

SEEING CONSTRUCTED REALITIES:
IMAGES AND LAW IN THE CONTEMPORARY AMERICAN NOVEL

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The undersigned, appointed by the dean of the Graduate School, have examined the thesis entitled

SEEING CONSTRUCTED REALITIES:

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To: Sarah Amidei for her continual support during my studies. The Coalition of Graduate Workers for all the hard work they have done defending graduate students like me. Concerned Student 1950 for showing immense strength in their fight against systemic racism. And to all the other student activists across Missouri, the nation, and the world; what we do at our universities matters.

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Seeing Constructed Realities:
Images and Law in the Contemporary American Novel

The day after the unfortunate election of a reality television star to the office of the President of the United States I was left questioning the direction of my chosen career. I found myself disheartened by the possibility that my work had little utility in the face of a global reactionary wave. Eventually I developed a mantra concerning the study of literature and the humanities at large: I do important work, now I have to do it better. Admittedly, the germination of this thesis predates the 2016 presidential election by a couple of months, but I wanted to begin by relaying my reaction to 2016 because I can't deny that much of the following the thesis is guided by the hope that a new progressive era in response to the election of Donald Trump is possible. With that progressive spirit in mind, I will examine four contemporary novels that contain embedded photography and examine how the novelists behind those texts use photographs to levy political criticism against legal and economic structures. The final goal of such an examination is to hopefully build an understanding of how the intersection of text and image in fiction can be used by contemporary artists and activists to carry political messages that might otherwise be impossible to effectively deliver by text alone.

The writing I examine in the following thesis is quite atypical of contemporary fiction. Even if I were examining all books with embedded photography, the truth would be that I would be looking at a very miniscule portion of American literature. But I am looking at even smaller group of texts than that. I am looking specifically at American novels that have political messages, embed photography, and, most importantly, rely on their embedded photographs to deliver their message. That is: I am looking at books with political messages that could not be understood without the inclusion of their

photographs. Because the novels could not be understood without their photos, the novels I am looking at go beyond illustration.

Concern over the political potential of photographs might be as old as photography itself and many theorists have already weighed in on the matter. Roland Barthes, writing about election photos, for instance wrote: “Inasmuch as photography is an ellipse of language and a condensation of an ‘ineffable’ social whole, it constitutes an anti-intellectual weapon and tends to spirit away ‘politics’ (that is to say a body of problems and solutions) to the advantage of a ‘manner of being’, a socio-moral status” (“Photography and Electoral Appeal” 1320). But I am not as concerned with the workings of the photograph in general as I am in the specific application of photographs in 21st century American novels. Because the nature of my interest, my thesis relies on two assumptions: first, that the novelists are intentionally attempting to levy political criticism, and second, that the deliverance of this criticism requires relatively rigorous and active interpretation by the reader.

My reason for focusing on novels that have imbedded photographs, as opposed to other kinds of possibly illustrated novels, is based on a Bakhtinian conception of the novel. According to Bakhtin the novel cannot be defined by “a single definite, stable characteristic of the novel—without adding a reservation” (8). Instead, for Bakhtin what defines the novel is how it relates to other genres: “The novel parodies other genres (precisely in their role as genres); it exposes the conventionality of their forms and their language; it squeezes out some genres and incorporates others into its own peculiar structure, reformulating and re-accentuating them” (5). Because the novel incorporates other genres into itself it feels right to say the novel is the genre that eats other genres.

But what makes novels with embedded photographs special even among the field of illustrated novels is the fact that the photographs are often not wholly original works. So novels with embedded photographs are members of a genre that eats other genres while also being texts that have swallowed other creative works whole. It is this subsuming and repurposing of other works for political action that I believe justifies the study of these kinds of texts as examples of a unique rhetorical method.

The final theoretical inspirations for the following examination of novels comes from critics like Mitchum Huehls and Wolfgang Funk. In short, both have done recent work on what could be fairly called construction novels as opposed to deconstruction novels. Both see these kinds of novels as responses to the theories of deconstruction and post-modernism. While Mitchum Huehls even refers to Ben Lerner's *10:04*, a novel that this thesis will examine in detail, as an example of what he calls a "post-theory theory novel," to my knowledge neither of Huehls nor Funk have examined how images can be used in the kinds of contemporary novels they investigate (Huehls 283). And so one of the other goals of this paper is to illustrate how exactly contemporary American novelists use embedded photographs in the kinds of novels Huehls calls 'post-theory theory novels' and Funk calls novels of reconstruction.

In this thesis I will analyze four contemporary American novels which have photographs embedded into their text. In the first part of this paper I will examine Ben Lerner's *10:04*. I will give an overview of previous scholarship of the work on how the novel resists capitalism, and I will update such work by showing that Lerner's use of imbedded images aids the novel's resistance to capitalism through its use of captions. Such analysis depends very heavily on the theories of Roland Barthes and Walter

Benjamin. Specifically, the section argues that Lerner often claims the images are something they are not and the falseness of the images in *10:04* highlights the troubled distinction between art commodity and art object.

From there we will move to Davis Schneiderman's *[SIC]* which is a novel that's text is entirely made up of quotations taken from public domain sources. This section will look at how Schneiderman's patchwork use of other texts interacts with a Bakhtinian ideal of the novel as well as how Schneiderman's original photographs render *[SIC]* a work that Wolfgang Funk would call authentic. That section will also show how the novel criticizes copyright law, but will focus more on how Schneiderman's photographs and textual quotations build the identity of the novel's singular character.

Next I will turn to Benjamin Hollander's *In the House Un-American*. I will examine how the images Hollander uses reflect an Un-American identity that is perceptually indistinguishable from an American identity. The perceptually indistinguishable nature of the twin identities of course serves as Hollander's great criticism of America's xenophobic traditions. In this section I will also contextualize Hollander's novel by comparing it to another American novel with a similarly fragmented narrative style: Gwendolyn Brooks' *Maud Martha*. Hollander's book is also reminiscent of the kind of transnational work W. G. Sebald is well-known for so this section will rely heavily on the theoretical work of Joanna Luloff who wrote her dissertation on the use of photography in transnational novels..

The final section will focus on Jesse Ball's *Silence Once Begun* which provides this thesis's most direct engagement with the law. In that section I will examine how Ball's images are integral to the silence that haunts his text. In conducting that

examination I will compare Ball's technique in capturing silence to other novelists such as Laurence Sterne and Jennifer Egan. Ultimately I will show how the silence Ball invokes is aimed at criticizing the criminal justice system, but I will also expand that criticism to engage the legal system as a whole. Because of this section's interest in the law it will rely heavily on Allison Orr Larsen's scholarship concerning the relationship between the law and truth.

Finally I will conclude this these by tying the four novels together in showing what makes their respective criticisms possible. I will also attempt to ground these novels in the contemporary moment while also invoking the work W.J.T. Mitchell to try to dispel possible misunderstandings about this thesis's argument.

What are We Looking At?: Truth and Meaning in *10:04*'s Images

My concerns over the nature of truth in the interactions between image and text brings me first to Ben Lerner's 2014 novel *10:04*. *10:04* is an exceedingly odd novel that often flaunts the line between fact and fiction. It repeatedly call into question what is real by criticizing the labels we use to describe the world. Though the book was published in 2014, there has already been a considerable amount of criticism swirling around the novel but the current critical work surrounding *10:04* fails to engage with the novel's most interesting formal element: its use of images.

Before getting deep into the specifics of Lerner's images, I would like to give a quick summary of Lerner's novel. *10:04* follows the character Ben Lerner—whose relation to the author Ben Lerner is intentionally unclear—as he tries to write a novel for which he has already received a sizable advance. The proposed novel-in-the-novel would follow an author who, after receiving an offer to buy his personal correspondences with a famous writer, sets about faking the correspondences. Significantly, Lerner-the-character says the novel "would involve a series of transpositions" whereby his protagonist would be himself with medical problems transferred from one body part to another and with friends whose names have been changed (Lerner 54). Along the way of writing the novel, Lerner-the-character faces medical emergencies, agrees to help a friend conceive a child, endures two superstorms, and visits a museum dedicated to totaled pieces of art. By the end of *10:04* it is revealed that the novel Lerner-the-character has written is in fact the novel we have all just read. Considering the novel's metafictional and autofictional tendencies it is unsurprising the book is so ripe for study, which is why it is so surprising that little work has been put into the specific formal element of the novel's pictures.

Instead of focusing on the formal aspects of the photographs and images in the book, most of the current scholarship on the novel instead focuses on the Institute of Totaled Art and its implication for the novel's status as an art object. The Institute¹ itself is a warehouse that houses and displays works that have, for insurance purposes, been legally stripped of their monetary value. For Jennifer Ashton the triumph of *10:04* is that "instead of the work of art being subsumed within the inevitable damage of capital, the damages of capital are subsumed within it" (para. 17). By this Ashton means that Lerner's novel calls attention to how market forces have irreversibly altered the novel he has written through his narrating of how the editors of *The New Yorker* had him alter his work for publication. Lerner includes the short story printed in *The New Yorker* and because he states how the changes to the short story cut out what he considered to be the core of the story, Ashton claims that Lerner's novel is "totaled in advance" (para. 21)

Nicholas Brown expands on Ashton's work; for Brown Lerner's *10:04* serves as an example of a poetics of resistance because of how the two Lerner's novels—*10:04* and the novel at the heart of *10:04*'s plot—are 'the same but a little different.' Brown likens the novel to Charles Ray's *Unpainted Sculpture*—"a full-scale, monochrome rendering in fiberglass, replicated piece by piece through a mechanical process of a totaled Pontiac Grand Am"—and argues that *10:04*'s ontological understanding of art places art as opposed to the art commodity (para. 1; para 8). Brown reasons that when the monetary value of a piece of art is stripped away what is left is "not a banal object, but rather a work: 'art before and after' capitalism" (para. 6). Borrowing Ashton's terms he concludes

1. The Institute is itself based on a real life organization, the Salvage Art Institute.

that "in the work that is totaled in advance, it is not the work but the commodity character that is damaged" (para. 12).

My contention is not that Ashton and Brown are wrong about *10:04* or the Institute of Totaled Art, but that in ignoring the novel's use of photographs they have missed that the discussion of the difference between art and object (or art and commodity) is part of the novel's larger meditation on the nature of truth and perception. The fact that a valuable work of art and a valueless piece of totaled art are sometimes perceptively indistinguishable² raises questions about what the observer of art actually beholds. Likewise Lerner's use of images constantly raises the same kinds of questions because what the reader encounters in the images is almost never what it first appears to be.

As a whole *10:04* contains 12 images, but four of them appear in a four page book-within-the-book called "To the Future". What makes analyzing the image such a challenge though is that they exist on multiple diegetic levels of the novel. The vast majority of the images are extradiegetic, or exist outside the diegetic level of the novel itself. All these images (with the exception of one) are introduced by the narration or otherwise triggered by some memory of Lerner-the-character. In addition to the extradiegetic images there is at least one diageitic image in "The Golden Vanity."³ Just as the novel plays with the nature of its own existence, so too do its images. As for the novel's meditation on what art *is*, it seems fitting that the novel features not just

2. The whole episode with valueless object indistinguishable from bona fide art commodity recalls the challenge to the Justified True Belief definition of knowledge illustrated by Alvin Goldman and Carl Ginet's problem of fake barns. For further reading on the topic consult 1976 article "Discrimination and Perceptual Knowledge."

3. Because "The Golden Vanity" is simultaneously written by the character Lerner and the author Lerner, that image could actually be considered both diageitic and metadiageitic.

photographs, but also paintings, satellite images, and a screenshot from *Back to the Future*. As a whole then, the novel includes commercial, non-commercial, and artistic work.

To fully understand the significance of Lerner's use of such a diverse group of images we should considerer Barthes' proposed *noeme* of photography. He writes that photography is "authentication itself; the (rare) artifices it permits are not probative; they are, on the contrary, trick pictures: the photograph is only laborious when it tricks" (*Camera Lucida* 87). Similarly, Susan Sontag wrote that the difference between photography and painting is that painting can only be representative "but a photograph is not only like its subject...It is part of, an extension of that subject..." (351). Though the onset of digital photography has upset Barthes and Sontag's understanding of the photograph there does still seem to be merit in the belief that instead of being 'optionally real,' like referents in paintings, Barthes' photographic referent is a necessarily real object that must have been in front of the lens (*Camera Lucida* 76). Trick photography also puts a wrench in this kind of understanding of the photograph, but while Barthes concedes a photograph can lie about qualities of something he sticks to the belief it can never lie concerning the existence of an object (*Camera Lucida* 87). Even that does not hold up though consider how the famous doctoring of Soviet images that removed Leon Trotsky from a picture of Lenin in front of Bolshoi theatre thereby lying about Trotsky's non-existence (Curry). All of this brings us to the point relevant to understanding *10:04*: a properly doctored photo is perceptually indistinguishable from an undoctored one.

To understand why the relationship between photography and photographic referents is so important to *10:04* we need to look no further than its most striking image:

the side by side presentation of a man walking across a bridge. The images are so memorable not for themselves but for their captions. One reads “Our world” while the other reads “The world to come” (Lerner 135). Clearly the photographic referents as Barthes would see them does not change, and the photos themselves cannot be said to lie about the existence of the man on the bridge. An uncharitable reader might claim the caption, “The world to come,” is lying because what has been captured in the photograph is actually the world as it is. But that does not seem to be a full understanding of what is really happening between the photograph and its caption. Rather the caption makes the photographic referent stand-in as symbolic referent for something that could never be captured on photographic film. The work of the caption might not seem impressive at first. The caption “The world to come” could be attached to any photo, but that would not automatically make that photograph a good or accurate representation of the future. But in a novel that concerns itself with *possible* futures and that blurs the line between author and character the border between ‘Our world’ and ‘The world to come’ becomes fuzzy. The border never becomes permeable enough to allow the photographic referent to actually be from ‘The world to come,’ but the border does become so thin that the photo with the caption ‘The world to come’ does become an honest representation of, at the very least, a *possible* world to come.

Further complicating the imaginary referent of the bridge photo is the fact that it is introduced by a false memory. The way Lerner introduces his images is often interesting; for instance, the textual reference to a photo of a German saying on a wall occurs 17 pages before the photograph actually appears on the page (Lerner 178-195). In another example, Lerner’s narration compares Jules Bastein-Lepage’s *Joan of Arc* to a

scene in *Back to the Future* in which Marty McFly looks a photo of his family and sees him and his siblings fading from the picture, but the book does not reproduce a screenshot of that moment, instead it produces a screenshot of Marty looking at his own translucent hand (9-10). Still, the introduction for the bridge photo is the most significant. Lerner introduces the image by narrating:

Whenever I walked across the Manhattan Bridge, I remembered myself as having crossed the Brooklyn Bridge. This is because you can see the latter from the former, and because the latter is more beautiful....But by the time I arrived in Brooklyn to meet Alex, I was starting to misremember crossing in the third person, as if I had somehow watched myself beneath the Brooklyn Bridge's Aeolian cables (134-135).

The fact that the picture is of a man on the Brooklyn Bridge further complicates the image's captions, 'Our world' and 'The world to come', because it means that the world pictured in 'Our world' is not even the world in which Ben Lerner walked across the Manhattan Bridge. Clearly, the world of memories is not itself the same as the physical world we refer to as 'our world.' This raises a couple a pesky question: will the world to come be like 'our world' but a little different or like the world we remember but a little different?⁴

The side by side of the character of Ben Lerner walking across the Brooklyn Bridge is not the only photo that plays with how real its referent is. Lerner's novel also includes one of the most famous photographic examples of gestalt: the face on Mars.

4. This question assumes, of course, that 'our world' refers to the physical world and not the world of memory or perception. A philosopher might be able to motivate this argument, but I think a common-sense understanding of the term leads us to believe it refers to the physical world.

Although to be fair the narrative introduces it as “one of those standard textbook images to illustrate *pareidolia*” (italics in the original 69). Even if the image is a little bit unusual, it is important to note that it also marks Lerner’s most traditional use of an image because it is the literary equivalent of an eyeline match. One character Googles the image on their phone to show another and at that moment the picture is reproduced in the text.

Additionally the face on Mars is the one of the only images—all the others examples appearing in the four page book written by eight year old Roberto Ortiz—that has no caption. The simple mechanics surrounding the inclusion of the face on Mars is especially significant because it appears in the middle of “The Golden Vanity” and thus supports Jennifer Ashton’s argument that the editing of “The Golden Vanity” totals *10:04* in advance since it appears Lerner scales back his experimentation in that section.

But like I said, the real payoff to the face of Mars photo is that once again it calls attention to the fact it is not what it claims to be. Put very simply, there is no face on Mars, only shadows we psychologically construct as a face. Like the side by side of the Brooklyn Bridge, the ‘face’ of the face on Mars becomes an imaginary referent in a medium devoted to the existence of real photographable referents. Now of course there is, just as with the case of the Brooklyn Bridge, still a real photographic referent. In this case that referent is the surface of Mars. But there is undeniably a gulf between what the photographic referent *is* and what the photographic referent *appears to be*. Any visual medium is susceptible to pareidolia, but the photograph does seem to have especially potent examples of pareidolia because of its promise that what is being seen is real. And even with the prevalence of doctored images and the advent of digital photography making it even easier to fake a photograph, the assumption that photographs are

somehow more full of verisimilitude than other media like drawings or paintings has not gone away.

Pareidolia is not insignificant to *10:04* as a larger work either. The appearance of the face on Mars reinforces a previous episode in the novel when Ben Lerner and his friend Alex go to see Christian Marclay's *The Clock*, a 24 hour film spliced together of other films' shots that feature clocks. *The Clock* is structured in such a way that it works as a functioning timepiece. Even though it is a timepiece constructed from a seemingly random sample of shots, it is not easy to exorcise the spirit of narrative from the film.

According to Lerner's narration:

Indeed, it was a greater challenge for me to resist the will to integration than to combine the various scenes into coherent and compelling fiction, in part due to Marclay's use of repetition: at 11:57 a young woman tries to seduce a boy; at 1:19 they reappear, sleeping in separate beds; what has passed between them? It was impossible not to speculate on what had transpired in the interval, in that length of fictional time synchronized with nonfictional duration, the beating of a compound heart. (Lerner 53)

The image of the compound heart seems to be also a fitting description of Lerner's book with its blurry line between author and protagonist. The pareidolia that appears at the heart of *The Clock* and in the face on Mars casts a bit of a shadow over *10:04* because Lerner's sample of images also has the appearance of a grab-bag because the images make up such a wide range of texts. Rather than seek to answer the question of whether reading into the images as a set is merely finding a false pattern in randomness, I would rather argue that raising the very question over whether the set inherently has meaning or

is imbued with meaning due to our desire for it to have meaning is a part of the artistic mission of *10:04*.

What makes Ben Lerner's use of images so striking is how the images work as a set. Leaving aside the paintings and the screenshot that appear in *10:04* the following photos appear in this order: Christa McAuliffe floating in zero gravity, the face on Mars as captured by Viking 1, two identical photos of a man walking across the Brooklyn Bridge, a German saying painted on the wall of an old prison camp that now houses an art installation, a child's science fair project on dinosaurs, and a photographic diptych containing a photograph of the night sky and a photograph of an airplane in flight. Many of these might strike readings on their own: for instance, the photo of Christa McAuliffe might strike readers because of the knowledge she died in the Challenger explosion. But for many of the photos the meaning comes from how they relate to each other. The most obvious example of this is the photographic diptych of the night sky and the airplane. They are interpretable as individual frames they each have some, but juxtaposing the two across a narrow gutter carries meaning that is not present in them as individual pieces. This itself challenges Barthes' original theory since he writes the *punctum* "is not, or at least not strictly, intentional, and probably must not be so" (*Camera Lucida* 47).⁵ But in the case of the diptych, Lerner delivers a striking message, with intent, and by using employing a cultural language that depends on the reader. The whole picture strikes the reader with even more power because it is the last in a series of images with similar

5. While not precisely the same effect, readers familiar with film history might note the similarity between what I am arguing about these two photographs and the so-called Kuleshov Effect named after Soviet filmmaker Lev Kuleshov. In the original experiment Kuleshov spliced the same sequence an actor's face in with sequences showing different things like a bowl of soup, a funeral, and a child playing. As a result of the editing audiences read different emotions into actor's performance. For a neuroscientific explanation of the effect consult Dean Mobbs et. al's 2006 paper on the topic.

messages housed in the novel. In fact, much of the power of the diptych comes from the fact the photo is situated on the last page of the novel, after the narrative has ended, so we assign it inordinate power.

10:04's use of images reveals, that like words, photographs carry many, sometimes contrasting, meanings. In the case of *10:04*'s photo of photos, the photo of the airplane in flight must have always had several possible interpretations—the awe of flight, hope for the future, knowledge of the past, fear of warfare, etc.—but its juxtaposition elevates some and hides the others. In “Work to Text” Barthes writes “The intertextual in which every text is held, it itself being the text between of another text, is not to be confused with some origin of the text” (1329). Of course Barthes’ original theory rests so much on written or spoken language that it might not translate cleanly to photography. The sense of wonder and optimism that is felt when seeing the flying airplane next to the stars could always be read in either image separately, but it is specifically brought out by their juxtaposition. What makes *10:04*'s use of this photograph notable then is how Lerner turns the feeling of optimism quickly to dread by captioning the photograph with a quote from Ronald Reagan’s 1986 State of the Union Address. While the ironic twisting of the optimism to dread is once again an example of the photograph holding many possible meanings, it also shows how the ironic coupling of words and images allows a writer to deliver a striking message.

Before closing this section, it is important to note that what is at stake in novels that embed photographs is not the ability to illustrate a novel. The use of photographs in *10:04* goes far beyond illustration or what is achieved in a picture book. The photographs and paintings in *10:04* do not restate what is happening in the text and they do not run

parallel to the text. Instead the photographs are woven into the text such that without the words the photos lose their specific meaning, and without the photos the narrative loses much of its thematic impact. What is at stake is a melding between language and non-linguistic images that are integral delivering the full meaning of the text. One might ask how this is different from the study of comics since comics were once thought to have separate layers of image and text running in parallel, but because of Hillary Chute's work we now understand that method for reading comics is faulty. The most obvious difference is that the comic is a genre that depends on, and is maybe even defined by, the graphic while the novel does not. So for novels like *10:04* the images might take on a kind of paralinguistic value whereby none of the images carry any linguistic meaning, but their presence is vital to textual meaning as a whole. And the weight the images carry is ultimately why previous criticism like Jennifer Ashton's is incomplete.

Jennifer Ashton and Nicholas Brown both rely very heavily on the work of Walter Benjamin to understand *10:04*. There are good reasons to do so since *10:04* draws on Benjamin for its epigraph and because one of the images it includes is *Angelus Novus* complete with a caption drawn from Benjamin's interpretation of the work. From these facts alone the text announces its Benjaminian leanings which Ashton and Brown both correctly identify. But the question remains of why the inclusion of images was necessary for Lerner's meditations on art, capitalism, meaning and existence. Put simply Lerner could not have called attention to the relationship between art and art object without them. In his much quoted "The Work of Art in the Age of Its Technological Reproducibility" Benjamin writes the following about Dadaism: "*Dadaism attempted to produce with the means of painting (or literature) the effects which the public today seeks*

in film” (italics in the original 1067). This quote, as well as Benjamin piece as a whole, depends on the belief that some mediums are more susceptible to broadcasting certain meanings than others. If *10:04* seeks, at least in part, to annihilate its own aura as a literary text it makes sense for Lerner to turn to photographs and screenshots to help him do so because like, Benjamin noted, literature itself is not as inherently equipped to do so as Benjamin’s mechanically reproducible visual arts.

Lerner’s set of images also complements the general thesis of the much written about scene concerning the Institute for Total Art. Lerner’s set of images makes no distinction between commercial object and sacred artwork; for example, he places a screenshot of *Back to the Future* next to *Joan of Arc*. But Lerner’s images also excerpt their pieces in ways that might be thought of as totaling the reproduction of the piece. We do not see all of *Joan of Arc*, only Joan’s hand. Likewise, instead of including a picture of Donald Judd’s untitled boxes, Lerner includes a photo of a saying painted on the wall left over from the building’s former life. In essence Lerner does more than total his own novel in advance. He also, like Marclay with *The Clock*, creates his work from the scraps of other pieces. And the inclusion of the images in *10:04* calls attention to the fact that “The Golden Vanity” and “To the Future” are also works external to the novel’s narrative level that are nonetheless subsumed into the novel’s body, though “The Golden Vanity,” unlike “To the Future,” actually does exist in our world. That is to say, the inclusion of a patchwork of images highlights the text’s own patchwork nature. In that way *10:04* becomes a prime example of how the novel with embedded photographs is Bakhtinian not only in its novelization of photobooks, but in its ability to subsume entire works for its own use.

But more importantly than how Lerner's use of images troubles the relationship traditionally held between artwork and its commercial value, Lerner's use of images calls into question the way we as readers make meaning. And it does so with an efficacy the narrative alone could not. Much of the work on *10:04* hinges on the scene at the Institute of Totalled Art providing a lens through which through understand the work as whole. But if instead we think of Lerner's watching of *The Clock* to give us a roadmap to understand his novel, the function of the novel's images starts to fall into place. Like the viewers of Marclay's film we are given a handful of sometimes unrelated images and naturally task ourselves with interpreting them in a sensible way. Does placing a French Impressionist painting next to *Back to the Future* comment on the commerciality of art? Christa McAuliffe appears on page 16 with a quote by Reagan on the Challenger explosion and the book final caption is from Reagan's State of the Union Address delivered a week later. Do these images mirror the framing set up by beginning the novel with Hurricane Irene in 2011 and ending it with Hurricane Sandy in 2012? Any confusion over the meaning of the set of images as a whole or how the set works in the novel is further compounded by the fact that, as seen with the face on Mars, the screenshot of *Back to the Future*, and the pictures of the Brooklyn Bridge, what we are actually viewing is often in doubt. We want to say that there is narrative sense in the set of images and their inclusion in the novel, but it is also possible that like Lerner watching *The Clock* we as readers merely cannot resist the urge to integrate it all into "coherent and compelling fiction" (53). And the trouble is that in cases like is *10:04* and the pieces in the Institute for Totalled Art, what is coherent fiction and what is the result of paeidolia might be perceptually indistinguishable. So while Lerner's novel calls into question the ontology

of the art object and art under capitalism, it and its images do so under the umbrella of an even larger ontological question concerning the very existence of narrative meaning in art.

***[SIC]* and the Patchwork Novel as a Novel of Construction**

If Ben Lerner's *10:04* raises the specter of pareidolia, then Davis Schneiderman's *[SIC]* revels in it. The text itself is comprised of 51 seemingly unrelated chapters punctuated by 22 original photographs of an oddly fluorescent person roaming the streets and parks of Europe. *[SIC]*'s form results in a tremendously fragmented text. But the most defining characteristic of *[SIC]* by far is the fact that almost all of its printed text is comprised of excerpts of public domain work. Before we get to deep into understanding *[SIC]*'s peculiar form let us first some concepts concerning creativity, originality, and authenticity.

Authenticity itself can be hard to pin down and define. It is perhaps even impossible. In his book, *The Literature of Reconstruction: Authentic Fiction in the New Millennium*, Wolfgang Funk lays out his eight theses on authenticity. In explaining his first thesis, "It is impossible to clearly define authenticity" (13), Funk writes the following:

Reality cannot be accessed directly but first must be transposed into symbolic code. Consequently there can be no such thing as unmediated experience, no conscious existence before or beyond representation. Accordingly, authenticity cannot be understood as an essential, unalienable quality which mysteriously inheres in certain persons, things, or utterances but only ever as an articulation which first must be aesthetically established. Similar claims have been put forward by Jonathan Lethem, who emphasizes that the establishment of authenticity is

primarily an effect of a subjective mode of reception rather than the result of distinct forms and techniques of production... (16-17)

Immediately though Funk counterbalances Letham's argument about authenticity with an opposite that says that because authenticity is impossible to directly explain the only approach for understanding it is through an analysis of the kind of formal elements which produce feelings of authenticity (ibid.). For Funk authenticity lies in this central paradox. In relevance to *[SIC]*, however, the most germane of Funk's theses might be thesis five, "Recent media transformations necessitate a rethinking of authenticity" (44). In that thesis Funk explains how the digitalization of literature "results in a radical reconfiguration of textual authority, with the recipient of any cultural text being endowed with their own creative authority" (46). It is this exact reconfiguration of textual authority that is at the heart of Schneiderman's engagement not just with the nature of literature but with the nature of the self as well.

Textual authority is clearly at the heart of Schneiderman's novel, but the engagement goes beyond the text being comprised almost entirely of quotations. Fifty of Schneiderman's fifty-one chapters are directly taken from public domain texts; along the way Schneiderman uses sections from works such as *Beowulf*, *Common Sense*, *the Red Headed League*, "This Land is Your Land," a cake recipe, and U.S. code 17 itself. Not content to just excerpt these works for *[SIC]* though, Schneiderman claims ownership of all of these texts by introducing each with its name and the attribution "by Davis Schneiderman." On one level Schneiderman's claim to authorship of his chapters serves as a critique of copyrighting and claims to originality in literature, but even more significant than that is the fact that his claim to ownership of these chapters calls to mind

the relationship between constituent parts and a whole. After all, if Schneiderman could not lay claim to the constituent parts of *[SIC]* how could he possibly lay claim to the novel as a whole?

Schneiderman of course is far from the first writer to engage with concerns over originality and ownership in the literary world. Considering the concept of multiple ownership is so central to Wolfgang Funk's idea of authenticity I do wonder why he cites Jonathan Lethem's "Postmodernism as Liberty Valance" but he does not cite what seems to be the more relevant article: "The Ecstasy of Influence." In "The Ecstasy of Influence," Lethem defends the kind of authorial license Schneiderman takes in *[SIC]* as being what is at the heart of the creative world, writing:

Most artists are brought to their vocation when their own nascent gifts are awakened by the work of a master. That is to say, most artists are converted to art by art itself. Finding one's voice isn't just an emptying and purifying oneself of the words of others but an adopting and embracing of filiations, communities, and discourses. Inspiration could be called inhaling the memory of an act never experienced. Invention, it must be humbly admitted, does not consist in creating out of void but out of chaos. Any artist knows these truths, no matter how deeply he or she submerges that knowing. (97-98)

It is fitting then that the above quotation from Lethem is itself a bricolage of quotations from Lewis Hyde, George L. Dillon (through Rebecca Moore Howard), Ned Rorem, and Mary Shelly; in fact, the only 'original' sentence in Letham's quotation above is final one (Lethem 114). The jump from a text being a summation of all its fragmented quotations,

borrowed ideas, and unspoken influences to the artist being a constellation of their particular influences is not large one to make. And if an artist can be an assemblage of borrowed traits its stands to reason any self can be seen in the same way.

But what does any of this have to do with *[SIC]*'s use of images? I contend that no discussion of *[SIC]*'s images can be complete without a discussion of its use of found texts (and vice versa) because the subject of *[SIC]*'s photographs: the fluorescent person. It is hard not to read the fluorescent person as a personification of *[SIC]*, a stand-in for the 21st century artist, and an encapsulation of contemporary personhood all at the same time. Reading the presence of the fluorescent person can be quite challenging because the lack of definition in the florescent person's physical details. The lack of details and the bright whiteness of the fluorescent person conditions us as readers to read the fluorescent person as negative space. Because we are so conditioned to view the fluorescent person this way it would be a natural first reaction to read the fluorescent person as a kind of abyss in all the photographs they appear in. Perhaps the fluorescent person is a kind of unperson who lacks any humanity, personality, or identifiable features. In short, it could be read that the fluorescent person lacks any normal sense of identity. The fact the fluorescent person looks human but is empty could easily be seen as the source of uncanniness the fluorescent person seems to elicit in on-lookers as the fluorescent person scares school children and disrupts traffic (Schneiderman 46, 55, 64, 72, 73, 135). But if the fluorescent man is empty what is the cause of this emptiness? It must be the digitalization of the world. This must be the origin of the fluorescent person because our first encounter with the fluorescent man actually comes on the front cover of the book where the fluorescent person is grappling with electronic tablet, awash in the light of its

display. In effect, the metaphorical origin of our fluorescent person is tied to a mobile computer.

But reading the fluorescent person as an abyss devoid of identity or originality is not the only way to read them. It is not even a complete way of reading the fluorescent person. Instead of conceptualizing the fluorescent person as negative space it is just as reasonable to see them as an embodiment of white light, a combination of many colors. In the context of *[SIC]* as a complete work, the white light reading of the fluorescent person is aided by the fragmentary nature of the text itself. Just like the text, the fluorescent person could be a whole comprised of many diverse parts. Revisiting the series of pictures of the fluorescent person, what stands out then is not the incidents of an uncanny monster frightening onlookers, but the *joie de vivre* on display as the fluorescent person lays on a fountain arms raised to the sky, jumps exuberantly on the side walk, poses in front the Louvre, or poses like a tourist with a statue in the park (17, 23, 99, 7).

If we accept that the fluorescent person is, at least, in part an embodiment of the *[SIC]* then we can use another aspect of Wolfgang Funk's conception of authenticity to help us understand the significance of the fluorescent person. When discussing the history of authenticity Funk writes that an authentic self must be self-reflective "not only in a contemplative way, but also in an epistemological sense of being seen through the distorting lens of formal self-reference and (Romantic) irony" (31). He continues on to write that truly authentic selves then "can only ever appear in fragmented and refracted form" (ibid.). In the case of our fluorescent person they are literally unrefracted in that they appear as white light. But we must not forget that the photos in *[SIC]* cannot be analyzed without the text and vice versa; the images of the fluorescent person do not

come in their own photobook, they are completely entangled with the novel and like how a prism splits white light into its constituent wavelengths, the fluorescent person's refracted form can be read in texts excerpted for the novel.

The specific texts that were chosen to make up *[SIC]* should not be ignored. If your conception of *[SIC]* is merely that it criticizes copyright law through excerpting public domain work than it would stand to reason that Davis Schneiderman could have excerpted *any* 50 works and ended up with the same novel, or at least with a relevantly similar novel. But that is just not that case because the constituent parts of *[SIC]* are not the constituent parts of *any* post-modern (or perhaps post-post-modern) text, they are the parts of this specific text. The relationship between *[SIC]* and its parts is most clearly seen in "Part 1: From" whose first four excerpted works—"Caedmon's Hymn," *Beowulf*, Chaucer's "General Prologue," and *Utopia*—set up *[SIC]*'s literary heritage not as the heritage of the world, but of Western, specifically British, literature. Eventually, 11 texts in, the reader comes to *Common Sense* as *[SIC]*'s American roots are also revealed. From there Schneiderman acknowledges the history of remediation in literature by borrowing "Ode on a Grecian Urn;" he then wryly acknowledges his work as copying other texts as he excerpts "The Red Headed League," a Sherlock Holmes mystery that revolves around a man copying the encyclopedia. The antepenultimate text in part 1 presents the most striking moment of self-reflection for *[SIC]* as Schneiderman excerpts "The Critic as Artist: With Some Remarks Upon the Importance of Doing Nothing" since it appears the Schneiderman has indeed done nothing except reproduce other works. Still, even as Schneiderman borrows from Wilde's text and does nothing, it paradoxically seems that Schneiderman is not like those "body snatchers of literature" that Gilbert despises for

clutching onto the ashes and dust of their literary heroes while “the soul is out of their reach” (Wilde 98-99). At the very least *a* soul is in Schneiderman’s reach since *[SIC]* feels so authentic.

Trying to fully grasp *[SIC]* When Mitchum Huehls sets out his exploration of the post-theory theory novel he tags those novels as ones that use post-structural theory to write fictions that “contribute to the composition rather than the deconstruction of the world” (283). In setting up the new category of post-theory theory novel Huehls has to show the new style of books go beyond being prototypical metafiction which have the following markers: “The authors appear in the novels as characters; the novels themselves appear in the texts of their own narratives; the novels expose and discuss the conditions grounding their composition; language in each text consistently raises questions about its own interpretive (im)possibilities” (306). Not only is *[SIC]* metafictional then because its discussion of literature as a medium, but also because it possesses at least 3 of those markers. Even more important than those markers though are four traits Huehls proposes typify the post-theory theory novel: “Reflexive Reluctance, Unreal Realism, Meaning as Transmission, and Words That Build” (307).⁶ Of those 4 the most important to our examination of *[SIC]* is probably Words That Build which Huehls describes by writing:

If words in the post-theory theory novel no longer mediate or represent the world, language becomes a real object in its own right. Words are facts and presences rather than illusions and absences. They do not alienate or

6. Huehls is quick to note that his list of defining features “is neither exhaustive nor prescriptive” which has to be remembered when employing it. Especially in cases like *[SIC]* when it might not be easy to assess whether a text has all those traits.

disconnect us from reality; they are simply real. Existence trumps reference as the source of linguistic value. (ibid.)

Earlier I have argued that *[SIC]*'s fluorescent person is representative in that it is an illustration of how identity can be approached as a patch-work construction that acknowledges its constituent parts and their origins. So Huehls may argue that *[SIC]* is not really a *true* post-theory theory novel, and yet *[SIC]* uses its texts as linguistic constructions that build and communicate meaning through their interplay. Even more significantly, if we read the fluorescent person as an embodiment of *[SIC]* then it may be argued that the words literally construct a being. Most significantly when considering *[SIC]*'s communication of meaning is that the novel provides no road map to ever get to this meaning. Instead, any possible deeper meaning can only be communicated through the work of the reader actually building connections between the quotations like a kind of synaptic map between items that converge but never touch.

Because *[SIC]* is largely a collage it can trick the reader into believing interpreting the novel as simple as skimming over the texts to view them only in aggregate instead of interrogating each textual excerpt and looking for specific connections. In fact, one of the few reviews that has been written of *[SIC]* claims "we have little reason to do more than skim through the book's pages to get its 'point'" (Green 26). Daniel Green's mistake in believing the book can be skimmed comes from believing that *[SIC]*'s structure, being made up of excerpts from other works, means it is the kind of book "that we read more from memory than by active attention" (Marcus 40). Now, an active reader of Ben Marcus would probably note that my quotation here is grossly out of context; in the original piece Marcus's quotation is attacking novels that

accomplish nothing more than repackaging realist tropes and *[SIC]* is clearly experimental, not realist. What Ben Marcus wants more than anything else, according to his defense of experimental fiction, is an active reader, and the beauty of *[SIC]* is that its structure requires the reader to be active if they want to get anything more from the text than the surface level criticism of copyright laws that many reviewers were content with stopping at. It is not just that Schneiderman criticizes copyright law, it is that he criticizes copyright law as upholding arbitrary distinctions. And if copyright law is arbitrary the question should be raised in the reader's mind as to how arbitrary the law in general is.

I contend that the literary remix apparent in *[SIC]* actually asks for active reading for much the same reason that the Andrew Marclay's *The Clock* strikes Ben Lerner so potently in *10:04*. Any possible meaning a reader finds in the texts of *[SIC]* is immediately haunted by the specter of pareidolia which raises the question over whether the reader has been captivated by a random coincidence or have they uncovered something deeply imbedded in Schneiderman's novel. For example, consider the fifth and sixth chapters of *[SIC]*'s third part. Is Schneiderman's placement of the 1943 Victory Cake recipe next to Dwight Eisenhower's farewell address a coincidental result of chronology? Or does the inclusion of a cake recipe designed to use fewer resources placed next to a speech warning of the military-industrial illustrate how perverse such a complex already was? Is it merely coincidental that the cake recipe and farewell address bracket photos of the fluorescent person eating at a café or does the combination of all three elements highlight how eating habits might reinforce the status quo? The inclusion of elements like computer viruses or chain letters also forces the reader to ask questions about the legal and philosophic nature of creative work, and it should be easy to see how

sticky questions about law, literature, and definitions can be lumped together as questions about language. But Schneiderman's inclusion of cryptic photographs expands *[SIC]*'s questions beyond the realm of language into the realm of meaning both visually and linguistically.

Active interpretation dictates not only what questions get raised by *[SIC]*'s patchwork structure, but also which answers those questions receive.

The photos of *[SIC]*, like the text, require active interpretation and that interpretation yields conflicting answers about the personality and nature of the fluorescent person. But rather than the ambiguity of *[SIC]*'s images and the ambiguity of *[SIC]*'s text combining to present readers a meaningless work, the compounded ambiguity leaves space for readers to use the photos and textual excerpts to build a coherent understanding of the novel.

I have shown how Davis Schneiderman's novel constructs meaning through its use of photography and subsuming of other texts. In fact, its subsuming of other works might be the text's only claim to novelhood outside of the fact that reviewers and book sellers, like Amazon and Barnes and Nobel, tend to refer to it as "[SIC]: a Novel" (Heimbach). While Schneiderman novelizes photography for *[SIC]* is significant, that is by no means unique. In her dissertation, Joanna Luloff writes that transnational novels' incorporation of extra-textual elements, such as photographs, results in the boundaries of the book being "thrown into question as the reader is asked to leave the space of the bounded book in front of her and travel towards other media" (5).⁷ What is most amazing

7. It is not really important whether *[SIC]* is transnational. Likely no one would think of *[SIC]* as a transnational novel. However, the pictures show locations in both England and France. It also draws on purely American works such as "This Land is Your Land." And it does interrogate identity and revel in spaces, like digital space, where traditional national borders cannot easily be enforced.

about *[SIC]* is its attempt to novelize certain kinds of media that might always lay outside the physical boundaries of the bound book. After what might be traditionally called the end of the novel—it occurs after the final image of the fluorescent person and the final excerpted work—Schneiderman claims *[SIC]* includes “sampling-based tracks already created for other projects from Illegal Art label acts Yea Big, Oh Astro, Steinski, and Girl Talk” (“About the Project”). Additionally, Schneiderman advertises a “fine art edition (\$24,998.98)” that includes as “biological pathogen that the reader may choose to deploy over the text” (ibid.). True to the book’s primary mission in interrogating originality *[SIC]*’s supposed audio-track contains only songs, none of which were created for this project, pieced together from other works.

[SIC]’s claim to an audiotrack and pathogen does more than point the reader towards outside media though, it acknowledges media boundaries that, in the case of the audiotrack, are impossible for the novel to cross (in its particular form at least) and still claims to cross them. In this case it seems the acknowledgement of the boundary itself is akin to crossing the boundary. *[SIC]*’s embedding of photography and found texts then do not become the end of its boundary crossing, merely the beginning.

The Depiction of American Identity in *In the House Un-American*

Taking its name from the anti-communist hearings of the twentieth century, it is no surprise that Benjamin Hollander's *In the House Un-American* proves to be quite concerned with investigating what it means to be American. Like each of the other three books this thesis analyzes, it also has unconventional structural traits in addition to its use of embedded photography. In the case of *In the House Un-American*, the structural quirks manifest in chapters made up of such things as (creatively altered) transcriptions of hearings, poetic testimonies, found texts, and what reads like a direct address from Benjamin Hollander to his reader. Sandwiching these unconventional chapters is the life story of Carlos ben [בן] Carlos, "the wannabe heir to the American poet William Carlos Williams" (140). Carlos ben [בן] Carlos's story is told mostly through a series of vignettes and this section will analyze only Hollander's use of images as well as try to place *In the House Un-American*'s use of vignettes in a larger literary context.

Not only does *In the House Un-American* investigate what Americanness means in its relation to individuals and people, but also in cultural traditions and products such as poetry. This focus on American poetry goes far beyond Carlos [בן] Carlos's claim to being a wannabe William Carlos Williams. It can also be seen in the reproduced (and altered) testimonies of Bertolt Brecht and Hanns Eisler before HUAC which the novel describes thusly: "Mr. Rankin and Mr. Eisler: they look at each other and talk about the American poem and the fate of German poetry in translation, about the American and the un-American" (Hollander 39). The grounding of the difference between American and Un-American in poetry helps explain the presence of the poetic testimonies that make up

so much of the novel, but it also helps explain why Benjamin Hollander might have decided to tell Carlos ben [בן] Carlos's life through a series of vignettes.

Hollander is not the first American novelists to use poetry as the language of the marginalized. I know it is odd to start an argument about embedded photographs in a book published in 2013 by first visiting a book without images published in 1953, but beginning with Gwendolyn Brooks' *Maud Martha* might help explain *In the House Un-American*'s mission. There are many surface level similarities between the two novels: they are both made up of vignettes—*Maud Martha* entirely so—and both are written by authors who are better known as poets. But the most important similarity comes down to the voice of the two books. Mary Helen Washington begins her excellent analysis of *Maud Martha* by noting:

When Gwendolyn Brooks' autobiographical first novel, *Maud Martha*, was published in 1953 it was given the kind of ladylike treatment that assured its dismissal. Reviewers invariably chose to describe the novel in words that reflected what they considered the novel's appropriate feminine values...Reviews, in brief notes of the novel, insisted on its optimism and faith...Brook's style was likened to the exquisite delicacy of a lyric poem. *The New York Times* reviewer said the novel reminded him of Imagist poems "of clusters of ideograms from which one recreates connected experience."

In 1953 no one seemed prepared to call *Maud Martha* a novel about bitterness, rage, self-hatred and the silence that results from suppressed anger...What reviewers saw as exquisite lyricism was actually

the truncated stuttering of a woman whose rage makes her literally unable to speak. (453)

While the translation of this argument is not exactly one-to-one, the voice in Hollander's vignettes is not the result systemic sexism, Mary Helen Washington's insight can help elucidate some of Hollander's book. The blurb on the back of *In the House Un-American* sells the book as an optimistic text whose protagonist "offers a prophetic vision reconciling Islam and the American." To reviewers' credit, they largely have not repeated the mistake reviewers of *Maud Martha* did; for instance, Kai Krienke likens the book to Emily Habiby's *The Secret Life of Saeed: the Pessoptimist* because of *In the House Un-American's* counter narratives that resist the easy optimism many Americans like to see in immigrant fiction (25). But even if the reviewers in this case are aware of the counter-narrative, it should not be ignored that the book is marketed on the premise that it is optimistic.

Most importantly Benjamin Hollander is completely aware of the way non-immigrants tend to read immigrant fiction. He begins the novel's second chapter, "Beyond Carlos: An American Investigation," with what is essentially a direct address to the reader:

Unlike the immigrant I was or even the child of an immigrant I was, which I can claim I am like Amy Tan, I don't want you to think about the particulars of my identity, about the deferential my second-language status, about my inspirational difference from others to which every immigrant is welcome as a subject—so is America represented as a nation of inspirational difference-from-others-stories to which everyone is

welcome as a subject—since who are you when I do claim this but someone who is obliged to relate, to be inspired, to be different like me, only different. I want you to be more than that. It is only the blind groping weirdness I want to relate. And the stuff of poetry: everyone is not welcome. That’s the difference. (27)

The gulf between the expected, possibly inevitable, reaction of reading this novel as one of “inspirational difference” and the intended reality of the “blind groping weirdness” it seeks to portray, I believe, mirrors the gulf between Martha’s perceived optimism and the reality Mary Helen Washington informs us of. It also poses one of the largest challenges to *In the House Un-American*’s mission. In the case of *Maud Martha*, the fragmented vignettes *did* successfully carry her frustration and anger, but only to attentive readers and most effectively to women of color. The text of *In the House Un-American* runs into the same problem: its counter-narrative may only be apparent to those readers looking for it, or those readers that are personally aware of the feeling of marginalization the characters in the novel feel. The problem of some readers missing the frustration and internalization of systemic oppression in the text is fundamentally a problem of language. Even though the transmission is sometimes successful, the ambiguity of language allows readers to only see the inspirational aspects of the text while missing the torment that is key to fully understanding the text. This must be why Hollander turns to embedded images to help him relate “blind groping weirdness.”

Of all the books this thesis analyzes, *In the House Un-American*, has the fewest images. In total the novel contains seven images: five are relatively simple photographs, one is a diptych, framed by the famous “America at Peace” mural, showing a HUAC

hearing, and the other image is the cover of an issue of the *Punahou Bulletin* with the cover story “A Kid Called Barry” (Hollander 48, 14) It is really in the images that the counter-narrative of *In the House Un-American* is most apparent since the set of images illustrates the contradiction at the heart of Americanness. One of the most obvious examples of this contradiction comes from the use of the *Punahou Bulletin* cover. The cover is the only image that is literally integrated into the text since it is the only one introduced by a colon, but what really makes the cover stand out is its placement in one of the novel’s many discussions of names. The cover image is introduced after an anecdote about the origin of Berri’s name—it is the result of his mother’s pronouncing of *Ber-El* with her German accent. The name is described as being “un-American as could be, *Berri*, unlike the common bass-toned “Barry” his friends turned it into being, “a kid called Barry” just like any other American with an Irish lilt and gait, which he wasn’t, at the time, nor could he imagine ever being, in 1969, like any other Barry in this America’s future” (13).

Despite the “common bass-toned” name Barry, and despite the inspirational aura of being America’s first black president, it cannot be ignored that President Obama was dogged by a chorus of racially insecure American’s denying claim to Americanness. Whatever Hollander’s original intent in including the cover, it is hard to read the cover in 2017 without immediately feeling the powerful counter-narrative of America’s unwelcomeness. Hollander’s novel, published in 2013, predates the 2016 presidential election, but looking back at *In the House Un-American* from the other side of the 2016 election, with its racially prejudiced overtones, has made the counter-narrative apparent in the cover much clearer.

The contradictions at the heart of Americanness is even more apparent considering Obama's name. Throughout the novel Carlos ben [בן] Carlos repeatedly returns to the nature of Williams Carlos Williams' name. Of particular interest to Carlos ben [בן] Carlos is the threefold nature of American names such as Williams Carlos Williams, Emily Dickenson Wellcome, John Wayne Gacy, and, of course, Barrack Hussein Obama (15-17). As Hollander writes, "Three names in sequence spelled an American genre" (15). But, in Obama's case it was the content of his name that many prejudiced Americans held as proof of his un-Americanness. The very thing that was supposed to mark President Obama as American was also the thing people latched onto to feed conspiratorial feelings.

As important as the cover of the *Punahoe Bulletin* is, the blind groping weirdness Hollander relates most effectively relayed by one of the other images he inserts into *In the House Un-American*. The oddest photograph is no doubt that of an Italian café's menu board that includes a painting of a Native American holding a peace pipe and reading a paper that declares "Italia Campione 2010" (98). In the narrative, this café is Santorini's, an Italian café that has "occupied since 1860, the oldest café in San Francisco, original home to the Italian newspaper's printing press" (93). Santorini's is still proudly listed in every tour guide to San Francisco, but the café and the neighborhood might not be what tourists expect (93). When Santorini is feeling resentful of tourists he imagines what the neighborhood would look like without him and he envisions "a future where Chinese dwarf bananas are hanging from the awning of his Italian storefront" (ibid.). The novel also tells us that "Santorini also wants to disappear like smoke through a chimney or to steaming Manila if he has to, where his wife and

children live in an American mansion” (ibid.). All of this reflects the nature of the novel’s idea of identity: at the center of the white American poet, William Carlos Williams’ name is the name of his Puerto Rican uncle, and at the heart of San Francisco’s Italian neighborhood are Chinese dwarf bananas and murals of Native Americans.

But I am also interested in the photograph of Santorini’s menu as a photograph. As previously mentioned, one of the properties Barthes claims for the photograph is that it cannot lie about the existence of something because it necessitates a photographic referent. As he writes: “Contrary to these imitations, in Photography I can never deny that *the thing has been here*. There is a superimposition here: of reality and the past.” (italics in the original, *Camera Lucida* 76). So what should be made of the superimposition of reality in the photograph of the menu board at Santorini’s? Joanna Lulloff investigated similar questions in her dissertation and while her argument centered on the work of W. G. Sebald, it is just as relevant to Hollander’s novel. In her dissertation she notes:

Sebald and Hemon’s texts create a fictional archive through which readers can map the fictional histories of the characters within the novels alongside the “actual” events that have been recorded in the public archive. In doing so, these novels rely on the “evidential force” of photography while simultaneously questioning the ways in which historical events are narrated into fact through the use of archival documents. (35)

It should be noted that Hollander similarly maps fictional events with real photographs; the book ends, for instance, with a photograph, dated May of 1961, of two boys standing on the shoreline (149). As readers we can only assume this photo shows a young Carlos

ben [בן] Carlos; so Hollander gives readers a fictional character attached to a real world photograph in much the same way Luloff notes Sebald's novels do (Luloff 47). But I find the image of the Native American reading an Italian newspaper particularly interesting because in a book full of documentary photos of immigrants the image from Santorini's stands out.

While Luloff's work helps explain Hollander's use of photographs as a set, the image of the menu board accomplishes something the other images cannot. Luloff's argument depends on novels "sandwiching recognizably real documents (i.e. images that reflect places we know exist) with images that are fictionally attached to characters" which calls into question the claim historical documents have on truth (ibid). What makes the picture of Santorini's so powerful then is that it is so odd it feels unreal. The composition is so bizarre, a Native American reading an Italian newspaper on the menu of an Italian café, that it disrupts the reader's suspension of disbelief concerning the photo's authenticity. Above everything else the photo of Santorini's menu feels contrived, but that is what makes it powerful. The other photographs question the sacredness of documentary evidence, but the photo of Santorini's menu questions our own imaginations of what semi-public spaces like Italian cafés look like. In effect, the photograph is so contrived it lays bare the fact that our own ideas about the connection between space and identity are also constructed.

It should be noted that it is not just in the photographs that Hollander build what Luloff would call a fictional archive. As I previously mentioned, Hollander also incorporates found text into the novel. But what makes Hollander's fictional archive so masterful is that the archive material is itself also fictionalized. For instance, Hollander

reproduces the testimony of Berolt Brecht before HUAC and includes one of the most famous exchanges from that hearing. In it, Rep. Stripling asks Brecht about the poem “Forward We’ve Not Forgotten;” he reads some of the lyrics before Brecht interrupts to say that the translation is wrong and the meeting room erupts into laughter (Hollander 32). This moment actually happened, but publically available transcripts of the exchange show Hollander has simplified the encounter even though he has maintained the sense of the moment. Hollander’s creative authority over the transcript recalls Wolfgang Funk’s point that technology has reshaped textual authority so that “the recipient of any cultural text [is] endowed with their own creative authority” (46). And what is the transcript of the HUAC hearing if not a cultural text? In this way Hollander’s creative editing of the transcript, as well as the co-opting of the “Peace on Earth” mural, is an un-American reimagining of the HUAC hearings. When Carlos ben [בן] Carlos reflects on the hearings he claims, “today, their roles would be reversed.” Hollander’s use of transcripts and photos from HUAC hearings reverse that exact relationship between investigator and investigated.

I have shown how the structure of *In the House Un-American* creates a narrative voice similar to Gwendolyn Brooks’ *Maud Martha*. I have also shown that the inclusion of photography in the novel calls into question history and historical documentation. But before we close the section there is one last thing I want to be stress. Throughout the novel Hollander criticizes the distinction between American and un-American because as categories they are not at all clear. But in the inclusion of photography in Hollander’s criticism is important not just because it calls into question historical documentation, Hollander’s use of photography grounds his criticism of Americanness in vision.

Hollander writes that the matter of who is un-American at any given time comes down to political opinion, and that “the accused lose jobs and reputations for life,” but the point, he writes, is that “even these so-called Un-Americans look *deeply American*” (31). American and un-American are, in throughout the novel, perceptually indistinguishable. That is, the categories themselves have no basis in sensory data and the lack of a sensory basis is why the photographs are integral to Hollander’s novel. It is true that Hollander’s method might fall apart when considering Americans that do actually do look different from WASPs, but there is still a powerful statement to be made by the fact that is no way to look at the picture of a young Carlos ben [בן] Carlos and determine if he is an All-American boy from New York, or one of the so-called Un-Americans. By actually showing photographs of so-called Un-Americans who are not distinguishable from Americans Hollander by passes the need for descriptive language which can be misinterpreted, but more importantly he shows that words themselves are what uphold the abusive American—Un-American distinction.

Picturing Silence: Jesse Ball's Use of Photography in *Silence Once Begun*

In this final chapter I want to turn to Jesse Ball's 2014 novel, *Silence Once Begun*, which uses photography as a part of its study of the inadequacy of communication. Whereas the previous three novels I have analyzed in this thesis have tangentially intersected with the law and legal distinctions, *Silence Once Begun* provides a very direct engagement with the law as a linguistic construction. The novel claims silence as its primary object of study; in fact, the preface to the novel sets the book up as an investigation inspired by author/character Jesse Ball's attempts to understand why his wife "simply stopped wanting to speak" (ix). But if *Silence Once Begun* is haunted by silence it is also obsessed with the relationship between language and truth.

Before engaging with *Silence Once Begun*'s use of photography it might be beneficial to take a general look at the novel's form and structure. *Silence Once Begun* masquerades as a journalistic investigation of a bizarre series of disappearances. In investigating the disappearances, the character of Jesse Ball presents, through personal interviews and documentary evidence, several contradictory accounts of the disappearances' surrounding events—in this way the novel is not unlike Tim O'Brien's *In the Lake of the Woods*. Ball's documentary evidence includes newspaper articles as well as transcripts of police interrogations. If the contradictory nature of the novel's documentary evidence is not enough to show an engagement with the nature of truth there is also the novel's opening disclaimer, "the following work of fiction is partially based on fact," which reviewer Nick Francis Potter correctly identifies as the novel's first sentence (Ball vii, Potter para. 2). Because the body of the novel is mostly made up of

documentary evidence the photographs, more than in any other of the novels analyzed here, become their own historical records.

From the very beginning, Ball's novel calls the accuracy of its own documents into question. The first interrogation transcript Ball produces includes the following note: “[*Int. note.* Transcript of session recording, possibly altered or shoddily made. Original recording not heard.]” (15). Of note, Ball's own tactics in recording his own interviews with witnesses create the same worry over accuracy. For instance, one of his interviews with the mother of alleged kidnapper Oda Sotatsu includes a note acknowledging that he turned off his tape recorder for about fifteen minutes which means that his own transcripts are imperfect records of his interviews (33). In another interview Ball notes “these are excerpts from long conversations, and so they may refer to things previously stated, or may begin in the midst of an idea, when something important had begun to be said” (18). Leaving aside the fact that “something important” is a subjective distinction, Ball's editing of his transcript puts readers in a similar position as Ball the character: left reading shoddy transcripts without the opportunity to listen to the original recordings. Despite Ball the character's assurance he has “tried at all times to be as objective as possible” readers have no reason not to be skeptical of the evidence as presented (25).

Now that I have given a short overview of the structure of the novel, I can finally get to the photographs Jesse Ball embeds in his novel. There are seventeen photographs in *Silence Once Begun*, fourteen of which appear as a kind of novelistic caesura between part one, “The Situation of Oda Sotatsu,” and part two, “To Find Jito Joo.” Of the other three photographs, one occurs on the dedication page, one with the disclaimer that the

novel is based on fact, and the last appears as a photograph Ball is given by a prison guard during one of the interviews.

The images that appear between parts one and two are no doubt the most notable in the novel and not just because they make up the bulk of the embedded photographs. In a book about silence the photographic caesura between parts one and two serves as the most haunting moment of silence in the text. As a medium, the photograph is literally silent, but the series of photos are more than conventionally silent, the photos are almost uninterpretable. As a set, they appear to be documenting travel, but the mixture of aerial photography and photos from the inside of a train upsets easy sequencing and raises a question about whether they even document the same trip. When I inquired about the origin of the photographs, the only answer I got from Jesse Ball was that “the photographs in the center were taken by me – save one my friend took” (qtd. in Brian Egan). While Ball’s comment does not help determine whether the photos are from the same trip, the fact they come from two different photographers might add to the disorienting sense they give readers. Even if they document a single journey, the destination of that journey is also very vague as there is almost no way for a reader to determine where any of the locations pictured actually are or even what the reader is actually looking at. In particular, there is a photo that looks like it could be of the inside of a prison kitchen, but without any context or caption there is no reasonable way to differentiate it from any other interior space with shelving and a sink (Ball 151). The set ends with a provocative photograph of an open gate, yet another indeterminable item (154). At the same time that the gate recalls the ancient and rusted gate Sotatsu and his brother used to visit as children, the concrete wall also recalls the prison Sotatsu was held

in that Ball supposedly has visited. But without any caption it is impossible for the reader to actually place the gate. Instead the gate proves disorienting: are readers exiting or entering the gate?

The disorienting images in the middle of *Silence Once Begun* illustrate the utility Ball must have seen in photography. Because his book centers on silence, Ball needed a way to actually represent silence in the novel form. For the vast majority of readers, experiencing silence in a text is quite difficult because even the act of reading produces an inner voice that gives a sensation like hearing. In an effort to invoke silence, Ball does not emulate Davis Schneiderman's other novel, *Blank*, which contains no sentences or typeface except chapter headings. Instead Ball uses a technique similar to what Jennifer Egan uses in *A Visit from the Goon Squad* when she used a bounded white box in a slide presentation to produce the effect of a pause (Jennifer Egan 246). But while they both employ visual media in effecting silence, Ball's use of photographs goes beyond Egan's use of slide shows. That is, instead of trying to produce silence by making language invisible (like Schneiderman) or by supplementing narration with an image (like Egan), Ball recognizes that language cannot adequately represent its own absence. What makes the string of fourteen images so haunting, even more haunting than other attempts at creating a similar effect, is that the photographs capture something that traditionally falls outside the power of the novel: pure silence in the absence of language.

It should be noted that what Ball does in *Silence Once Begun* is, in a way, the opposite of what Davis Schneiderman does in *[SIC]*. Instead of compounding the ambiguities of image and text to construct an authentic whole that feels complete despite its refracted nature, Ball rips apart the connection between language and image, between

narration and illustration, to capture the mysterious absence at the heart of his novel. And image and text *are* separated in *Silence Once Begun*, not just by the bridge of images between “The Situation of Oda Sotatsu” and “To Find Jito Joo”, but also in the picture of Jito Joo that Ball includes in the text. The photograph itself is the topic of its own chapter, aptly named “Photograph of Jito Joo,” which is comprised solely of Jito Joo’s image—more specifically it is an image of an image because the photograph in the book has an asymmetrical black border as if it has itself been photographed—and a bracketed note describing the photograph’s provenance (100). But it is not until five pages later, after two whole interviews have been reproduced, that Ball writes in one of his notes, “the photograph that he did give me, that of Jito Joo in a kimono, had writing on the back. The writing read, *On a lake, they float, but they do not see the lake. They only see what’s above, and only in the day, and only when the sun is not too bright*” (105). At no point in “Photograph of Jito Joo” does Ball hint that the photograph has writing on the back even though its presentation, as a photograph of a photograph, acknowledges the physicality of the original document. In effect, the photograph itself and the image it contains are completely divorced from the content of the text written on the back and this divorce is a direct result of Ball’s intervention as investigator/editor.

While I argue that Ball’s novel does the opposite of Schneiderman’s it should be noted that this means that Ball’s novel is not what Wolfgang Funk would call a novel of construction, but it does not mean that Ball and Schneiderman’s novels have contradictory ideas about the relationship between image and text. Rather, it should be said that the two novels are really two sides of the same coin. Whereas one’s meaning is constructed through the intersection between image and text, the other becomes

uninterpretable in the moments when image and text are torn asunder. The fact Ball's novel becomes almost unreadable during its photographic caesura reinforces W.J.T. Mitchell's theory about the relationship between literary studies and visual culture. When discussing the interdisciplinarity of visual culture Mitchell writes:

Literary history has always been necessarily more than a history of works of literary art. It has always had to address the whole field of language and verbal expression as a place in which the entire sensorium, most notably the visual, is engaged. An imbrication of the sayable and the seeable, telling and showing, the articulable and the visible (to use Michel Foucault's terminology) occurs at every level of verbal expression, from speech to writing to description, figuration, and form/semantic structure. There is no way, in short, to keep visibility and visual images out of the study of language and literature. Visual culture is both an outer boundary and an inner "black hole" at the heart of verbal culture. Like art history, literary studies encounter visual culture as an "inside-out" form of interdisciplinarity. The difference is that the visual comes to language as a figure of semiotic otherness—the "other" medium or form of expression, the "sister" art or rival in a paragone. ("Interdisciplinarity and Visual Culture" 542-543)

The silence in Ball's photographic caesura then is so haunting because it ruptures the link between verbal and visual expression. In effect, without text we can look at the pictures, but we cannot actually see what they convey.

Ball's creation of an uninterpretable set of images is also remarkable for what it helps us understand some of the other novels covered in this thesis. Both Lerner and Schneiderman also rely on their readers looking at the novel's photographs as a set, but the fact is neither set can be read without the accompany text. In Lerner's case, the captions render the photographs in *10:04* readable, but in Schneiderman's novel the accompaniment of the images with textual excerpts sets up an analogy which enables the reader to interpret the work. While flipbooks prove a series of images can carry a narrative without words, Ball's set of images does show how entangled verbal language and visual language is.

To better understand the significance of *Silence Once Begun*'s use of images I want to examine the conspiracy that lies at the heart of the novel's narrative. At the end of the novel, it is revealed that the so called "Narito Disappearances" never had any kidnappings behind them. Rather, the disappearances were a hoax perpetrated by Sato Kakuzo. In his explanation of events, Kakuzo claims he went "from place to place, finding old people with odd views, and convincing them, *Go away for a while. I have a place for you*" (Ball 225). In his own defense Kakuzo claims he never had to force any of the missing people to disappear, instead he claims that after he "explained the whole thing" the people would simply get up and go with him (ibid). The purpose of Kakuzo's conspiracy was to highlight the absurdity of the criminal justice system by getting someone convicted and executed for a crime that never actually occurred (207-210, 213-214). Further Kakuzo ties the failure of the justice system to its perverse belief in documents.

When a man has committed a crime, it should be prosecuted in a fair society only if the evidence of the crime may be seen. No imaginary documents, that is to say, documents that are the province solely of the human mind unconnected with the world, should be used towards a prosecution or conviction.

That we as humans believe we see things
we do not see.

That we will stake our lives and reputations
on the above.

That we as humans believe we have done things
we have not.

That we will stake our lives and reputations
on that too.

Ladies and gentlemen, it is clear the mechanism of the law cannot discover all ends. (215-216)

Kakuzo's issue with the legal system is clearly tied to the legal system's reliance on documents such as confessions (which are nothing more than constructions of language) and the disconnect between legal documents and the world. Even more significantly he places emphasis on the act of *seeing* evidence and *seeing* only those things we actually see. Not that readers are meant to condone Kakuzo's actions or believe he is justified. Though the presence of his opinion is proof that heteroglossia is alive and well since it is easy to imagine people believing his justification.

Understanding Kakuzo's intent is also fundamental to understanding why his plot ultimately fails and what implications that has for legal reform. *Silence Once Begun* is written with years of hindsight in its favor and there is no indication that the legal systems of Japan were upended in any way by the disappearances. And why should they be? Kakuzo's plot was always doomed to failure because it attempts to combat the imaginary documents of the legal system in its own terms. That is, his plot depended on the very thing it was opposing: imaginary documents. In addition to the fake confession Kakuzo has Sotatsu sign, he also traps Jito Joo in a contract ensuring she "would be forced to obey [Kakuzo] entirely within the confines...of the particular project" (221). To get Jito Joo to sign the contract binding her to follow his direction Kakuzo rigged a game of chance, the same method he used to trap Oda Sotatsu and get him to sign a fake confession. So at the heart of Kakuzo's scheme that aimed to show that the legal system's lack of fairness results from an overemphasis on documents is a falsified confession and a draconian contract.

Kakuzo's plot's focuses on how the courts handle criminal justice, which is not entirely surprising since criminal law is so visible to everyday people. Additionally, criticisms of the criminal justice system and the overreach of law enforcement are becoming louder and more present in our public discourse, as seen by the rise of movements like Black Lives Matter. But there is no reason that our discussion of the law inspired by *Silence Once Begun* be limited to criminal matters, especially since Kakuzo introduces himself to Jesse Ball by telling a political fable (201-207). The fact of the matter is that criminal matters are only one manifestation of a larger legal debate that can encompass everything from criminal law to constitutional law to contracts.

The exact relationship between law and fact is itself tricky and is the subject of plenty of legal scholarship. Of particular note for this thesis is the work of Allison Orr Larsen who has made a career of investigating the contemporary legal application of facts. As Larsen writes when examining the ill effects of the rise of factual precedents:

The first order of business in defining a factual precedent is to be clear about what constitutes a fact. It is true that the line distinguishing law from fact starts to dissolve if one thinks too deeply about it. Many statements that seem to be pure legal propositions can actually be repackaged as fact without much effort. For example “separate but equal is not equal” can be restated as “separate schools psychologically harm minority children.” And naked statements of normative preference or value judgments, such as “abortion is hard on women,” can also easily look like factual assertions once they are followed by a citation with supporting empirical research. (“Factual Precedents” 67)

While the general trend in trying to base legal rulings on verifiable facts might be positive, Larsen argues that problems arise when facts are used sloppily, especially when factual precedents that the Supreme Court set are used by lower courts “often without regard to how the court employed the fact originally” (“Factual Precedents” 79). So once a fact enters legal circulation, even if it is a good fact, it is at risk of being transferred out of its original context.

Legal mistakes concerning facts go far beyond misquoting the Supreme Court or taking Supreme Court facts out of context though. For instance, in “Do Laws have a Constitutional Shelf Life?” Larsen criticizes Chief Justice John Roberts for cherry

picking a comparison of voting rates between Mississippi and Massachusetts in the *Shelby County vs Holder* ruling which gutted the Voting Rights Act (“Do Laws Have a Constitutional Shelf Life?” 71). Larsen sees the court’s ruling and its justification as a part of a larger, understudied trend:

Moreover, [the question of constitutional shelf life] is growing in significance today as two things change: (1) judges find themselves with new tools to examine the factual premise of the law, and (2) the Supreme Court is embarked on a “widespread empirical turn” where its opinions now rest more explicitly on factual claims about the way the world works. (62)

But how does Larsen’s theorizing about the relationship between constitutional law and facts help us understand *Silence Once Begun* and its use of images? First and most obviously, it shows that a concern over the distinction between laws and facts is in the air, so to speak, so the novel easily plugs into a larger and contemporary discussion. But the issues arising from the misuse of facts in the court also brings us back to the failure of Kakuzo’s plot and the challenges facing those interested in legal reform. In the United States, the court has already embraced, or at least claimed to, the kind of empirical turn that Kakuzo wants to see brought about. But Larsen’s collected articles about the various pitfalls that have plagued the empirical turn show this shift has not resulted in rulings that are significantly more fair. The current legal trend, if anything, actually seems to embody one of Kakuzo’s other complaints: “that we as humans believe we see things/we do not see” (Ball 215). When Chief Justice Roberts points at black voter turnout rates and claims the world no longer corresponds to the world as it was when the

Voting Rights Act was designed he is doing the exact thing Kakuzo decries. Chief Justice Roberts is believing to see a thing he does not actually see. And yet he is also appealing to factual information.⁸ So the problem plaguing the law is not that it believes in documentation over believing in an empirically observable world.

Earlier in this section I argued that Kakuzo's plot failed because he engaged with the legal system in its own terms, but it seems there is another problem as well: the ability of the system to coopt Kakuzo's reforms. Much like the vaunted ability of the novel to novelize other genres, it seems the legal system can make subsume the kind of empirical facts Kakuzo believed were at odds with the legal system's imaginary documents. As we have seen, an empirical shift in the law does not necessarily make the law more fair. The root of legal problem is not the law rejects the notion of empirically observable reality. The problem is actually in the bridge between seeing and declaring. To be more specific the problem arises not from the law being ungrounded in the visual sensations of the world, the problem arises because the law contains problematic linguistic interpretations of visual sensations of the world. What this means is that ultimately Jesse Ball's novel is a better criticism of the baggage the law carries than the conspiracy at the heart of the *Silence Once Begun*'s plot because the embedded photographs give Ball a way to point at the visual-verbal bridge as the root of the issue.

Now that we can see how Jesse Ball's novel engages with contemporary debates concerning the relationship between law and truth we can close this section with a short note on how the images in *Silence Once Begun* achieve something Kakuzo's plot could

8. The accuracy of the information might be up for a debate because the survey Roberts is citing has a few concerning statistical traits such as a high margin of error, abnormally large year to year movement, and some troubling methodological quirks. All those weaknesses are laid out in Louis Jacobson's *PoliFact* article "Was Chief Justice John Roberts Right about Voting Rates in Massachusetts?"

not. While Ball's images are 'novelized' in the sense that they appear in and serve as vital part of *Silence Once Begun*, they nonetheless remain as an uncomfortable silence in the novel. William Holtz once argued that Laurence Sterne's *The Life and Opinions of Tristram Shandy, Gentleman* was an experiment in creating a spatialized novel that borrowed from a painterly tradition in an attempt to capture and preserve life long after Tristram's death (*Image and Immortality*). To accomplish his goals Sterne includes experimental visual elements such as a marbled page, a black page, an ink flourish, and a undecipherable visual plotting of the novel's narrative; the technology of his time obviously kept him from including photographs since the first photo would not be developed for another 60 or so years (Sterne 205-206, 31-32, 550, 425-426). But I contend that Ball's novel accomplishes what technology did not let Sterne accomplish because Ball's use of photography captures a fundamentally non-linguistic experience, silence, in the novel form.

Conclusion

Now that I have laid out an examination of each of the novels this thesis covers, let me put together what these texts do as a group and why their authors might have turned to embedding photography to help them accomplish their goals. The embedding of photography is, after all, a very uncommon formal trait for a novel to have, so it should not be surprising these four novels have other formal and thematic similarities. The most important similarity in this case is that all four novels use their images to criticize categorical labels.

The criticism of categories is most apparent in *In the House Un-American* and *10:04*. In the former's case the problem is that the distinction between "American" and "un-American" is impossibly unclear and that the policing of those terms leads to a loss of livelihoods (Hollander 31). And in the case of *10:04* the application of labels is the only thing that truly distinguishes an art commodity from an object. Of course the underlying similarity here is common to all categorical labels, language. The use of images lets these novels skirt linguistic systems in their criticisms of jingoism and capitalism. Let us not forget that, according to Hollander's novel, "so-called Un-Americans look *deeply American*" and that Ben Lerner informs his readers that "many of the objects were not, at least to my admittedly inexpert eye, damaged at all" (Hollander 31; Lerner 132). In both cases the difference between one thing and another is impossible to see; American and un-American, as well as object and art commodity, are perceptually indistinguishable. The only difference is linguistic so it is only natural that both writers employ a visual medium to highlight the fundamental flaw at the heart of these

categories. After all, the most effective way to illustrate that things are perceptually indistinguishable is to literally illustrate them.

[SIC] is similarly critical of labels, but Schneiderman goes about showing the logical fallacy behind the copyright code by using a technique that is the reverse of the approach Hollander and Lerner take. For Schneiderman's novel, the object of criticism is the label "creative work" which is at the heart of copyright laws. Since the first half of the novel is comprised of texts published before the law, it is made up of traditionally literary texts, but the second half, comprised of texts published after copyright was formalized, is made up of such works as cake recipes, computer viruses, and chain letters. The implication of the law is that the former class of items is creative while the latter is not, but once again this distinction is purely imaginary. The creation of a computer virus, though probably immoral and unlikely to garner wide public praise, is still a creative act. Just like *10:04* and *In the House Un-American*, *[SIC]* points out how similar creative and non-creative texts are, but because *[SIC]*'s particular objects of concern are textual Davis Schneiderman reverses the relationship between image and text in his novel. Put simply, the narrative of *[SIC]* lives in its photography and the texts are merely examples—textual illustrations so to speak—of the novel's larger point. In any case, however, the inclusion of imbedded photography frees up the text to accomplish other tasks.

Now that I have shown how the embedding of photographs allows for authors to criticize categorical labels and the systems—such as the legal system, the market place, systemic discrimination—that rely on labels, there are a few quick questions that still need to be addressed. First, why are these novels being written at this moment in time? The easy answer would be that to the prevalence of social media and the internet has

resulted in readers demanding more visual stimulation. But, as is often the case, the easy answer is incorrect. W.J.T. Mitchell expertly characterizes the fallacy I just mentioned when he lists several misconceptions of visual culture in “Showing Seeing”:

3. that the hegemony of the visible is a Western, modern invention, a product of new media technologies, and not a fundamental component of human cultures as such. Let’s call this the fallacy of technical modernity, a received idea which never fails to stir the ire of those who study non-Western and non-modern visual cultures, and which is generally taken as self-evident by those who believe that modern technical media (television, cinema, photography, the internet) simple *are* the central content and determining instances of visual culture. (172)

As we can see with novels like *Tristram Shandy* or *Bruges-la-Morte*, the incorporation of visual media into the novel long predates our contemporary moment. And while we live in a scopic era, that does not mean that verbal language will disappear, especially in relation to the novel. For instance, according to a Pew study, 18-29 year olds, despite stereotypes, are more likely than other age groups to prefer reading their news (Amy Mitchell). And while that same source claims “most of that reading among younger adults is through digital text rather than print” it is important not to commit the fallacy of technical modernity in the opposite direction (Amy Mitchell para. 3). While there is a shift from analog to digital media that does not necessarily mean verbal culture will be abandoned for visual cultural because verbal cultural is not a result of outdated technologies.

The cultural shift from analog to digital does lead into the second question I want to engage: what is the role of technology in making these novels possible? Technology, as has been said, is very important for Wolfgang Funk's theory of authenticity in reconstruction literature. Largely I agree that the digitalization of information has changed the relationship between reader and text in the ways Funk claims. I also earlier claimed that technology is one thing that separates *Silence Once Begun* from *Tristram Shandy*. But it must be admitted that in the 21st century photography is not new technology. If books with embedded photographs were going to dominate the literary market it would have happened by now and there does not appear to be any significant uptick in the publication of such books. So my conclusion is that authors choose to embed photographs not because of a technological shift, but because doing so aids their specific artistic missions. Photographs are just suited for the criticisms these four novels levy.

Now for the final and most important question: what is the extent of the criticism of categorical labels? That is: do the political problems these novels aim to fix lie in labels in general, or the misapplication of the particular labels these novels criticize? In most of these novels the problem is that the application of labels aids an unfair capitalist system: the issue for *10:04* is not the existence of works of art, it is the entanglement of labels and monetary value; in *[SIC]* the issue is that "creative works" covered by copyright laws are really just profitable works; and in *Silence Once Begun* the problem is that the law only really benefits those that already have legal power. It may be a lack of imagination on my part, but I cannot envision a way to navigate the world without labels, and *Silence Once Begun* supports my position because once image and language are

divorced in the photographic caesura there is no way to understand the world presented to the reader. So it seems that rather than abandoning categorical labels, the correct response to these four novels is vigilantly interrogating the baggage specific labels carry. With that interrogation in mind it is easy to see why these four authors have turned to embedding photographs. When it comes to proving certain categories are faulty, seeing really is believing.

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