of it. Indeed, female characters in *Fools Crow* are fully actualized. We need only note that Fools Crow's quest for knowledge is wholly dependent upon Feather Woman imparting that knowledge to him—he does not, as one would expect in a Western, indulge in the masculinized fantasy of autonomous individuality and experience but must rely on another to discover what he seeks.

yellow skin. It shows to Fools Crow a column of calvary moving through the gully he recently travelled through on his way to Feather Woman's lodge. He realizes this means the soldiers are "travelling north to the country of the Pikunis," and that because they are on the march during winter they "most certainly had an object, a mission. Were they after Mountain Chief?" Fools Crow wonders. "Who would they make cry?" (358).[4] Searching desperately in the design for a sign of the seizers' intent, Fools Crow watches as it changes to a new design. As it slowly comes into focus he realizes that it is showing him "the Pikuni country with its creeks and rivers and small mountain ranges" (358-359). This bird's eye-view is deeply affecting for Fools Crow, filling him "with wonder at the grand sweep of prairie, the ground-of-many-gifts that had favored his people." Yet as he looks he notices that there are no animals anywhere: "But there were no blackhorns. And there were no long-legs and no big-horns. There were no wags-his-tails or prairie-runners. It was as if the earth had swallowed up the animals" (359). It is not the earth that has disappeared the animals, however; what Fools Crow is seeing is a future in which the settlers and armies of the whites have exterminated virtually all of the wildlife that once populated the land. He then sees in the design the devastating impact this slaughter has had upon the Pikuni. Around "a square dwelling place . . . . in the heart of Pikuni country" he sees a people "huddled in worn blankets. Some had scarves tied around their heads. Many had scraps of cloth tied around their feet. They were a pitiful people and Fools Crow did not recognize

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[4] Later Fools Crow comes across the carnage wrought by the soldiers he saw in the skin: the massacre of Heavy Runner and his band. Heavy Runner was the most in favour of appeasing the whites and signing a treaty with them, yet, in a trenchant commentary on the function of law in Westerns, "Heavy Runner was among the first to fall. He had a piece of paper that was signed by a seizer chief. It said that he and his people were friends to the Napikwan. But they shot him many times" (385). Law is only law insofar as it necessarily excludes some from its aegis and subjects them to its unadulterated force—and in Westerns those excluded are invariably Native.

them" (359). As he watches, however, Fools Crow begins to see people he knows; an emaciated woman carrying a bucket of guts is Little Bird Woman, whom his mother once wanted him to marry, and a man helping to carry a dead boy in a blanket is Eagle Ribs, with whom Fools Crow raided the Crow's horses. As the scene fades he realizes he "had seen the end of the blackhorns and the starvation of the Pikunis. He had been brought here, to the strange woman's lodge in this strange world, to see the fate of his people. And he was powerless to change it, for he knew *the yellow skin spoke a truth far greater than his meagre powers*, than the power of all his people" (361, my emphasis). This greater truth spoken by the yellow skin directly reinforces our sense that Fools Crow is watching movies in its evocation of the mythological and ideological production of truth by the culture industry. Moreover, we cannot overlook the content of the movies Fools Crow watches: they are, insofar as they depict the conquest and depredation of the Frontier by the United States, Westerns.

What is most significant about these particular Westerns is their reversal of the genre's typical chronological disposition. As a rule, the Western looks back into the past, whether through a mnemonic plot device (as in *The Man Who Shot Liberty Valance*) or simply through the genre's near-ubiquitous mid-to-late 19th century setting. What is important is that the Western is defined by a backwards glance, a gaze into the past that reconstitutes that past—and therefore the present from where the gaze originates—as a mythological and ideological reality. In effect, the Western remembers places and events that never were in the service of anchoring and understanding the present day. The Westerns in *Fools Crow* effect a double reversion of this gaze; the first reversal obtains in the futurity of these Westerns' settings, and the second in their precognition of what will

irrevocably come to be rather than the Western's typical remembrance of what never was. By inverting the genre in such a fundamental way Welch exposes the key ideological mechanism of the Western: that is, the nostalgic fantasy of the Western is operative insofar as it occludes the violence to which it subjects Native American communities. Because the Westerns Fools Crow watches are defined by a gaze of futurity, this occlusion comes to the fore. In a sense, then, the final film which Fools Crow watches is the quintessential Western. Having borne witness to the films depicting the eradication of the buffalo and thus the Pikuni way of life, Fools Crow sits in "hopeless resignation" and hears "the sound of children laughing", which he recognizes "as the sound he had heard since entering this world" (361). As he watches another design appears on the yellow skin depicting a school on what he identifies as Pikuni land, "not far from a grove of big-leaf trees that marked the course of the Milk River as it spilled out from the backbone" (361). This vision is the source of the sounds of children; as he watches, children appear, "running and playing, laughing. The girls wore long dresses and high-topped shoes. The held hands and danced around and around in a circle. The boys, in white shirts and short pants, chased each other" (361). That this final film Fools Crow watches depicts children—emblems of futurity—is significant, both in that it underscores that what he is seeing is the future and in that, as Edelman argues, "the Child of our Imaginary identifications . . . [expresses] a meaning whose presence would fill up the hole in the Symbolic—the hole that marks both the place of the Real and the internal division or distance by which we are constituted as subjects and destined to pursue the phantom of meaning through the signifier's metonymic slide" (*No Future* 16). The presence of these phantasmic children covers up the absence of

the Western's Symbolic structure—covers up, that is, the absence of the Native American, the figure whose exclusion is the constitutive gesture of the Western.

Such exclusion is concretized by the other children Fools Crow sees in the skin as the film continues: "But a small group of children stood on the edge, near the white building. They were dark-skinned, and they watched the other children. The two dark boys wore clothing like the other boys and their hair was cut short. The three girls wore cloth dresses and they stood timidly a short distance from a large white woman who held a brass bell" (361). The foremost effect of this scene is to underscore the inclusive exclusion to which the dark-skinned children are subject; they are present in the scene and present within the future social organization it depicts, to be sure, but they are present primarily insofar as they are excluded from it. This exclusion is repeatedly underscored throughout the passage: the pigmentation of the playing children is not mentioned, while the dark hue of those watching is twice repeated; the watching children are positioned liminally, "on the edge", the girls standing "timidly a short distance" from the teacher; even Welch's description of the watching boys as wearing "clothing like the other boys" subtly brands them as different in their similarity, included through their exclusion. If, following Edelman, children are symbols of futurity and immortality (and hence functions of the mindless and endless repetition of the death drive), then what the Native children's marginality promises is a future of no future, an *undeath* drive that relegates the American

Indian to a spectral presence as the occluded supplement to the American mythos.[5] This exclusion of the children is what marks this final film as an expression of the Western at its most fundamental. It is not simply that the Western repeatedly stages the fantasy of the autonomous individual violently subjugating the figure of the Native American—that is, the Western is not simply reducible to cowboys killing Indians. It is rather that the Western's violence inheres in its figuration of the Native American as present through his absence—as that onto which the symbolic inconsistency of the genre is displaced, thereby securing the genre's stability. After the final film ends, Fools Crow takes his leave of Feather Woman and her valley. As he prepares to leave, he tells her: "I do not fear for my people now. As you say, we will go to a happier place, far from these Napikwans, this disease and starvation. But I grieve for our children and their children, who will not know the life their people once lived. I see them on the yellow skin and they are dressed like the Napikwans, they watch the Napikwans and learn much from them, but they are not happy. They lose their own way" (362). It is not the violence of the present that distresses Fools Crow but the more insidious violence of the future, when the identity of his descendants will be defined through a redoubled absence: through the absence of a connection to the past, culture, and heritage, and through the absence which the Native American represents

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[5] Of course, as Edelman notes,

> We, the *sinthom*osexuals who figure the death drive of the social, must accept that we will be vilified as the agents of that threat. But 'they,' the defenders of futurity, buzzed by negating our negativity, are themselves, however unknowingly, its secret agents too, reacting, in the name of the future, in the name of humanity, in the name of life, to the threat of the death drive we figure with the violent rush of a jouissance, which only returns them, ironically, to the death drive in spite of themselves. Futurism makes *sinthom*osexuals, not humans, of us all. (153)

Mutatis mutandis, by narrativizing this future of no future for Native Americans, Welch takes ownership of this negation of identity at the same time that he shows that it is fundamental to the sociopolitical order that produces and imposes it.

within the American imaginary. He sees the fundamental bifurcation to which the sense of self of his descendants will be subject: to be part of the world by being excluded from it.

Indeed, *Fools Crow* functions, with respect to Welch's oeuvre, as the ground out of which the contemporary world represented in *Winter in the Blood* and *The Death of Jim Loney* grows. The unnamed protagonist of the former and the eponymous protagonist of the latter directly confront—insofar as they directly embody—the future Fools Crow foresees in the last movie he watches. *Winter in the Blood* sees its protagonist maimed and his brother killed by a car as they drive their family's cattle across a road: they are cowboys who at the same time are forced to fulfill the Western's generic demand that the Indian perish. On the one hand the incident is simply a terrible accident, yet on the other the novel displays a cutting self-awareness that the collision is unavoidably overdetermined by a symbolic network which takes as its focal point the inflicting of violence upon the Indian. The protagonist describes his memory of the accident as "the movie of a scene you have seen before" (*Winter* 111), even as he realizes:

> I couldn't have seen it—we were still moving in the opposite direction, the tears, the dark and wind in my eyes—*the movie exploded whitely in my brain*, and I saw the futile lurch of the car as the brake lights popped, the horse's shoulder caving before the fender, the horse spinning so that its rear end smashed into the door, the smaller figure flying slowly over the top of the car to land with the hush of a stuffed doll. (113, my emphasis)

The movie he's watching, of course, is a Western—the Western in its dimension of simultaneously romanticizing the destruction of an authentic, individualistic way of life by the forward motion of history, progress, and modernization (in this case expressed by the

car killing the protagonist's brother, the cowboy) at the same time that such romanticization takes as its disavowed condition of possibility the killing of an Indian.

Likewise, the death towards which the narrative arc of *The Death of Jim Loney* inexorably intends is acted out as a Western. That Loney orchestrates and acts out his own death is without dispute; as Painter Barthelme, the police officer ordered to accompany the two tribal policemen tasked with bringing Loney in, realizes, "All the clues were there. Loney telling his old man exactly where he was going, then making a scene at his old man's place to draw the police, then leaving his car beside the road . . . . It was very simple: Loney wanted to be found . . ." (*Loney* 157). The place he chooses to be found is just where one would expect to find an outlaw in a Western: in a canyon in the mountains, and when Painter and the two tribal police, Doore and Lefthand, arrive to where Loney's clues have led them, it seems "ironic to Loney that *he was the fugitive and Doore the lawman*" (156, my emphasis). This sense of irony is because Loney has always thought of Doore as "a thug" (156), but it is also deepened by the fact that in this particular Western the Indians have been conflated with the cowboys. Loney, lying in feigned ambush, shoots at the police car and then simply stands waiting. Doore shoots him and he falls, the bullet shattering his shoulder. "This is what you wanted," Loney thinks to himself, and he rises again and feels "something sharp in his stomach as though someone had jabbed him with a stick." The novel thus ends with Loney's suicide by police, with the last thing he sees "*the beating wings of a dark bird* as it climbed to a distant place" (158, my emphasis).[6] By orchestrating his death in such a fashion Loney performs a multifaceted engagement with the Western: Loney's mixed ancestry associates

[6] Loney's apotheosis hints at an avian resonance between this novel and Welch's next—Loney's soul undergoing, perhaps, a temporal and textural transmigration into Fools Crow, and the latter finding if not a resolution then a reconciliation to the existential despair that torments the former.

him with both the hero and the abject thing of the Western, with the heroic individual asserting himself against the corruption of institutional, governmental authority on the one hand and the violent, dangerous Indian outlaw brought to justice by the force of law on the other. Loney does not resolve this central contradiction of ancestry through his death, does not become wholly white or wholly Indian, but rather brings it to its unbearable extreme, the dark bird of his deathly metamorphosis finally an inscrutable figure of a transcendence whose failure to transcend is the mark of its success.

Likewise, that the police who kill Loney are from the tribal force expresses simultaneous and contradictory takes on the Western. They evoke the historical use of Native Americans as scouts, rangers, and soldiers against other Native American tribes by the US government, as the Delawares were employed by the Mexican government in *Blood Meridian*: another case of Indians betraying and killing other Indians, Welch seems to suggest. Moreover, if Loney is the cowboy in this particular Western, then Doore and Lefthand are gamely playing the part of the savage Indians, bringing death and destruction with pleasure upon the courageous vanguard of white civilization; tellingly, when they find Loney in the canyon, "Doore turned his face and grinned. 'That's the great Loney'" (157). Yet Doore and Lefthand simultaneously undercut the Western's insistently racialized association of law, justice, and sovereignty with whiteness—indeed, from the perspective of the Western's figuration of Indians as bestial avatars of the wilderness, they bring to light the disavowed consubstantiality of the sovereign and the beast, of the absolute illegality that founds legality. Ultimately, the ambivalence generated by these competing and irreconcilable evocations and subversions of the Western serves to demonstrate that simply reversing the typical parts played by cowboys and Indians is not

enough, for in a fundamental sense the Indians *are* cowboys; this self-contradiction is an internal one, not something imposed from without.

The central theme around which Welch's fiction revolves is thus the same as that to which the Western returns again and again—the same, that is, but from the perspective of the impossible made possible. What the Western returns to is what it figures as the impossibility of law—that portion of law which falls irrevocably outside the law's scope and thus from whence it derives its authority. For the Western, this impossibility is the Native American, and what Welch's fiction accomplishes is to write this impossibility into being—and what's more, to articulate how this impossible being is lived in the fullness of its impossibility, in the face of past centuries of murder, persecution, and robbery and the present of institutionalized discrimination and carelessly cruel neglect and disregard. With novels like *Winter in the Blood* and *Fools Crow* Welch asserts a delicate yet strong connection to the past that at the same time recognizes the unavoidable necessity of encountering that past through the filter of the present. Indeed, its strength derives from that which seems to weaken it most: the irreconcilable ambivalence that defines Welch's work is the expression of a certitude of the necessity of this uncertainty; without it, Welch implies, there is only the certitude of "inoculat[ion] / against a world in which we had no part, / a world of money, promise, and disease" (Welch, "The Man from Washington" 31).

Conclusion

Dead to Rights

"A man alone against the horizon, being tested, testing himself, testing his mettle" (qtd. in Romano). This image is how Vince Gilligan sums up his creation, the wildly popular television series *Breaking Bad*, an image that repeats across characters throughout each of its five seasons. It is also an image that could easily come from any Western, and indeed Gilligan says he "absolutely see[s] *Breaking Bad* as a modern Western" (qtd. in Romano). From the view of this dissertation *Breaking Bad* is undoubtedly a Western because it is so heavily focused on law: its protagonist, Walter White, begins cooking crystal methamphetamine after learning he has terminal lung cancer to make money for his family. In other words, he becomes an outlaw, a man who will step outside the law in order to do what is necessary for his family. Illegality becomes Walter's Frontier, a virtual space of limitless possibility that becomes realized in the enormous pile of money sitting in a storage unit that Walter earns through his meth business.

Yet what truly marks *Breaking Bad* as a Western is its setting. Not New Mexico, where the series was shot and set—while the Land of Enchantment is indelibly associated with the Wild West, simply because a work is set in the West does not make it a Western. The setting I speak of is where the very first scene of the series is shot, where Walter first begins cooking meth in an RV, where he buries the fortune he makes, and where his brother-in-law is murdered by the white supremacist gang Walter hires as muscle—the Tohajiilee Indian Reservation, part of the Navajo Nation. As this dissertation has argued, Westerns must have Indians. Yet even the centrality of Tohajiilee to the series is not what makes *Breaking Bad* a Western. *Breaking Bad* is a Western because of how, despite its

centrality, Tohajiilee is almost completely effaced from the series: it is hidden in plain sight. The only time the reservation is identified is through the eponymous 59th episode, and the only times Navajo appear on the show are when a young girl finds the gas mask Walter wore for his first cook and when a man helps move a truck stopped on railroad tracks that Walter is using to rob a train, nearly foiling the theft in doing so. Just as in any Western, then, Native land is appropriated and construed as a Frontier, as a place outside the law where anything is possible and men can explore their limits. Right there, from the very first shot, Native Americans are present in the show, but they are present through their absence.

I mention *Breaking Bad* because it underscores the continued relevance of the Western today. Millions of people watched the series finale, and part of what drew them was the show's use of Western tropes and themes. Over the course of its five seasons, *Breaking Bad* detailed the transformation of a milquetoast into a monster, in such a way that viewers were placed in an incredibly uncomfortable position of aligning their sympathies with a character with whom it became impossible to sympathize. This was a deeply intelligent show, perhaps the high water mark of television's second golden age, and yet it had an enormous blind spot—a blindness that was not simply an oversight but, viewed from my analysis of the Western, was fundamental to its coherence. *Breaking Bad* has meaning because it effaces the Navajo whose land functions as the space where Walter White begins—and arguably in the first scene of the series completes—his transformation into his criminal mastermind alter ego Heisenberg. I mention *Breaking Bad* because it serves as a confirmation of my thesis: that the centrality of law to the

Western is the force which gives it meaning, and that it does so through the structural exclusion of Native Americans.

Each chapter of this dissertation examines how this dynamic plays out within its respective objects of analysis. The *Lonesome Dove* series foregrounds the importance of law to the Western in its attempts to undercut the genre's conventions. These attempts focus on conventional representations of Western (masculine) protagonists as vigorously active individuals, instead figuring the protagonists of *Lonesome Dove* as perpetually incapable of meaningful action. Rather than the law being something that is founded by the actions of autonomous individuals exerting their autochthonous sense of justice upon the world, in *Lonesome Dove* law is something that happens *despite and in advance of* attempts at such exertion. Yet McMurtry's efforts to subvert the Western in this way paradoxically serve to not only reinforce it—the first novel in the series was a best-seller and award winner—but to set the stage for the renewed relevance of the genre after its near-total disappearance in the early 1980s.

We see the same dynamic—where subversion of Western conventions reinforces those conventions—play out 25 years later with the Coens' adaptation of *True Grit*. While *True Grit*, with its teenage girl protagonist, already bucks convention, the Coens take this even further by transforming Rooster Cogburn—one of John Wayne's most definitive roles, and for which he won an Oscar—into a figure of ridicule. To be sure, from Portis' original novel onwards, there has always been something humorous about Cogburn's anti-heroism, but the Coens greatly intensify the degree to which we perceive him as buffoonish. Ostensibly the effect of this is to undercut Rooster's authority as a surrogate father to Maddie and a US Marshall, yet what we see over the course of the film is that Rooster's

authority is strengthened in direct proportion to its ludicrousness. Such a paradox reflects the very nature of authority, whose "mystical foundation" means that it can be in force most when it is most absent. The timing of this attempt at subverting generic authority and the broader hegemony it reflects is telling, for it appears concurrently with the intensification of the United States' War on Terror through the use of drones under the Authorization for Use of Military Force passed by the United States Congress immediately following the terrorist attacks of September 11, 2001. There are putative restrictions on drone warfare, but because these restrictions are concealed within a black box of clandestine, confidential decision-making the use of drones has become in practice unrestricted. This lack of restriction on the state with respect to control over life and death parallels that seen in *True Grit*, where Rooster is able to kill with impunity since where he kills is in Indian Territory, a place that is not outside law but is rather a legally defined place where law absents itself. *True Grit* thus provides significant insight into how the Western represents and thematizes law at the same time that it implicitly reflects and confirms the contemporary context of the United States' prosecution of the War on Terror.

Perhaps the only contemporary Western that successfully destabilizes the conventions of the genre, Cormac McCarthy's *Blood Meridian* counterintuitively achieves this effect by precisely adhering to these conventions. For example, chief among the definitive characteristics of a Western is the killing of Indians, and *Blood Meridian* features this ritual in abundance. *Blood Meridian* also explicitly links Indian killing with law—the scalphunters are under legal contract to hunt scalps with the Chihuahuan and Sonoran governments. This link is itself strengthened by the presence of Judge Holden, whose mysteriousness (with respect to his title, his origin, his very existence) is itself a direct

reflection of law's mystical foundation. *Blood Meridian* does not show what the Wild West was "really like"—violent, depraved, governed by rapacity—it shows what the mythology that *is* the Wild West is really like, and makes it impossible to identify with or idealize. McCarthy did not write a revision of the Western that would somehow purify the genre—an intent that this dissertation has shown strengthens what it is ostensibly revising—he wrote a Western that displays its ideological commitments so baldly they cannot be disavowed, and in so doing negated their power. His *No Country for Old Men* continues this project, setting a Western in contemporary Texas and exploring how the ideals which the genre articulates are expressed through their ostensible impossibility; the country is for old men, that is, precisely because it is not for them.

James Welch's *Fools Crow* picks up at the point beyond which McCarthy's evisceration of the Western cannot continue. If McCarthy demonstrates that the Western is inextricably devoted to a fantasy of individual autonomy that is supported by the disavowed murder of indigenous peoples—indeed, that the Western is *nothing but* this disavowed violence—then Welch's novel tries to imagine how one lives as an indigenous person *and* an American, how one reconciles these two affinities when one is founded upon the violence it is compelled to inflict upon the other. *Fools Crow* continually reproduces this duality, being both a Western and a representation of the traditional Pikuni way of life. Yet Welch, like McCarthy, does not simply revise the Western or attempt to expunge its influence from Blackfeet or indigenous culture—he works from *within* the genre, crafting a work that adheres to its conventions and thereby dismantles them. This approach acknowledges the hybridity that characterizes contemporary Blackfeet (and by extension a broader Native American) identity and retrospectively reimagines it as a

feature of historical Blackfeet identity. We see this historical hybridity reflected throughout *Fools Crow*: for example, in the grammatical indeterminacy of the novel's title and in the mutable nomenclature of its eponymous protagonist. This imaginative appropriation of history and genre reaches its apogee with the series of Westerns Feather Woman shows Fools Crow. These Westerns invert the typical form of the genre, in that they do not imagine a past that never was but reveal the future that will be—a future that features Native Americans as present through their absence. This inversion simultaneously serves as a scathing critique of the Western at the same time that it situates the genre as informing Native American identity. Welch thereby suggests that appropriating the bifurcation to which the Western (and American culture and politics) subjects Native Americans is a gesture that can serve as the foundation of a reinvigorated cultural, political, and personal identity. It is not enough, Welch's novel avers, to assert fidelity to heritage and tradition; one must simultaneously claim an affinity for the contradictions of the present.

While I started writing relatively recently, in truth I began this dissertation nearly ten years ago when I first read *Blood Meridian* in a single, wholly engrossed sitting. I have grappled with that novel ever since, and this project came about largely as a way for me to think through its profound effect upon me. This intellectual journey brought me to earnestly consider a genre that is too easily consumed or dismissed (both of which attitudes amounting to the same thing in the end). The Western is patently absurd, laughable, superficial, vulgar—but it is precisely because it is these things that we must take the Western seriously. It is too easy today to dismiss out of hand things whose dimensions and depths appear readily apparent. This position is precisely what helps to make the prevailing hegemony within America so immoveable, what allows us to acclaim

an ostensibly laudable ideal such as individuality without perceiving the profoundly violent history and ideology that attended its genesis and continues to define its current reality. There is no American individualism without the erasure of indigenous people (nor is there one without the enslavement of African-Americans); we cannot say that the contiguity of these two things is historically contingent and that today the ideal of individualism has shaken off its shameful origins. What I have learned from my study of the Western is that America has barely begun to recognize the necessity of embracing this history. The pathology of violence and fear that today pervades America exists because such a gesture of ownership and avowal has not been made. Perhaps, as more Americans become free to define their own Americanness without that definition depending on the negation of the right of others to participate in the nation's political, cultural, and social existence, making such a gesture will become possible.

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