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UNIVERSITY OF CALIFORNIA,
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Beyond Stage and Screen: The Making of the Scene in Modernist Fiction

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in English

by

Leo J. Hoar

Dissertation Committee:
Professor Margot Norris, Chair
Professor Rajagopalan Radhakrishnan
Associate Professor Jami Bartlett

2015

DEDICATION

For Molly, with love and thanks for being there every step of the way

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I would like to express my gratitude to Professor Margot Norris, my committee chair, who has wisely and generously guided me through the most intellectually rewarding years of my life. She sets a standard for scholarship to which I will always aspire. Before coming to UCI, I remember checking her *Writing War in the Twentieth Century* out of the local library. As I absorbed it, I remember thinking what a privilege it would be to work with her. It has been an enormous one. In addition, her kind hospitality on so many occasions, together with her husband, Rowland, helped sustain a community that made my graduate career, and that of many others, as memorable and enjoyable as could be.

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chance to show me an excellent teacher in action. My dad, meanwhile, has shown me that to be an “academic” means more than just research and teaching; it is to be a certain kind of person, one with a sense of responsibility for the welfare of future generations, an endless curiosity that finds inlets everywhere, and a deep respect for all people and creatures.

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CURRICULUM VITAE

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Chancellor's Fellowship, UC Irvine, 2006-Present

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ABSTRACT OF THE DISSERTATION

Beyond Stage and Screen: The Making of the Scene in Modernist Fiction

By

Leo J. Hoar

Doctor of Philosophy in English

University of California, Irvine, 2015

Professor Margot Norris, Chair

The present study will examine how the scene, as both a formal entity and a mode of social organization, is transformed within the space of the Anglo-American novel beginning at the turn of the twentieth century. With the advent of film in the late 1880s, the scene achieves autonomy from its longstanding service to plot, in part because of the technical limitations of the new medium, and in part because the chief innovation of film was not its storytelling but its capacity to depict movement. Film, in effect, demonstrates the viability of the scene as an aesthetic object in its own right. Practitioners and critics of the novel follow suit. Percy Lubbock inaugurates the decade of High Modernism in 1921 with an elaboration of Henry James's "scenic method." What Lubbock reveals, and delivers to experimentalists like Woolf and Joyce, is that the scene in the novel need not, like its cousins in theater and film, prioritize spatial proximity as its means of assembly. Situated in time, the scene's unity is a function of its evanescence, which enables an array of experiments in holding it together: affect, memory, and sensation become the forces that crystallize scenes. More than purely formal innovations, these experiments in scenic organization both endow the novel with the versatility needed to grasp the fluidity of social experience in urban modernity and enable it to propose models of social organization that are not predicated on presence, identity, or resemblance. For James, theater's

tendency to frame a delimited action in space allies it with the state of exception, as it creates the minimum order necessary for the law to apply. In the novel, however, the scene sustains temporally open relations between people, things, and places that render the law inoperative, and suggests an inclusive politics that avoids the gesture of relegating certain agents and materials to the status of backdrop. Both Edith Wharton and F. Scott Fitzgerald, explored in later chapters, likewise utilize the formal priority of the scene as a means of disarming repressive social forms and creating an entry point for new ones.

Introduction

In *The Craft of Fiction*, published on the eve of the boldest formal experiments of High Modernism, Percy Lubbock sets about a bold enterprise of his own: an illumination of the formal dimensions unique to the novel. To the reader in the twenty-first century, exercising the benefits of hindsight, some of Lubbock's pronouncements sound like truisms. But before Lubbock, writing just a year in advance of the publication of Joyce's *Ulysses*, no coherent, book-length defense of the novel's form existed. We strain to imagine a cultural context in which a statement like the following is necessary: "Form, design, composition, are to be sought in a novel, as in any other work of art; a novel is the better for possessing them" (9). But because Lubbock's audience has inherited from the previous century the notion that the novel is but a "transcript of life," the task to demonstrate that the "laws of art" apply to it becomes urgent.

Lubbock is keenly aware of the challenges facing any elaboration of the novel's form. To establish the kind of objectivity he is after, he offers an analogy between the novel and the painting, for surely, he writes, what matters in a painting is not just *what* it represents but *how* it represents it: "we do not forget that there is more in a portrait than the 'likeness'" (9). Yet Lubbock grants the limitations of this analogy. As he puts it in his opening page, "Nothing, no power, will keep a book steady and motionless before us, so that we may have time to examine its shape and design. As quickly as we read, it melts and shifts in the memory." After reading, we are left with but a "cluster of impressions," "relics" that make a critical appraisal of a novel far more difficult than that of a stable object like a painting or a building (1). So the foundation on which the novel is built, Lubbock affirms, "is rather a process, a passage of experience." To

do justice to the novel as an art form, Lubbock argues, is to reckon with its dual nature as an object “completed and detached,” but which we “recall [] also as tracts of time” (15).

Even if the novel as an aesthetic artifact cannot be grasped as a whole, Lubbock reasons, there are objects that persist in “reasonable stability”:

I scarcely think we could any of us claim that in reading a novel we deliberately watch the book itself, rather than the scenes and figures it suggests, or that we seek to construct an image of the book, page by page, while its form is gradually exposed to us. We are much more inclined to forget, if we can, that the book is an object of art, and to treat it as a piece of the life around us; we fashion for ourselves, we objectify, the elements in it that happen to strike us most keenly, such as an effective scene or a brilliant character. These things take shape in the mind of the reader; they are recreated and set up where the mind’s eye can rest on them. They become works of art, no doubt, in their way, but they are not the book which the author offers us. (6)

In the space of this short passage, Lubbock assigns an ambivalent status to “scenes and figures” in the novel. On the one hand, thanks to the expansive temporality of the reading process, we cannot hold in mind a single conception of a novel’s form, and so we immerse ourselves in the discreteness and immediacy of scenes and figures. On the other hand, this discreteness is what gives us the very sense of “reasonable stability” that Lubbock requires in order to mount a defense of novelistic form. What objectivity we can grasp in the novel comes at the cost of a totalizing conception of its form. The goal of a single, defensible Form recedes.

Lubbock’s response to the ambivalent status of the novel’s objectivity compared to other art forms is to embrace it and to integrate it within his critical apparatus: a novel can be evaluated by the degree to which it invites our focus on discrete scenes, versus the degree to which it attempts to give us a view of the whole. Examining Flaubert’s techniques in *Madame Bovary*, Lubbock names these two tendencies the “‘scenic’ and ‘panoramic’ presentation of a story” (67). If we can speak of a form specific to the novel, it comes from “how this alternation is managed” (72). We quickly get the sense, however, that the terms “scenic” and “panoramic” are not equals

in aesthetic merit, as Lubbock goes on to prioritize the scene as the device whose content and placement are the chief labor of the novelist:

Anyhow there is no doubt that the scene holds the place of honor, that it is the readiest means of starting an interest and raising a question—we drop into a scene on the first page and begin to speculate about the people concerned in it: and that it recurs for a climax of any sort, the resolution of the question—and so the scene completes what it began. (73)

Lubbock will proceed to offer two further distinctions in his taxonomy, between the “pictorial” and the “dramatic” presentation of the scene, both of which he draws from Henry James’s reflections in the Prefaces to his work. While the dramatic relies chiefly on dialogue, and could be transposed to the stage without loss, the pictorial, which establishes a scene through the consciousness of the narrator or a character, is discursive in nature, and can only be executed within the novel.

The scene for Lubbock thus serves as the touchstone by which the novel is distinguished from other genres that share its techniques. It is also a criterion by which the modern novel is set apart from the realist novel. Thackeray’s panoramic fictional worlds, for instance, are contrasted with Maupassant’s investments in the “immediate” and “perceptible” unit of the scene. Most important for Lubbock, though, is that the scene interposes itself and mediates between the author and the reader in a way that the panorama does not. In Thackeray’s stories, “we need him all the time and can never forget him” (113). As a result, “the general panorama, such as Thackeray displays, becomes the representation of the author’s experience” (114). Lubbock is responding to a history of literary criticism that has treated the novel as a reflection of the author’s sensibility, with the implicit assumption that its prose is a transparent medium through which this sensibility is transmitted. The scene now serves as the dimension of the novel that resists this transparency and introduces the opacity of the form in which the content is presented.

In short, the scene becomes, for Lubbock, the medium that draws attention to itself as a formal feature specific to the novel.

Lubbock has not simply arrived at the novel's equivalent of the form of a painting, however. Unlike that of a painting, the objectivity it possesses is a function of time in a very specific sense, as it functions in memory. Unlike any other art form, Lubbock contends, the novel's length exceeds the capacity of human memory. The "novel," properly speaking, is a whole that is never given. While we are tempted to think of the collection of scenes in a novel as cohering like parts that compose a whole, the dependence of this whole on the temporality of memory makes it a whole with a unique kind of existence: it *endures* in time rather than in space.

During precisely this period, the status of the scene in film would have provided a model for Lubbock's understanding of the scene in fiction. Attending to the impact of early film practices also helps historicize what might otherwise appear to be a mere spatial or temporal descriptor. Early filmmakers regarded the narrative, if there was one, in terms similar to the way Lubbock regards the whole novel, as a secondary construction external to the immediacy of the scenes. From the first films of the Lumière brothers and well into the silent period, filmmakers structured both production practices and audience expectations around the formal priority of the scene. In the case of the earliest extant film, *Roundhay Garden Scene* from 1888, "scene" does not simply describe a part, but the entirety of its content. For filmmakers, equipment inventors, and early theorists, the discreteness of the term "scene" served as a shorthand for what they perceived to be the main advance of the new medium over previous technologies and art forms: its capacity to depict movement. Catalogues issued by early film companies provide a clue to this thinking, as the nearly uniform format for the entries about the films on offer is a very simple outline of the scenes contained in the film. One example, a film called *The Moonshiners*,

made by the American Mutoscope and Biograph Company in 1904 and listed for sale in a 1905 catalogue of films by Kleine Optical Company, bears as its subtitle “A motion picture production in ten scenes.” The outline proceeds to enumerate each of them. For instance:

Scene 1. The Mountaineer’s Home.—Taking the illicit whiskey to the “Blind Tiger.”
Scene 2. The Revenue Spy.—On his search for evidence in the mountains. (214;
original emphasis)

Even this, one of the most narrative-seeming of the films in the catalogue, is advertised for the value of its scenes rather than for its narrative action or character development. The narrative itself is both extremely simple and utterly predictable. Cues in the description like “as everyone knows” demonstrate how the intelligibility of the film explicitly relies on the audience’s familiarity with the material. The film’s straightforward plot is also laid out in its entirety in the catalogue, a “spoiler” that would be unimaginable in the plot-driven films of classical Hollywood. As the catalogue authors frame it, the interest of the film lies in the vividness with which it is able to depict the kinds of actions that would already be known to the audience from both news and legend. In other words, the spectator’s ability to *see* a representative sample of a well-known action about which one had only ever *read* is intended to serve as more of a draw than the way in which the scenes are strung together; the scenes, rather than the plot, are the site of novelty in the film, and the reason for its allure. The catalogue’s sales-pitch accordingly concludes with the promise: “Every scene stands out as with stereoscopic effect” (216).

One of the signal attributes Noël Burch finds in what he calls the “Primitive Mode of Representation” in early film is “non-closure.” From turn of the century Passion films through the aftermath of World War I, Burch shows, films were primarily structured as sets of scenes whose narrative was either supplied by the audience’s familiarity with the events depicted or by a “lecturer” present in the theater. A feature of the first twenty years of film is the “tacit

affirmation that the narrative discourse is located outside the picture—in the spectator’s mind or in the lecturer’s mouth” (189). The introduction of intertitles only meant that “the externality of the narrative was now simply inscribed into the film” (189). The priority Lubbock accords to the scene in the novel thus has a clear parallel in film in the decade just before the publication of *The Craft of Fiction*. In both media, the work in its entirety is a non-given whole understood to hover outside the palpable immediacy of the scene.

The scene maintains its priority even during the rise of narrative film. Recent work in film history upends the assumption that narrative preexists and controls the production of scenes. In *A History of the Screenplay*, Steven Price untangles the complex interrelationship between production documents and the production process. The institutionalization of the “shooting script” later in the century, Price shows, leads us to read similar practices back into early film, such as the assumption that “the text is [...] a stable blueprint from which the film is subsequently made” (23). But early film production simply does not support this assumption. Even as film becomes more narrative in nature, Price shows, that narrative very rarely preexists production. To characterize the screenplay in more capacious terms, Price therefore adopts from Edward Azlant the more sensible claim that “screenwriting” is “a craft that could be fairly described as the prearrangement of scenes” (qtd. in Price 23). Price endorses the view, expressed by Azlant and others, that film “writing” is a process that inheres in every phase of the production, and need not be reduced to actual writing. Taking as an example two films by Edwin S. Porter, *Life of an American Fireman* (1902) and *The Great Train Robbery* (1903), Price shows how narrative grows out of scenes, rather than vice-versa. Porter’s “memorandum of scenes” for the latter film is not a pre-production document, but a “a narrative developed retrospectively to hold together a sequence of scenes that had already been shot” (34). One of Porter’s directors, J. Searle Dawley,

describes the prevailing method in even more improvisational terms: “we found our sce[ne]ry and made up our plot as we went along” (qtd. in Price 62).

The scene was considered an interchangeable unit not only for the film’s producers, but for its exhibitors as well. As Burch mentions, Edison’s catalogue entry for *The Great Train Robbery* leaves the order of the the fourteenth scene listed in the catalogue, depicting the outlaws’ leader shooting at the camera, up to the exhibitor; it could be shown at the beginning, the end, or both (197). So while the scenes themselves are always intact, the order of the narrative remains contingent upon a decision by the operator of the projector or the owner of the theater.

For fiction and film in the period leading up to the 1920s, the scene is perceived as a stable object within what is otherwise a temporal medium. But unlike a painting or sculpture, the scene, like the novel or film in which it is found, only takes place in time. Resolving this paradox of a stability within movement requires a special understanding of time that was having an intellectual vogue during precisely this period. Henri Bergson demonstrates the inability of chronological time to account for the continuity of our sensations, emotions, and states of consciousness. Chronology counts time as a set of instants—things that are identical—and is therefore incapable of grasping *lived* time, which Bergson dubs *duration*. This other time brings change and difference simply by virtue of its passage. Duration explains, in Bergson’s famous example, the impatience or expectation I feel as I wait for sugar to dissolve in a glass of water. Affect as a direct product of time is the source of my attachment to the situation, and therefore helps explain the deep investment the reader makes in the scene as opposed to the panorama. But this attachment only emerges against a background of “other” times that are not given in advance in the same way chronological time is given. As Bergson puts it in *Time and Free Will*,

the first English translation of which appeared in 1910, the concatenation of temporal states is a “multiplicity without relation to number or space” or a “qualitative multiplicity” (122, 123).

Though chronological time does not enable us to prefigure the *content* of future events, it determines in advance their *nature*: they will occur in the same *kind* of spatiotemporal continuum that contains the present. Since duration is limited to the contents of memory at any given moment, in contrast, the whole in which any part is contained is always changing. Unlike chronological time, which is itself a timeless scheme, the whole Bergson theorizes *is itself in time*, and never reducible to space.

This brief detour through Bergson enables us to flesh out some of the implications of the centrality of the scene in fiction beginning, alongside the first films, at the turn of the twentieth century. First, there is a rough equivalence between the lived time of the reader and time as it occurs in the scene. Gérard Genette will explore the temporality of the scene from a similar angle when he posits that it “realizes conventionally the equality of time between narrative and story” (94). In other words, time taken up in the presentation of the scene neither dilates nor contracts the time of the story. Second, Bergson enables us to explain why it seems impossible for the scene and the book, as a whole, to be considered “works of art” at the same time. The condition of our immersion in a scene is that we *forget* the whole work. But as Bergson teaches, this forgetting is not just an accident of human memory; it is an essential feature of duration. When we enter into the duration of the scene, the whole to which we relate it in memory is simultaneously being transformed. The memory of the previous scenes one has digested will be altered—slightly or significantly, but definitely changed—by the current one. So there is no stable whole to which we can relate the scene; it is better described, following Bergson, as *virtual*, which means the whole itself is temporal in nature rather than spatial. As Keith Ansell-

Pearson puts it, “the whole, *qua* a virtual whole, *only exists in terms of its divisions and differentiations*. [...] To regard [the whole] as ever given would be to treat it in terms of space and not time” (95). The scene and the whole book are thus joined together by *difference* rather than by resemblance. The current scene *changes* the whole rather than reflecting it.

Bergson thus enables an insight at which Lubbock only vaguely gestures: that the scene, in an important sense, *produces* the whole, which never really exists apart from it, and is itself made up of nothing but the differentiations created by successive scenes. If, as Lubbock argues, the scene comes into focus as a function of the memory the novel as a genre requires, then we cannot regard the scene or the whole as stable entities. When scenes enter into memory, they interpenetrate one another. As one is remembered, it has the capacity to be altered by what comes next; it is not stored as a species of film-strip, secure in its significance. It undergoes alteration by what comes next, and their combination is in turn changed by what comes after that. Scenes form a system that does not simply serve the whole of the plot, but is keyed to the productivity of time itself, in which the whole is never given, but is a constantly evolving product of duration. Since the scene in the novel, as Lubbock makes clear, can resemble the scene in theater, our tendency to think of novelistic scenes in theatrical terms is understandable. But the system of scenes in drama is ultimately spatial, while what Lubbock delineates as the “pictorial” presentation of the scene depends on an embedded perspective in a way that does not translate to the stage. To do justice to the function of scenes in the novel, we must regard the system of scenes in terms of time not reduced to space.

When scenes are regarded solely in their relation to the plot, their value derives from the action they contribute. In this sense, the scene is assigned a fixed identity. This valuation inevitably subordinates everything but intentional behavior to the “background.” Pursuing

Lubbock's insight about the effects of the novel's dilation, we find just the opposite behavior with respect to scenes. A scene accumulated with others *in time* remains constitutively open to alteration in the relation of its terms. Its impact in the text comes from the uncertainty of the relations it depicts, the opacity of its elements, what Deleuze, in his book on Bergson, beautifully calls a "hesitation' of things" (105). That is why the scene figures so prominently in Lubbock's high estimation of Flaubert: since the author's aim is to depict the "futility" of Emma Bovary, "she could not well uphold an interest that would depend directly on her behavior" (83).

Flaubert's objective, in contrast, "is to make Emma's existence as intelligible and visible as may be" (84), and so the relations between characters and their places become more important than what they do in them:

Flaubert treats the scenery of his book, Yonville and its odd types, as intensely as he treats his heroine; he broods over it with concentration and gives it all the salience he can. the town with its life is not behind his heroine, subdued in tone to make a background; it is *with* her, no less fully to the front; its value in the picture is as strong as her own. (85)

Expanding on Lubbock's commentary, we might say that Flaubert's focus on the relationality that inheres in the scene enables the advent of the modern novel itself by liberating it from its attachments to plot, and providing the formal techniques that capture the affects and experiences of modernity, like Emma Bovary's middle-class desperation. At stake in Flaubert's turn from action to scene is not only a formal commitment, but an adaptation of the novel's form to social life in urban modernity. To happen upon or find oneself within a scene is to be part of an unfolding process in which a position of epistemological certainty or a basis for intentional action are absent. The scene in fiction thus captures the essential features of European and American social life at the turn of the twentieth century, including both its negative attributes,

such as the marginalization of the human agent and the opacity of social relations, and its positive features, such as the new forms of attachment between people, things, and places.

The present study will examine how the scene, as both a formal entity and a mode of social organization, is transformed within the space of the Anglo-American novel beginning at the turn of the twentieth century. During this period, the scene is the site of convergence between the ancient practices of theater and the innovative techniques of film. From a combination of technical limitations and aesthetic choices, film from the 1890s to the early 1920s turns the scene into one of its main units of currency. Since the novel is free from the spatial and technological restrictions of stage and screen, however, it permits a much wider range of experimentation. The scene in the novel is transformed during this period because of a crucial break with previous practice: its function is no longer defined primarily in terms of narrative action. When the scene is subordinated to the continuity of narrative, its contingency is chiefly a function of characters' and readers' inability to know the outcome of actions. For Henry James, Edith Wharton, and F. Scott Fitzgerald, the contingency of the scene itself, as an unstable set of relations between characters, things, and places, takes priority over its narrative function. In fact, the roles of scene and narrative undergo a reversal. Rather than serving plot, the contingent relations of the scene actually work to generate a narrative potentiality that the plot itself cannot exhaust. Agency is redistributed away from its long-time home in character; things and spaces become active and influential in ways they were not before. But just as important, the preeminence of the scene reflects a more balanced view of the source of agency, which is ultimately traced to the *relations* that hold the scene together instead of the human agent. The scene, in short, becomes the locus of a productive instability, and the potentiality it contains is

pressed into the service of disrupting and displacing coercive social forms and imagining collectivities built on difference rather than identity.

A crucial moment in the career of Henry James serves as the clearest pivot away from the scene's theatrical origins. That moment occurs just after the failure of James's play, *Guy Domville*, and with it, the author's dramatic aspirations. It has become a critical commonplace that the "scenic method" to which James refers in a notebook from 1896 is simply the adaptation of theatrical techniques from stage to page. But turning to one of the first novels James completes after *Guy Domville*, *The Spoils of Poynton*, we witness not only his experimentation with scenic techniques geared specifically to the novel, but also a powerful critique of the legal and political ramifications of the theatrical scene. *Spoils* is particularly well-suited to this task because the central problem it explores is the relationship between a mother, her son, their family home, and the collection of beautiful objects it contains. In short, the problem that drives the plot is the status of the scene. Theater offers little help in the resolution of the problem precisely because it assumes the spatiotemporal continuity of people, places, and things. In fact, James demonstrates how this requirement of the dramatic scene allies theater with the force of law, as it creates the minimum of order needed for the law's application by reducing property ownership to a function of spatial proximity. The strength of the novel lies in its ability to imagine what William James calls "relations that unroll themselves in time," in which people, places, and things subsist in productively unstable configurations. In strong contrast to theater, Henry James's "scenic method" assembles its materials *in time*, which joins them in and through their difference, and precludes the possibility of their organization according to stable markers of identity. When the scene no longer reduces time to space, those elements usually cast into the background, such as things and place, are called to a new kind of agency. Within this

transformed ecology, human action becomes properly *scenic* rather than plot-oriented, in that it affirms its own contingency and respects the unfolding relations in which it is enmeshed. James comes to value this unique kind of scene-oriented action in the way it is purposive without purpose. In other words, human action finds its beauty in and among the materials of the scene.

For Edith Wharton, the scene becomes the medium by which history, both personal and public, is negotiated. In *The Age of Innocence*, Wharton's characters reckon with the past in terms of the immediate sensations offered within scenes. For instance, the return of Ellen Olenska from a failed marriage in Europe, which threatens to provoke scandal, is assimilated to the strict mores of nineteenth-century New York through her capacities for decoration and dress. Rather than reaffirming tradition, the scenic nature of memory in Wharton's work provides the means by which history can accommodate the new, bolstering Wharton's place among the forward-looking moderns. When the past is recovered in scenic terms within the space of the present—in clothing, decoration, and movement—it becomes charged with the potential to build a very different future. For Wharton, the scene of memory primarily functions to recuperate the agency of women that has been concealed beneath the patriarchal society of nineteenth-century New York. When this agency is recovered within the space of the present, it is only present *as lost*, and so functions as an enigmatic excess that displaces the scene cohering around it. Just as James seeks out an action adequate to the scene, Wharton explores the gesture as the means by which the past can take form within the present, but without simply being subsumed within the continuous action that is the province of the patriarchy. As an action that affirms its disjunction from its surroundings, the gesture restores the past to a productive strangeness. Wharton's romance plot, in which Ellen is only present to Newland Archer as lost, thus allegorizes a

genuinely historical time, in which the past is renegotiated in terms of the concerns and needs of the present.

With Wharton, we witness how the scene begins to *do work*, to *make history*. When it becomes productive in this manner, the scene no longer serves a mimetic function. Walter Benjamin accounts for this shift from the scene's service to existing social forms to its productive disruption of them. Despite its title, Benjamin's "The Work of Art in the Age of Mechanical Reproduction" is not as preoccupied with the changing status of the work of art as a discrete object as it is with the transformation of the scene. Benjamin's attention to the changes to the human sensorium wrought by technologies, including film, hinge upon his discussion of "aura." Yet that discussion itself is heavily reliant on Benjamin's analysis of the changing status of the configuration of human beings, objects, and environment: the scene. The elemental instance of aura in the text is not the isolated art object but the natural scene, to which Benjamin conducts his reader: "If, while resting on a summer afternoon, you follow with your eyes a mountain range on the horizon or a branch which casts its shadow over you, you experience the aura of those mountains, of that branch" (222-3). Aura derives from an insurmountable distance between these elements, and is accordingly dissipated when reproduction technology enables the masses "to bring things 'closer' spatially and humanly," which entails "their bent toward overcoming the uniqueness of every reality by accepting its reproduction" (223). The distance that obtains in the natural scene does not only mean that the onlooker cannot physically take hold of the scene, but that she also cannot expect to find it elsewhere, in some future context. Its distance is therefore mediated by time as well as space, which is why it can be distant in its very spatial proximity: it cannot be brought into the context of one's choosing. The spatiotemporal coordinates of the scene are determining; to be part of it, I must play my prescribed role.

The same thinking carries over to Benjamin's treatment of "portable" art objects. As Benjamin emphasizes, what reproduction leaves behind is not simply the notion of the original artwork as such, but the spatiotemporal unity of the scene in which it is found: "its presence in time and space, its unique existence at the place where it happens to be" (220). Included within the notion of the "original" is therefore, interestingly, both the deliberately-created art object and the less intentional "place where it happens to be." Its uniqueness derives from its ability to catalyze a scene around itself.

With the advent of reproductive technologies, however, the "sense of the universal equality of things" (223) alters the relationship between the viewer, the viewed, and their environment. Again, if distance is mediated by time, the viewer closes the distance not only by grasping the object, but by having it at her disposal for any future context. Aura is dispersed, then, not simply because the physical object itself can be multiplied, but because that multiplication enables it to appear in any number of future contexts (or scenes). This potentiality effectively "loosens" the object from its belonging solely to the present scene. If an object being used in a scene in the present also has the ability to appear in any number of other contexts in the future, then the behavior attached to that object in the present loses its necessity, and therefore, its significance. Because it impacts the way scenes cohere, mechanical reproducibility alters not just perception, but cultural practice. That is why Benjamin will conclude a section of the essay with the "all-important insight" that "for the first time in world history, mechanical reproduction emancipates the work of art from its parasitical dependence on ritual" (224). When rituals repeat, they prescribe the roles of participants, objects, and setting; the context is always fixed. Mechanical reproducibility enables the repetition to take place in any conceivable context.

Whereas social and religious rituals are fragmented by reproducibility, the cinema uses this fragmentation as its generative principle. Hence Benjamin will observe that “there is indeed no greater contrast than that of the stage play to a work of art that is completely subject to, or like the film, founded in, mechanical reproduction” (230). Once again, it is the discrete unit of the scene that serves as Benjamin’s test case for the impact of mechanical reproducibility on the work of art. The scene presented to spectators in a finished film is made up of components that are frequently filmed separately—or at least, they can be. There is no longer any necessity, as there is in theater, that the elements inhabit the same space and time: “Thus a jump from the window can be shot in the studio as a jump from a scaffold, and the ensuing flight, if need be, can be shot weeks later when outdoor scenes are taken” (230). Even in the filming of a single scene using a single camera in one continuous shot, “it is impossible to assign the spectator a viewpoint” that would exclude production equipment (232). The spectator is categorically excluded from the scene of production, “which renders superficial and insignificant any possible similarity between a scene in the studio and one on the stage” (233). In effect, the “scene” as an organized spatiotemporal entity, in which foregrounded action, backdrop, and audience inhabit predetermined positions, ceases to exist.

But the scene resurfaces, transformed, in Benjamin’s essay. With the kind of awe once reserved for the religious ritual, Benjamin leads the reader to the scene that embodies the productive practices only developed within a few years of the essay’s writing: the film set. “The shooting of a film, especially of a sound film, affords a spectacle unimaginable anywhere at any time before this” (232). Whereas the edited scene that ends up in film attempts to reproduce the illusion of theater, and thereby conceals its historicity, the film set itself, when approached as a scene, lays bare the historical transformation that has occurred. It does so by changing the

nature, complexity, and scale of its contents, which cannot be taken in from any one perspective in space or time. Even if a landscape exceeds the single spectator's perspective, the part that exceeds the single perspective is of the same nature as what is visible. When the spectator moves, she may see an utterly different image, but it is still produced for her the same way.

The film set, in contrast, presents human beings and machinery engaged in *productive* activities. Since these are rendered significant by what they produce rather than what they exhibit in the moment, the immediate movements displayed do not have the same significance as the movements of an actor; they are not captured for their own sake, but for their output. Their value comes from general labor time, which is exchangeable. The film set for Benjamin is therefore a microcosm of capitalist production, as it is structured by specialization and the division of labor. But this organization grants the movements on the film set a contingent freedom in behavior that the theatrical production lacks. What makes the set a “spectacle”—an incomprehensibly complex scene—is that (1) as general labor time, the activity depicted is not significant *in itself*; and (2) it is so specialized that the tasks being performed might be understood only by the persons doing them. The epistemological stakes are clear: on the film set, no single participant or spectator needs to *know* what is happening in the whole. The spectacular nature of the scene of production is perfectly captured in F. Scott Fitzgerald's *Tender is the Night*, when Rosemary Hoyt introduces Dick Diver to her latest film project. As she tells him, “we're making *The Grandeur that was Rome*—at least we think we are; we may quit any day” (207). On Dick's visit to the set, he finds actors, directors, electricians, and extras in a kind of bacchanal. Even for those engaged in it, the activity of the film set is not an object of *knowing* but an object of *belief*, and seems to display its own rituals.

Belief, of course, was responsible for the cult value of the original work of art. Benjamin's treatment of the quintessentially modern scene of the film set thus reintroduces belief under completely different conditions, where the "mystery" of the object derives from material operations rather than spiritual ones. This reappearance of belief is a surprising, yet fundamental, attribute of the modern incarnation of the scene. While we might expect Benjamin's representation of film production to offer a coordinated, integrated machine, in which each part serves the whole, what we get is very different. Thanks to specialization and the division of labor, the parts only ever *believe* they are serving the whole. After all, the point of specialization is labor-saving; I am relieved of the burden of having to know what my neighbor is doing. So for the specialized workers, the part is in an important sense detached from the whole that enables it, lending the work at hand an immediacy. For the spectator on the film set, *none* of the parts coheres into an intelligible whole, which means it must be apprehended in the moment. The entire scene of production, in addition to its multiple parts, evinces an opacity that resists generalization. Benjamin's interest in the scene of production thus cuts against that "sense of the universal equality of things" (223) that is the hallmark of reproducibility. Now the site of production itself seems to bear a uniqueness which, even if it is a function of capitalist production, re-prioritizes the unrepeatable specificity of the scene, and returns aura in a different form.

For F. Scott Fitzgerald, whose *Tender is the Night* is the most recent text we will consider, the contingency of the scene, and the unknowable spectacle it creates, is generative of fiction itself. During his composition of *Tender is the Night* over a period of eight years, Fitzgerald is doing two things: dabbling in screenwriting, and revisiting a total of three versions of the novel. The protagonist of the first version is a film technician; in the second, he is a

Hollywood director. Film production is certainly the context in which the novel takes shape, but it is also the model for the novel's production and, ultimately, its form. Little of the structure of the previous versions finds its way into the published one. Major characters become minor, minor become major, and others are eliminated altogether. Fitzgerald preserves the framework of so many scenes from earlier work, however, that they actually cut against his efforts at characterization and plot in the published version. His attachment to these scenes becomes far more than nostalgia for previous work; the scene as such functions as the medium upon which both narrative and character development depend.

By situating so much of the novel on or around the "spectacle" of film production, frequently blending both cinematic and musical recording equipment into the scenes in the novel, Fitzgerald invites us to explore the nexus between the scene and production. Scenes in *Tender* do not simply serve as vessels for action, but are in the process of, have just finished, or are geared toward producing something. The presence of these productive activities makes *Tender* unique as a novel, because it ties the novel's scenes to what are in fact *global* productive operations, particularly those of cinema and psychoanalysis. However, it is precisely by virtue of the scale of these operations that the scene comes to offer a relative freedom in which its characters are no longer subordinated to the communicative requirements of narrative. The novel demonstrates how the contingency of the scene is affirmed via repetition, but a repetition unhinged from representation and identity. As it turns out, the repetition at the heart of the scene—whether of cinema or psychoanalysis—offers a therapeutic function insofar as it precludes representation.

With its productivity unleashed from the confines of the larger structure of narrative, the scene offers literary modernism a formal mechanism that serves to address a number of the period's characteristic aims and anxieties. For one thing, the scene as an assemblage held

together in time becomes free to conceptualize history in terms of a temporality more complex than simple chronology. Both Wharton and James will unravel the spatiotemporal unity of the scene in order to enable disjunctive temporalities to enter into a productive encounter, such as those that take place in memory. In addition, as a form of aesthetic discreteness that is not really discrete, the scene inhabits the point of tension between the modernist fixation on durable aesthetic form and the evanescent objects of commodity culture. On one hand, as Lubbock instructs us, it satisfies the need for a tangible aesthetic form within a genre that is otherwise too diffuse to maintain one. On the other, it demonstrates the evanescence and inevitable relationality of this form. Finally, by exploring the possibility of an agency distributed throughout the scene, we find an attempt at resolution of the wide swings between previous literary movements, such as Romanticism and naturalism, concerning the locus of agency in politics and social life. The exploration of the possibilities of the scene finds expressive and agential potential in sources that were regarded, only decades earlier, as the mere backdrop to more important things.

Chapter 1

Overcoming Theater: The Scenic Method in Henry James's *The Spoils of Poynton*

How beautiful it is,
that eye-on-the-object look.

—W.H. Auden

The year is 1915. Henry James finds a volume left for him at his London club bearing the curious title *Boon*. Purporting to be a posthumous collection of the writings of one George Boon, the volume contains an essay that catches James's eye: "Of Art, of Literature, of Mr. Henry James." Little investigation is required to discern that the real author is H.G. Wells, with whom James had carried on a cordial if slightly competitive relationship for almost twenty years. To James's dismay, however, the essay contains a now-famous denunciation of James's literary enterprise: "The thing his novel is *about* is always there. It is like a church lit but without a congregation to distract you, with every light and line focused on the high altar. And on the altar, very reverently placed, intensely there, is a dead kitten, an egg-shell, a bit of string." This unforgettably pithy phrase distills the objections to James's work Wells had been nurturing for the better part of twenty years, especially Wells's opinion that James's careful art of "selection" actually selected out anything of value, leaving a "petty residuum of human interest" (248). Ultimately, the debate that crystallizes in *Boon* would come down to no less grandiose a topic than the very function of literature. To put it simply, for Wells the value of fiction comes from its ability to capture the quivering complexity of social reality, while for James, literature applies method and form to what would otherwise be chaos.

For our purposes, however, I want to focus on the centrality of *things* in Wells's critique

of James. On one hand, Wells (*via* Boon) insists that “the *thing*” the novel is about is “always there.” On the other, however, the *things* that populate the cold edifices of James’s fiction are tantamount to refuse that cannot bear any meaning on its own. No doubt taking his cue from James’s own “house of fiction” metaphor, Wells’s provocative image amounts to the accusation that the component parts of James’s fiction only gain meaning and value by being subsumed within the whole. The “thing” is ever-present, making the *things* themselves unnecessary. But for Wells this is no merely aesthetic evaluation; it is based on Wells’s take on the sociopolitical function of the novel: “if the novel is to follow life it must be various and discursive.” “Life,” he tells us, “is diversity and entertainment, not completeness and satisfaction.” If we reconstruct Wells’s argument only a bit, we can begin to understand its political commitments: “things” or parts unable to stand on their own without the unity of a whole will never be able to differ from one another in any meaningful way. Wells finally shows his hand when he specifies examples of the heterogeneity missing from James, such as “defined political opinions,” “religious opinions,” “clear partisanship” and “poor people dominated by the imperatives of Saturday night and Monday morning” (247). The standard of discursivity by which Wells judges James points to his belief that the novel should serve an essential sociopolitical function, specifically, to represent and thereby endorse conditions essential to a democratic society, namely, the peaceable coexistence of multiple, conflicting viewpoints. Here he anticipates by several decades the purpose Lionel Trilling assigns to fiction and its criticism in *The Liberal Imagination*: “To the carrying out of the job of criticizing the liberal imagination, literature has a unique relevance [...] because literature is the human activity that takes the fullest and most precise account of variousness, possibility, complexity, and difficulty” (xii-xiii). Wells inaugurates what Trilling calls the legacy of “liberal severity” toward James, which asks to “what actual political use”

James's work can be put (8-9).

Wells's severity, which ultimately severed what had been an amicable connection between the two men, takes a further turn in the essay on James, this time in the form of a lampoon of James's typical subject matter. Writing in 1915, Wells would have had nearly the entirety of James's oeuvre at his disposal. But rather than go after one of the monuments of James's later period like *The Ambassadors*, Wells chooses what recent critics have treated as a minor novel of James's, *The Spoils of Poynton*, from his "middle" period. Through the essay's mouthpiece, George Boon, Wells offers an outline sketch of a novel entitled *The Spoils of Mr. Blandish*, in which the titular character undertakes a search for a new residence that is supposed to resemble the search of James's culminating in his lease of Lamb House. The discriminating Mr. Blandish finally installs himself in Samphire House, and then carefully decorates it. Rather than a mere accumulation of things, though, the house and its contents begin to exude the elusive sense of some "thing" that hangs over it:

"as [the story] is told, something else, by the most imperceptible degrees, by a gathering up of hints and allusions and pointing details, gets itself told too, and that is the growing realization in the mind of Blandish of a something extra, of something not quite bargained for,—the hoard and the haunting. About the house hangs a presence..." (254)

We find in *The Spoils of Poynton* the likely inspiration for this passage, at the moment the protagonist, Fleda Vetch, tries to capture what her friend, Adela Gereth, has accomplished in arranging her new residence: "the impression of something dreamed and missed, something reduced, relinquished, resigned: the poetry, as it were, of something sensibly *gone*. [...] Ah, there's something here that will never be in the inventory!" When pressed by Mrs. Gereth to "give it a name," she boasts she could "give it a dozen. It's a kind of fourth dimension. It's a presence, a perfume, a touch. It's a soul, a story, a life. There's ever so much more here than

you and I. We're in fact just three," to which Mrs. Gereth adds, "'Oh, if you count the ghosts!'" (203). Wells repurposes this throwaway allusion to the supernatural as an allegory for James's project as a whole: the collection of the parts, the *things*, begins to reveal a presence or "something" holding them together. In *The Spoils of Mr. Blandish*, however, the evanescent "spirit" is revealed to be brandy stored in the walls of the house that Mr. Blandish then sells off for a handsome profit, a joke that turns James into a poor man's Poe who fails to deliver on the suspense in a story like "The Cask of Amontillado." Rather than leading an enemy to his immurement with the promise of brandy stored in the cellar, as in Poe's story, Wells's anemic James leads the reader to the cellar with the promise of a body and gives her brandy instead. Boon's denouement offers what we might call a phenomenology of disappointment in response to James's treatment of material reality, in which the "sensibly *gone*" is only hidden, and is revealed to be just another possession. For Wells, the only reason Fleda must struggle through a "dozen" terms is that James has withheld the right one. Evocation and allusion are merely masks hiding the authoritarian author.

At stake in James's treatment of things is not just his appreciation for objects or his flair for description, but his politics. The manner in which objects are presented bears on both the nature of the author's authority and his willingness to represent multiple interests. And yet recent critics, despite being armed with the latest theoretical equipment, only reiterate Wells's judgment of James. Around the turn of the 21st century, a renewed critical interest in the things that populate Anglo-American culture emerged, heralded by a 2001 special issue of *Critical Inquiry* simply entitled *Things*. Co-editor Bill Brown offered in that issue an essay on "Thing Theory" in which he plumbs the essential ambiguity of thinghood as follows: "On the one hand, then, the thing baldly encountered. On the other, some thing [*sic*] not quite apprehended."

Brown attempts to settle this ambiguity into a dialectic in which “*the thing seems to name the object just as it is even as it names some thing else*” (5; original emphasis). Brown strikingly recapitulates the terms by which Wells attacks James: once *things* are grasped there comes into view *some thing*, a “spirit” or “soul” that cannot be grasped like things can. With things finally theorized in this way, Brown will read things in *The Spoils of Poynton* in precisely the same fashion. In *A Sense of Things: The Object Matter of American Literature*, Brown will argue that “things” in James “circulate as an idea in excess of any physical referent” (141). Both Brown and Eric Savoy, writing on “The Jamesian Thing,” end up squarely in Wells’s camp, construing James as an author interested in the “metaphysical potency” of things (Brown 162), who pursues “a more spiritually luminous *expansiveness* in which things point to an ineffable Thing” (Savoy 274).

Recent criticism of Jamesian things thus clothes Wells’s satirical jabs in the fashionable and decidedly unplayful garb of French poststructuralism. The Jamesian thing is the Lacanian “Thing,” the “unimaginable no-thing” in the psyche and the external world that exists beyond representation (Brown 171), the Derridean slippage of signifiers (Brown 141), and the pure illusion of things’ solidity pursued by Baudrillard (Savoy 269). While these approaches helpfully contrast James’s fiction with the inventorying impulses of, say, Balzac, they paradoxically reify James’s handling of things, offering up James as a proto-post-structuralist interested in “the slippage or fluctuation between the physical and metaphysical referent” (Brown 141). And here, too, Wells has beaten modern critics to the punch. Boon’s sketch of Mr. Blandish frames his object of desire as precisely slipping between being “inaccessible, a thing beyond hope, beyond imagining,” and “so concrete an imagination, a desire so specific.” The *frisson* generated by the attempt to secure the unattainable is, for Boon as for Lacan, the

engine of desire; it is also the origin of signification. As Boon puts it, “there will be pages and sheets” yielded from the unavoidable slippage between word and thing (251).

What emerges more clearly in Wells’s satire than in Brown’s critique is the sense that this slippage is a deliberate orchestration rather than a revelation about language and desire, and that it disingenuously obscures what is really a naive, bourgeois fascination with property ownership. The slow approach Boon crafts to the “spirit” in Samphire House, a brandy from 1813, is clearly meant to suggest James’s bad faith in his treatment of things. Mr. Blandish means to get rid of his new-found treasure, but James cannot straightforwardly present something so crass as a transaction, as “Mr. Blandish, following the laws of [James’s] world, has not simply to sell his brandy: he has to sell it subtly, intricately, interminably, with a delicacy, with a dignity.” Though he ends up selling it to some merchant, “You are never told the thing exactly” (260). The dynamic that Brown enlists Derrida and Lacan to describe is, for Wells, nothing other than James’s own ambivalence about the exigencies of consumer capitalism: on the one hand, he is fascinated with the idea of a bourgeois redoubt filled with his finds; on the other, he is repelled by the vulgarity of exchanging money. The “something” that hovers suspended over “things” in James is, Wells implies, anything but metaphysical: it is the apparently magical quality of the commodity as fetish that obtains when the object is endowed with the socioeconomic relations that produced it. James is, in short, the fetishist *par excellence*, a claim that initiates another strand of criticism that continues until this day.¹

¹ See, in particular, Fotios Sarris and Nancy Bentley. Sarris offers a neat summary of critical treatments that associate *Spoils* with commodity fetishism, including Raymond Williams’s pithy remark that “after the first chapter of *Capital*, people should be sent to read *The Spoils of Poynton*” (qtd. in Sarris 56). Sarris goes on to argue that Mrs. Gereth’s fetishism exceeds the bounds of Marx’s conceptualization of the commodity fetish, offering in its stead Freud’s analysis of the “memorial” dimension of the fetish. Bentley’s chapter on James in *The Ethnography of Manners* similarly veers away from a Marxian reading of the fetish, instead situating the novel’s fetishism within contemporary ethnographers’ writings about the totemism of primitive cultures.

Wells's brief but trenchant satire thus sketches a Jamesian political economy, in which the author as controlling consciousness aids and abets the occlusion of the relations of production for the sake of maintaining the genteel veneer of purchasing and collecting. James stands accused of propagating a theatrical illusion in his fiction, one that conceals social reality behind an aesthetic veneer. It is in theatrical terms, then, that we will mount a defense. As we discussed in the introduction, Percy Lubbock adopts from James the "scenic" as a mode of presentation that resembles drama. Because James's *Guy Domville* had just failed on the London stage, it is tempting to read James's work of the same period as transposing theatrical techniques. James, too, encourages this view, declaring in his notebook entry of December 21st, 1896, after reading proofs of Ibsen's *John Gabriel Borkman*, "I realize—none too soon—that the *scenic* method is my absolute, my imperative, my *only* salvation" (167). Recent critics continue to read the claim at face value; Peter Brooks, for instance, understands James's "scenic method" as "the almost literal recourse to the dramatist's tools" (162). But the scene for James functions as far more than a purely formal device, a method for focusing attention on spoken dialogue and physical action. James's transposition of the term "scenic" from theater belies his transformation of its function in fiction.

First, the scene as a unit of measure functions for James as the mediator between social reality and fictional form. Reading selections of James's critical writings, including his Preface to *The Spoils of Poynton*, we see how James thinks about the experiences that prompt and shape his creative process as scenes themselves, brief encounters in which the author first establishes a relationship to his material. Their value comes from establishing an initially indeterminate relation between the author and his material that will, to borrow a locution from William James, "unroll [] in time." Thinking of his compositional process in terms of scenes doubly historicizes

James's work. On one hand, James uses the scene to tie his work to a moment of his own social experience. On the other hand, the scene opens this social experience to the uncertain impact of time. The "reflector," which James introduces for the first time in *Spoils*, constitutes his effort to preserve, at the level of form, the unfolding that begins within James's social scene.

Second, James seeks out a use for the scene that is specifically adapted to the novel as a genre. Unlike theater, James realizes, the novel is not required to make space the primary organizing principle of the scene. While characters undoubtedly continue to inhabit the same putative "space," what holds them—and the scenery and objects that make up a scene—together can be any form of connection, physical and mental, including thoughts, memories, feelings, and judgments. As the glue that holds scenes together, these means of connection are primarily temporal in nature, which brings James into common territory with his philosopher brother's exploration of "relations" as the matrix of experience. In fact, James locates the formal specificity of the scene in its capacity simply to unfold relations in time.

The Spoils of Poynton serves as the best expression of James's "scenic method" not only because the major problem the novel poses and its response to it take place in carefully crafted scenes, but also because at issue in the story itself are the relations between characters, their home, and its contents. In other words, at stake in the novel's plot is actually the status of the scene itself as a spatiotemporally continuous entity. A lifelong collector of beautiful objects, Adela Gereth is required by her husband's will to relinquish both Poynton, the family estate, and the entirety of its contents. The plot is therefore bounded by the inescapable force of law. Its central challenge in response to this inevitability is to explore ways of relating to places and things that are not predicated on possession or ownership, and it is for this purpose that James presses the scene into service. The novel will explicitly associate the theatrical scene with the

force of law, in that it provides the minimum ordering of bodies and things in space for the application of law. In contrast, the capacity of the novelistic scene to hold its elements together in indeterminate, temporal relations renders the law inert, and enables characters to test new relationships to it. Moreover, since it is structured by its openness to time rather than by its contents in space, the scene models for James an inclusive sociality in which things and place take on agential capabilities alongside formerly marginalized characters. By novel's end, James has made a case for a form of action suited to the scene in its autonomy from narrative: action that is purposive without purpose, *beautiful* action, judged to be so because of its distance from conditions and legal mandates.

I. Beyond the Stage: Scene as Author in “The Art of Fiction”

It is tempting to follow the lead of R.P. Blackmur in regarding James's “scenic method” as little more than the transposition of techniques from theater. Reading James's Prefaces, Blackmur concludes “his use of the scene resembled that in the stage-play” (xviii). But in important respects, James fundamentally departs from the nineteenth-century theatrical tradition, and develops a use for the scene adequate to both the modernist novel and the conditions of urban modernity. In theater, the scene is a portion of a play meant to represent action for spectators. For the novel, both Lubbock and Blackmur readily assumed, the “scenic method” is similarly a way for the direct, unmediated presentation of narrative material; the reader takes the place of the theatrical spectator. For James, however, the scene as a unit is a situation or event that is first presented to a spectator as enclosed and Other, and only then becomes transmissible to a reader. In other words, the reader regards the scene in James mediated through a witness who is an outsider to whatever is taking place. The immediacy both Lubbock and Blackmur claim for the “scenic method” thus contains and is conditioned by a distance, strangeness, and

alienation. A more accurate way of characterizing the scene is that it embodies a *relation* that becomes productive for art because it is indeterminate and has the capacity to unfold as it is explored further.

To begin to distinguish the role of the scene in James's fiction from its use in theater, we must appreciate the way the scene serves as far more than a formal device. Its importance begins well before the author has begun to compose a single word: the scene serves as *the* structuring principle by which everyday experience incites artistic creation. An episode from the autobiography of James's early years, *A Small Boy and Others*, very clearly establishes how the scene for James is not a picture, spectacle, or representation created *for* a privileged audience, but a situation that only relates to a spectator by excluding him or her. The title alone positions the young James as an anonymous, solitary figure among strangers, in strong contrast to what is, by all accounts, the family environment in which he was well-loved. The vignette takes place during a childhood visit to Sing-Sing, the New York prison, with some of the James' Albany cousins, where James recalls passing a prisoner who "was engaged, while exposed to our attention, in the commendable act of paring his nails with a smart penknife and [] he didn't allow us to interrupt him" (174). James plays the part of the stranger happening upon a quotidian scene, and the source of James's interest comes from the *distance* that prevents any kind of empathy. In fact, James unapologetically describes his admiration of what he takes as the prisoner's gentlemanly leisure, a child-like misapprehension of the man's predicament so extreme that the free spectators and the confined man exchange places: "I envied the bold-eyed celebrity in the array of a planter at this ease—we might have been *his* slaves" (175). Envy is, for James, an affect that enables one to contemplate otherness not in terms of a *particular* other, but in terms of a multiplicity; in other words, the encounter with the prisoner incites a yearning

for a different lot in life, but not necessarily *his*. At the conclusion of the long passage quoted below, he says so explicitly: “It wasn’t that I wished to change with everyone, with anyone at a venture.” To come into contact with an other leads one into a movement outside of oneself, which renders the truth of one’s account of the other immaterial.

The onlooker emphatically does not seize the scene mimetically. Instead, it is because the scene excludes him, carries on its action in defiant disregard of any spectator, that it prompts a special kind of response in which imagination fills in what is inaccessible to representation. But this imagination of what is occurring in the scene contains within it an acknowledgment that it is grounded in a relation of distance and difference, in which the author occupies a *real position*—a minor and disadvantaged one at that—in the scene. The author, in other words, is not allowed a transcendent position outside his material; he cannot claim dominion over his imaginative construction of a “planter at his ease,” but is forced to take up a role within the imagined scene—as slave. The need for him to take a role shows that even the author or creator *enters into a relation* with the material, and this relation, with difference at its heart, is what unfolds and creates fiction. The author is merely a node in this relation. And as we will see, James’s innovation of the “reflector” is the form that this relation will take in the text itself.

The scene thus mediates the relationship between life and art in a manner that leaves behind mimesis. A scene such as the one at Sing-Sing constitutes a moment in which life seems to cohere and present itself as raw material for art. But as James realizes, this coherence is due to the scene’s self-enclosure, its refusal to grant, as theater does, a place for the spectator. The witness’s use for the scene is then built on this relation of exclusion. While the artist’s response will owe itself to the scene, it is because it prompts him to bridge the difference between them in an imaginative gesture. The scene gets its value by setting a process in motion, but its products

will bear no resemblance to what prompted them. As James elaborates his reaction to the prisoner, he makes clear how the relation of exclusion or difference that enables the scene to appear is valuable for what it sets in motion rather than for what it represents:

[The prisoners] were so *other*—that was what I felt; and to *be* other, other almost anyhow, seemed as good as the probable taste of the bright compound wistfully watched in the confectioner’s window; unattainable, impossible, of course, but as to which just this impossibility and just that privation kept those active proceedings in which jealousy seeks relief quite out of the question. (175)

Here, James makes his most decisive statement about the separation that joins the author to the scene. The shop window makes clear that we are in territory very different from the space of the theater, as the spectator and his object inhabit entirely different spheres, one public, one private. Moreover, he relates to what he sees as a spectacle in the sense Debord will elaborate, a separate world “that can only be looked at” (7). But as James makes clear, it is “just this impossibility” that incites “those active proceedings” by which the author will imaginatively bridge the gap. When James imagines a prisoner as a planter, and himself as one of the slaves, the fictional scene he creates both embodies and overcomes the exclusion at the heart of the scene that prompted this creation. Though the fictional scene bears little visual resemblance to the “real” one, it is genetically linked to it as the unfolding or elaboration of a relation that the “real” one established.

As a relation that unfolds apart from its terms, the scene mediates between life and art beginning with the author’s encounter with the obdurate otherness of experience. The confectioner’s window serves as a figure for this relation once it becomes clear that it does not simply frame contents, but calls attention to its own materiality; the separation it enforces prompts the artist standing out on the street to imagine alternatives to the inaccessible inside:

A platitude of acceptance of the poor actual, the absence of all vision of how in any

degree to change it, combined with a complacency, an acuity of perception of alternatives, though a view of them as only through the confectioner's hard glass—that is what I recover as the nearest approach to an apology, in the soil of my nature, for the springing seed of emulation. (176)

We imagine the “hard glass” as an active screen that is neither a projection of the spectator's nor a framing of the contents, but a mediation between these. In contrast to mimesis, “emulation” does not identify with or copy an object, but constitutes a creative response to the condition of separation. As the relation unfolds, *both* the person on the street and the contents of the store change. For the former, the result is “self-abandonment—I mean to visions.” Here I differ from Sharon Cameron's argument that James privileges the transformative power of consciousness over its faithful representation of its object. In her reading of *The American Scene*, Cameron finds an effort to “free [consciousness] from the given, effectively to banish it, and to substitute for what is there what is *wanted* to be there” (3), which leads to a conception of Jamesian consciousness as “dominating” and even “*dispensing* with objects” (7; original emphasis). James's own account of his “acuity of perception of alternatives” belies this reading, since what James very clearly describes, the “self-abandonment [...] to visions,” is a *consequence* of his encounter with the prisoner and requires it as its precondition; in the scene, subject and object enter into a mutual disorientation or becoming.

James's thinking on the productive relationality of the scene also serves as the foundation of his most-read critical essay, “The Art of Fiction,” in which he attempts to define the “experience” that aids the novelist. James elaborates an instance in which a novelist comes upon a scene, and its value to her is squarely based on the fact that it is *not* presented for her, and even excludes her from it:

I remember an English novelist, a woman of genius, telling me that she was much commended for the impression she had managed to give in one of her tales of the nature

and way of life of the French Protestant youth. She had been asked where she learned so much about this recondite being, she had been congratulated on her peculiar opportunities. These opportunities consisted in her having once, in Paris, as she ascended a staircase, passed an open door where, in the household of a *pasteur*, some of the young Protestants were seated at table round a finished meal. The glimpse made a picture; it lasted only a moment, but that moment was experience. (323)

In this brief vignette, James is anxious to contrast one understanding of “experience” with his own. Those commending his anonymous novelist presume that “peculiar opportunities”—perhaps those reserved only for a leisured elite or a bohemian artist—enable her vivid portrait of French Protestants, when in fact, James counters, her “experience” consisted of a brief, outsider’s glimpse. James is sure to emphasize the markers of this author’s otherness, as an English woman almost intruding on the domestic scene of a figure of the French patriarchy. Moreover, her arrival is too late to capture the household involved in any kind of determinate action that might provide insights into behavior or character. For James, it would seem, it is not *despite* but *because of* the author’s lack of involvement or knowledge about the scene that qualifies it as the example *par excellence* of “experience.”

The domestic scene qualifies as “experience” only if it is approached without the very familiarity and intimacy that makes it domestic. As James describes it, the scene might as easily take place on a city street, where the stranger enjoys a unique kind of access, passing through and observing without intruding. Unlike the theatrical spectator, for whom the scene appears as a sustained representation, the scene in its usefulness for fiction establishes the barest relation between its material and its witness. William James evolves the notion of “pure experience” to signify this minimal relation: it is the “immediate flux of life which furnishes the material to our later reflection with its conceptual categories,” “a *that* which is not yet any definite *what*, tho’

ready to be all sorts of whats” (*ERE* 93).² In “pure experience,” the perceiver is related to the percept by an indeterminate relation, not by knowledge, which means the primary way in which experience occurs for William James is affective, an access to the world in all its potentiality. Knowledge follows on this immersion when the indeterminate relation between the perceiver and the percept unfolds itself. As the elder James will put it, “Knowledge of sensible realities thus comes to life inside the tissue of experience. It is *made*; and made by relations that unroll themselves in time” (*ERE* 57). James the novelist will similarly point to an unfolding relationality as the basis for experience: “Experience is never limited and it is never complete; it is an immense sensibility, a kind of huge spider-web, of the finest silken threads, suspending in the chamber of consciousness and catching every air-borne particle in its tissue” (323). For James the novelist, however, the otherness at the heart of the scene is a function of both the brevity of the glimpse and the differences of nationality, age, and gender. It is because she shares none of these identifiers with the scene’s occupants that the English novelist can ultimately use them in her fiction: “She had got her impression, and she evolved her type. She knew what youth was, and what Protestantism; she also had the advantage of having seen what it was to be French” (323).

The scene as an unstable relationality is not simply the means by which the novelist absorbs insight, but an epistemological mechanism that, once formed, produces it over time. Markers like French, young, and Protestant do not seem to be separable, but come together as a

² Critics have long insisted on a direct dialogue between *Spoils* and William James’s philosophy. Early in the novel’s critical history, Eliseo Vivas claims that the novel is Henry’s critique of William’s pragmatism, where Fleda Vetch’s resolute refusal to speak of marriage to the already engaged Owen Gereth stands opposed to the “pragmatic” Mrs. Gereth, who would readily pledge Fleda to Owen in order to maintain access to her precious possessions. However, as Richard Hocks points out in the first book-length study of the relation between Henry James’s and his brother’s work, such a view is based on a misreading of pragmatism as a “mere expediency and materialism” (135), a position that becomes untenable after even the most cursory study of William’s thought.

package that is held together by virtue of the glimpse of the outsider. If these cannot be separated, they function poorly as concepts or identifiers; the novelist would not be able to use what she has learned to identify other instances of Frenchness or youth. The scene does not produce knowledge in the form of a detachable concept that can then be used in any other time and place, which would obviate the spatiotemporal specificity of the original experience. For James, the scene serves as the staging of a productively problematic relation that produces knowledge as it unfolds and changes. Whatever developments then issue from the primary contact owe themselves to and are forever the descendants of the originary scene.

II. “Things in the Making”: The “Germ” of *The Spoils of Poynton*

As James will make clear in the Preface to *Spoils*, the particular social scene in which he first makes contact with the idea for the novel establishes a relation from which the entire process of composition and publication will unfold. The productivity of this relation, it bears emphasizing, is directly proportional to its indeterminacy. Just like the English novelist’s encounter with the French domestic scene, its value comes from its obdurate singularity, which does not produce concepts, just questions:

The particular case, or in other words his relation to a given subject, once the relation is established, forms in itself a little world of exercise and agitation. Let him hold himself supremely fortunate if he can meet half the questions with which that air alone may swarm. (24)

This self-organizing “little world” is simply the scene by another name, only now James clarifies how it is the relation between the interested spectator and her subject matter that produces fiction. In other words, the scene offers potential relations that unfold, not determinate content. The crucial hint is in the way James defines the “particular case” as “in other words his relation to a given subject”: the *relation*, rather than either of the *terms*, is the particular, the primordial

datum of experience. Practically speaking, this elevation of the productive relation means, for fiction, that neither characters nor the material world they encounter are valuable in themselves, but for the force or potentiality that is coiled up in the relation between them. For *Spoils*, ostensibly a story about things, James concedes,

Yes, it is a story of cabinets and chairs and tables; [...] but what would merely “become” of them, magnificently passive, seemed to represent a comparatively vulgar issue. The passions, the faculties, the forces their beauty would, like that of antique Helen of Troy, set in motion, was what, as a painter, one had really wanted of them, was the power in them that one had from the first appreciated.

A complementary point awaits for the treatment of character: “A character is interesting as it comes out, and by the process and *duration* of that emergence” (30; emphasis added).

As we will explore below, it is the status of the scene as “relation,” rather than its terms, that determines the significance of the spoils themselves.

A long-held critical commonplace about James, best expressed by Morris Roberts, argues that his is “an art of economy, which gives the sense without the body of experience” (207). Yet the nature of the relation James establishes to his material is fundamentally an embodied one. The story of the novel’s origin, written for the tenth volume of the New York Edition published in 1908, just a year after William James completed the essays that would appear as *Essays in Radical Empiricism*, narrates the author’s first encounter with what he calls the “germ” of the novel. Countering Roberts’s view, the Preface serves as a kind of affective diary of James’s unfolding attachment to his story, which James traces to a single scene: “It was years ago, I remember, one Christmas Eve when I was dining with friends: a lady beside me made in the course of talk one of those allusions that I have always found myself recognizing on the spot as ‘germs.’” The germ, James goes on, is a news item about a mother and son in conflict over property. Far more important than the idea itself, however, is James’s engagement with it. He

first characterizes its appearance as an interruption of the smooth flow of conversation. James does not have a moment to rationally weigh the item before the “germ” penetrates his skin in a “prick of inoculation,” “the *whole* of the virus, as I have called it, being infused by that single touch” (25). James’s viral metaphor suggests the inevitability of the story once implanted, which makes the social scene an important one for his artistic process: it is a form of engagement in which the self becomes susceptible, permeable, capable of forming attachment to things without rational examination.

At first meeting, James accepts the “germ” of the story well before he has examined its details, our best evidence that the relation he establishes is affective, not cognitive. Now attached to it, however, James finds himself struggling against it once its full thrust begins to emerge. His dinner companion strikes out on an elaboration of the “germ.” He wishes to stop her, but realizes it is too late: “I didn’t, of course, stay her hand—there never *is* in such cases ‘time’; and I had once more the full demonstration of the fatal futility of Fact” (25). The initially stark and object-like idea now grows and expands. James’s early investment in it now requires that he experience the expansion as well. The crucial point about this experience is that it requires James to inhabit the lived time of the actual story, and to follow its turns against his will. The acute irritation he feels, the impatience at not finding “time,” constitutes a new affective register in his relation to the story that will be just as essential to its development as the initial “prick,” since it calls James to his inescapable embodiment within the scene.

For James to *feel* his time at table rather than just letting it pass requires a simultaneous awareness of *other* durations, of other possible configurations of time, though these need not be given. To experience affect is to enter into time as continuous, unfolding, and productive. Any one duration can only appear as such against an indeterminate or *virtual* multiplicity of

durations. James's sudden awareness, "as in a flash," of "all the possibilities of the little drama" that would become *Spoils*, is nothing but the awareness of other durations that is borne out of the experience of the now as a particular duration. It is only thanks to the feeling that *some* more economical time scheme exists, without any need to *know* what it is, that James begins to develop a *feel* for what would become a novel. The affective spectrum into which James enters at Christmas Eve thus reveals to him in lived, sensory terms the potential for a story.

The feel for the story serves as an unfolding connection between James and his material, and thus inhabits time as duration, as productivity. Properly speaking, it is this unfolding that deserves the title of author; James is, as he fully admits, along for the ride. James himself must therefore adopt a posture of expectation rather than a position of authority over the material. If asked about the "use" to which he would put the bare fact, James considers, his response would have to conceal his uncertain relation to the germ: "'Well, you'll see!' By which of course I should have meant 'Well, *I* shall see!'" (25-6). James's qualification of his public answer, that he "should have meant, 'Well, *I* shall see!'" tells us that the source of artistic creation, the interiority of which we imagine the author possessed, is in fact an utterly contingent and externalized relation. Moreover, the creative process fundamentally owes itself to the scene at Christmas Eve dinner, but only as the beginning of an unfolding that will in no way resemble its origins. As James points out, it is not the artistic creation but the "*I* shall see," the process of unfolding, that the author keeps hidden. For the interiority of the author James effectively substitutes an external, temporal relation begun in the social scene. Where Michel Foucault will insist that the author is a function of discourse, James makes clear that it is a function of *time*.³

³ In "What Is an Author?" Foucault elaborates how "The author's name serves to characterize a certain mode of being of discourse," for instance, by distinguishing it as a particular *kind* of speech, one that is not "immediately

James's introduction of the reflector constitutes an effort to preserve, at the level of literary form, the productive relation of the scene that first gives rise to the story. Fleda Vetch, the character to whom James assigns the duties of "reflector," inhabits the position of outsider to whom the original conflict between mother and son is exposed. As James defines her role, she is "That member of the party in whose intenser consciousness we shall most profitably seek a reflexion of the little drama with which we are concerned" (39). A "reflexion of the little drama": Fleda serves as the formal equivalent of the distance or difference that distinguishes the scene in fiction from the scene in theater. She is the difference between the presentation of the scene as a "thing" or display for spectators, as in theater, and the scene as an unstable relation that unfolds in time.

The reflector propagates the unfolding relations that begin in James's dinner scene. James assures us in the Preface that "something like Fleda Vetch had surely been latent in one's first apprehension of the theme" (29). His own initial relation to the "germ" of the story is exemplary of a complex relationality that cannot be easily reduced to the way we deal with objects. A mere "consciousness" of things, as a means of establishing factuality, does no justice to James's "first apprehension": the attachment, the struggle, the impatience, in short, what it means to *live with* something. Thus the *way* James comes about the story about a mother and son in conflict over furniture ends up being far more significant than the content of the actual story. Fleda's latency in the "first apprehension" means she is fundamentally tied to the scene of James's first encounter with his subject matter, but in a temporal rather than spatial sense: she exists as part of the future unfolding, which, from the space of the present, has yet to be determined.

consumable" (107).

James's account of the way his social scene is generative of fiction points us to an attribute of the scene that will be crucial for the form of the novel itself. Speaking in terms of who or what is physically *present* at James's "first apprehension," as if it were a theatrical scene, misses what is fundamental about it: that the relations it establishes are temporal. Its full significance cannot be known, but only partially and vaguely *felt*. The scene of the novel's origin thus models a mode of organization or collectivity in which the "contents" of a scene are no longer defined in terms of who or what is physically present and identifiable. Presence and identity are both substantial hurdles to belonging, and presuppose the self-evidence of markers like gender and race. The temporal openness of the scene enables James to explore ways of involvement not predicated on these identifiers. That the ultimate heroine of *Spoils* begins as merely latent and unidentified within the "first encounter" suggests a powerfully inclusive form of organization. Finally, whereas the theatrical scene will rank or prioritize its contents according to their agency, with lead actors inhabiting the foreground and idle scenery occupying the background, the scene in *Spoils* allows for a far more capacious understanding of agency. When relations do much of the work, agency need not be limited to human actors, enabling James to locate it in and among things.

The novel's opening exemplifies how the scene works to establish an assemblage on grounds other than determined, legal ones. Mrs. Gereth has just fled the "esthetic misery" of Waterbath, and finds

at the turn of the walk, [...] a young lady seated on a bench in deep and lonely meditation. [...] This girl, one of the two Vetches, had no beauty, but Mrs. Gereth, scanning the dullness for a sign of life, had been straightaway able to classify such a figure as for the moment the least of her afflictions. She had observed the girl at dinner and afterwards: she was always looking at girls with reference, apprehensive or speculative, to her son.

Seeing Fleda, Mrs. Gereth remembers her "deep uneasiness" at the thought that her son, Owen,

would “marry at last a frump” (36). On the face of it, the scene seems to position the women in clear physical proximity to Waterbath and its hideous decorations. But for Mrs. Gereth, Fleda introduces a “speculative” dimension to the scene. Waterbath, we are soon to find out, is the home of Owen’s soon-to-be fiancée, Mona Brigstock. Mrs. Gereth does not yet suspect as much, so at this instant, Waterbath stands for a vague future in which she is bound, by her son’s marriage, to some “frump.” Fleda is simply an *other* to this already vague situation. In other words, she is present in the scene insofar as she holds out a future, but one only defined in its difference from the kind of future for which Waterbath stands.

Through her aesthetic judgments of objects and people in her immediate present, Mrs. Gereth feels out possible narrative futures. What is at stake in Owen’s choice of a wife, we learn in just a few pages, is Mrs. Gereth’s relation to the objects she has collected over a lifetime: the titular spoils. Her husband has bequeathed the estate of Poynton and its contents to Owen, so her legal possession is out of the question. Legally speaking, Mrs. Gereth’s dispossession is beyond question. Even in terms of social convention, as she points out to Fleda, her continued residence at Poynton after her son’s marriage is unthinkable: “she replied that a common household was in such a case just so inconceivable that Fleda had only to glance over the fair face of the English land to see how few people had ever conceived it. It was always thought a wonder, a ‘mistake,’ a piece of overstrained sentiment” (45). The novel thus takes place against the backdrop of the “inevitable surrender” of Poynton (36). To adopt James’s terms from the Preface, this relation fixed by law inhabits the territory of the “fatal futility of Fact.” Waterbath, whose decoration takes “the form of a universal futility” (37) makes tangible, in the space of the present, an otherwise abstract legal event in the future. The latter is “the humiliation at which one would be able adequately to shudder only when one should know the place [Waterbath]” (43). Added to

the immersive connotation of “Waterbath,” the name “Brigstock” merges two synonyms for “prison.” But just as affect holds James in a productive connection to the “fatal futility” of the original story, the ugliness of Waterbath enables an affective, aesthetic response to the inevitable legal surrender it represents. Fleda, whom Mrs. Gereth decides “had no beauty,” but was “dressed with an idea” (36), also offers a more palatable future, but in terms of an aesthetic judgment in the present. These aesthetic responses measure out a distance between Mrs. Gereth and the legal judgment because they establish ways of relating to people and objects that do not presuppose the ownership that it forecloses.

Here the important distinction between James’s “scenic method” and the scene in theater is essential to understanding the impetus driving the plot. Focalized entirely through Mrs. Gereth, the opening scene is populated only through aesthetic judgments. It consists, we might say, of ugly and beautiful; there are no neutral “facts” established outside these judgments. But these, too, depend not so much on the individual beauty or ugliness of individual objects, but on the care with which they are chosen and emplaced. Mrs. Gereth and Fleda agree that the Brigstocks’ crime lies in the “arrangement of their home” (37); left on its own, “Waterbath ought to have been charming” (35). Their shared aesthetic judgment is predicated on the contingency of the arrangement, which means the relations that hold the scene together are thoroughly temporal. The present state of the scene thus contains within it the possibility of alternative configurations. The “arrangement” holds together home, its contents, and its observers by virtue of its evanescence.

III. Before the Law: The Scene of Dispossession

As a configuration of people, place, and things that is fundamentally opened to time, the scene offers the means by which James can explore a sociality not grounded in fixed relations

like ownership. That the spoils become *perceptible* (remain virtual) rather than being *perceived* (as actual) means that the novel's central conflict need not be harnessed to space, since what is already *perceived*, what already has a fixed abode, has been decided in advance. The real question that the novel poses is not what to do with or about the spoils under the law, but how, in the future, the law might accommodate the unstable assemblage of actors that the novel depicts.

The spoils themselves first appear in the novel not as self-present things but *in time*, hovering in the future. No matter what measures Mrs. Gereth entertains, including Fleda's marriage to Owen, the spoils will no longer be available to her in the way they were. The surrender is, indeed, inevitable. But the novel suggests a different mode of their availability as *perceptible* rather than only *perceived*. And the way this perceptibility emerges in the novel is by virtue of the women's shared dispossession. Mrs. Gereth has her "disestablished home" (41), while Fleda, it turns out, "hadn't so much even as a home" (42), and her nearest hope of one is her sister's prospective husband. The lack of legal ownership in both cases means their approach to the spoils takes place within a specific duration, that of the woman without any claim over the very domestic sphere where she supposedly reigns supreme, who stands to lose everything at a near-definite future point.

Paradoxically, then, it is dispossession that becomes the condition of access to the beloved objects, just as, in the case of the English woman novelist from "The Art of Fiction," it is her status as passing outsider that enables her to capture, in a glimpse, the essence of French domesticity. Fleda's first perception of the spoils comes not from description or imagination, but from the way her anticipation of them works on her: "Her meagre past fell away from her like a garment of the wrong fashion, and as she came up to town on the Monday what she stared at in the suburban fields from the train was a a future full of the things she particularly loved" (40).

The “things” now assume a curious status: they fill a “future” rather than a space, and a future that is accessed via the movement of the train, which conjures the spoils like a cinematic projection. As in the reproducible images of cinema, their image is endowed with the capacity to appear anywhere, without regard to a particular subject rooted in a particular time and place. Fleda’s distinctive selfhood evaporates by the same process. Taken up into this moving-picture show, Fleda too becomes a kind of mobile image endowed with the capacity to appear anywhere, losing what spatiotemporal attachments she might have had, and it is this capacity that renders the spoils available to her. Time, it becomes clear, has assumed an entirely new value. Rather than being measured by progress away from the past or toward a point in the future, perhaps a point at which she would come to own the spoils, time is now productive: it is what removes the outdated garment of Fleda’s past, and what summons “the things she particularly loved” into her field of concern.

In Fleda’s encounter with the spoils, our ability to treat the scene as a spatiotemporally continuous entity, as in theater, is stretched to its breaking point. Fleda’s access to the spoils is temporal rather than spatial; it depends on the unfolding set of relations established at the novel’s opening between herself, Mrs. Gereth, and the spoils. The spoils appear to her in expectation and retrospection, so her engagement with them never properly *takes place*. As a consequence, the text declines to certify the spoils as present to Fleda, but instead preserves the indeterminacy of her relation to them. This uncertainty is best signalled in the opening line of the chapter that follows Fleda’s vision of “the things she particularly loved”: “These were neither more nor less than the things with which she had had time to learn from Mrs. Gereth that Poynton overflowed” (41). James renders two competing perspectives on the spoils, first, Fleda’s “the things she particularly loved,” then “the things with which she had had time to learn Poynton overflowed.”

He is careful, however, not to equate “the things” Mrs. Gereth describes with “the things” Fleda loved, and so settles on a relationship of “neither more nor less.” Both descriptions lack clear reference to a definite, locatable grouping of objects, but rather than just taking advantage of their vagueness to posit a connection, the narrator declines to establish identity between them. “These” is then used non-deictically, for if it were an instance of actual pointing, it would entail the authority to equate the two descriptions with a single referent. We are led to the conclusion that the link between the two phrases *is itself unfolding*, meaning the narrator who hazards a connection between them using “these” has as yet no way of confirming that they in fact converge upon the same objects.

If the narrator’s own relation to the spoils is parasitic on the unfolding relations of and between the characters and things, then the productive unfolding of the scene claims a formal priority in *Spoils*. It is therefore neither the descriptive phrases themselves nor objective “things” that constitutes meaning. None of the options available—the narrator, the phrases, “the things”—offers a privileged spatiotemporal point that would serve as a guarantee of meaning. And since James separates the two phrases with a chapter division, his implicit claim becomes emphatic: the relation between words and things—on which the sense of the phrase depends—unfolds in time. Sense is an *event*.

So it is not just Fleda for whom disestablishment is a condition of relation to the spoils. Language itself only becomes meaningful provided it enters into the same kind of uncertain relation. We can now see with greater clarity that the ethico-political problem the novel poses is not situated merely at the level of plot, where a character or reader is asked to issue a judgment on a well-formed situation. Under such a view, the participants in the drama become merely conduits by which principles are to be applied. The social serves as a mere backdrop or

container in which the action takes place. Language, in turn, amounts to a transparent medium through which principles are articulated. For James, however, the properly political challenge is embodied in the work of unfolding relations not only between persons but between persons, words, and things. As a result, no part is instrumentalized or subordinated as a mere inert tool or as a symbol of something else. Even language and its relation to what it describes is a function of the contingency of the scene. Most important, it is not with some end in view that this unfolding takes place; it is not *in* time, but it *is* time as productivity.

James thus reverses the relationship between law and the social. Rather than serving as a field that already evinces a lawful order, in which the law would intervene to settle disputes, the social is an unfolding relationality without either end or model; it is conceived as a *process* rather than a *product*. Disestablishment is a condition of access to this new form of sociality because to enter into the fullness of a truly unfolding relation one must not currently be settled in a particular one. As such, law must penetrate more deeply than the rules and conventions of human behavior that govern some existing social field, in order to account for the sudden emergence of new and uncertain kinds of organization, such as the one at issue in *Spoils*: the arrival of Fleda suddenly renders the spoils available in the future in a way they were not when left under the purview of English law and custom, and it does so by opening *all* relations, including the most orthodox social bonds, to time. Objects, in particular, are no longer “objects” strictly speaking, in the sense of fully-determined things that are only acted upon by agents. Rather, in this unstable assembly, it becomes impossible to draw the line between what constitutes a “subject” and what is a merely acted-upon “object.”

Fleda’s first encounter with the spoils confirms this thinking. Not only does she eschew any naming of individual items, but she realizes the untenability of clear demarcations such as

the “active” perceiver and the inert perceived: “Wandering through clear chambers where the general effect made preferences almost as impossible as if they had been shocks, pausing at open doors where vistas were long and bland, she would, even if she had not already known, have discovered for herself that Poynton was the record of a life” (47). The biographical import or *sense* of the collection as the “record of a life” is not available in ordinary time but as a counterfactual: Fleda “would, even if she had not already known, have discovered for herself” their meaning. On one hand, discovering what the spoils mean does not depend on actual perception of the objects themselves. On the other, it would have been *possible* for Fleda to discover this meaning via perception alone, with no prior knowledge about them. By hinging meaning on this counterfactual statement, James effectively frustrates any attempt to situate knowledge in *either* subject *or* object: Fleda would already have known even if she had not seen the objects, and if she had not already known, she would have learned by seeing the objects. James *leaves undecided* the exact *place* of the “record of a life,” whether it comes from what Fleda knows in advance or what the spoils themselves could communicate by themselves. The exact relation between knower and known, between sign and its import, is temporal rather than fixed (spatial); to know is to become a part of these unfolding relations rather than to inhabit a single rigid role. The counterfactual establishes a spectrum of knowability, in which what counts as a relation of knowing is open to constant renegotiation.

IV. The Space of Law, The Time of Rights

James’s syntax studiously avoids situating Fleda in purely spatial contact with the spoils. Characters, things, and place do not cohere in space but in time, which links them in a relationship of difference or non-coincidence. James’s usage of the scene in the novel thus ruptures the spatiotemporal unity of the scene in theater. In so doing, it comes into direct

conflict with what we might call the “theatrical” assumptions of law. The terms of Mr. Gereth’s will, which straightforwardly reflect the law of primogeniture, treat Poynton and its contents as a single object. His reasons, which the characters reconstruct, are telling:

He appeared to have assumed that she would settle the questions with her son, that he could depend upon Owen’s affection. And in truth, as poor Mrs. Gereth inquired, how could he possibly have had a prevision—he who turned his eyes instinctively from everything repulsive—of anything so abnormal either as a Waterbath Brigstock or as a Brigstock Waterbath? He had been in ugly houses enough, but had escaped that particular nightmare. Nothing so perverse could have been expected to happen as that the heir to the loveliest thing in England should be inspired to hand it over to a girl so exceptionally tainted. (43)

Mr. Gereth’s refusal or inability to anticipate an eventuality like Mona Brigstock depends directly on his treatment of Poynton as a frozen tableau, in which not only things and house constitute a unity, but also personal relations to them remain fixed through time. His failure to entertain an alternative stems precisely from his love of beauty, and his aversion to “everything repulsive.” Far from an anomaly, Mr. Gereth’s assumptions are echoed in the work of nineteenth-century German jurist Friedrich Savigny. As Oliver Wendell Holmes puts it, Savigny defines possession as “a constant power to reproduce at will the original physical relations to the object” (*Common Law* 213). Holmes dispenses with this definition using the hypothetical case of a man who is in prison and unable for a period of time to reproduce the physical relation to his property, but who would nonetheless be said to possess it. Defining ownership as the ability to reproduce physical relations also makes it impossible for Savigny to conceive of ownership of the parts of a whole thing such as a house. Nineteenth-century law offers a strong reading of the spatial unity of persons and property, to the point that it is regarded as an indivisible spectacle.

In order to account for Mrs. Gereth’s relation to the spoils, the law itself must enter into precisely the same kind of relationship of disjunction as the one that constitutes a scene for

James. Mr. Gereth implicitly acknowledges the insufficiency of his own will when he assumes that “Owen’s affection” would decide the distribution of the objects. Mrs. Gereth believes that in this arrangement, “No account whatever had been taken of her relation to her treasures, of the passion with which she had waited for them, worked for them, picked them over” (43), and yet, in a strange way, it has: a clear determination of their owner in a will would fundamentally *fail* to provide an account of an unfolding relation, since such a document could only function to establish one kind: legal ownership. In effect, by excluding it from mention in his will, Mr. Gereth unwittingly perpetuates the dispossession that enables his widow’s relation to continue to unfold unpredictably. The law only comes into contact with the fine-grained particularity of Mrs. Gereth’s situation via a relationship of exclusion from it, just like the disjunctive relation that holds the young James in the thrall of the prisoner at Sing-Sing.

Joined with the obdurate otherness of Mrs. Gereth’s relationship to the spoils, the law itself undergoes what James calls “experience.” As the medium in which this disjunctive encounter takes place, the scene in James serves a jurisprudential function. *Spoils* thereby enters into direct dialogue with three important currents in American legal thought around the turn of the twentieth century. The first is the rise of legal pragmatism, best represented by Holmes’s *Common Law* from 1881. Holmes begins the book with an outright rejection of legal formalism, offering in its stead the lapidary and oft-quoted assertion that “The life of the law has not been logic: it has been experience” (3). The second is a reversal in the relationship between law and right. The third is the increasing difficulty in adhering to a strictly physical definition of property, and the consequent need to acknowledge other kinds of claims. These trends are closely related, since the notion of “natural” rights as the basis for law treated the right as, in essence, a possession. To possess a right is to carry it, intact, through time. James implicitly

recognizes how rights treated as or in terms of property hinges them on identity, and excludes Fleda, Mona, and Mrs. Gereth from any recognition by the law.

The scene as a form of relationship in the novel—a relationship between individuals, goods, and space that is built on disjunction rather than connection—presents a major problem for a law based on right. From the perspective of the scene’s contingency, assertions of some durable right appear as impossibly abstract and distant. As we will see shortly, Fleda’s negotiations with Owen reveal the futility of appeals to legal right by demonstrating their distance from immediate, unfolding relations in the present. But in addition to frustrating the operation of the law, the scene as a unit of organization in the novel also demonstrates its capacity to anticipate and preserve the kinds of relations that fall below the threshold of the law’s recognition. Chief among these is Mona Brigstock. Fleda intuits how Mona’s entry into an engagement with Owen gives her an unrecognized position in the conflict over the spoils. At a crucial point, Fleda appeals to contract law in order to represent, in the space of the immediate scene, Mona’s emerging—but not yet established—claim to the property. Fleda’s effort is faithful to her own latency within James’s social scene, which means the claim itself is founded not in abstract principle but in the vital, unfolding relations that constitute scenes. In a delightful paradox, Fleda will show Owen that his own rights only become effective when they are defined in relation to the legally unrecognized claims of the women in the novel.

During the central crisis of the novel, when Mrs. Gereth has absconded to Ricks, her widow’s cottage, with the spoils in tow, Fleda’s role in the conflict is framed using explicitly legal terminology. Before turning to that legal framework, it helps to lay out the coordinates of the conflict. Mrs. Gereth’s move to Ricks, leaving Poynton bare, amounts to a multilateral provocation. First, it tests Mona’s motives. As Mrs. Gereth puts it, “I’ll keep them to try her”

(120). If Mona objects to marrying Owen until the spoils are restored, it will become clear that her bourgeois acquisitiveness trumps true love, and seeing this, Owen may break off the engagement. Second, it tests Owen's willingness to engage legally with his own mother. If he lacks the courage to do so, Mona will quickly see, like Fleda has, that Owen is "delightfully dense." Finally, and most important, the relocation of the spoils tempts Fleda to act in her own best interest. As Mrs. Gereth puts it, "'If you take him I'll give up everything. There, it's a solemn promise, the most sacred of my life. Get the better of her and he shall have every stick I grabbed'" (118). If Fleda allows Owen to break off his engagement with Mona in order to marry her, Fleda will have both the man and the things she loves.

With the spoils installed elsewhere and their protectress primed for a fight, Fleda is thrown into the position of go-between. Her role makes clear how the novel renders the law dependent on the contingent negotiations that constitute its scenes rather than vice-versa. When Owen appears at Ricks asking for Fleda rather than for his mother, Mrs. Gereth clearly defines Fleda's role: "'you're still our communicator; nothing has occurred to alter that. To what he wishes to transmit through you I'm ready, as I've been ready before, to listen'" (88). Meeting privately with Fleda, Owen immediately, if awkwardly, demands the return of the spoils.

"If she won't do that—?" she went on.

"I'll leave it all to my solicitor. *He* won't let her off, by Jove. I know the fellow!"

"That's horrible!" said Fleda, looking at him in woe.

"It's utterly beastly." (93)

Fleda and Owen's conference takes place against the background of the law's inexorability. However, the suggestion is that this inexorability owes itself not to the law as such but to the unique character of Owen's solicitor. The solicitor does not stand for the letter of the law, but one possible strategy for its application, which just happens to be the cruelest one. When Fleda

mentions the possibility of enforcement to Mrs. Gereth, their exchange reveals the gap that separates Owen's legal right from its practical implementation. Fleda indicates to Mrs. Gereth that Owen's "demand" comes

“Distinctly with the threat of enforcement—what would be called, I suppose, coercion.”

“What sort of coercion?” said Mrs. Gereth.

“Why, legal, don't you know?—what he calls setting the lawyers at you.”

[...]

“Is he going to send them down here?”

“I dare say he thinks it may come to that.”

“The lawyers can scarcely do the packing,” Mrs. Gereth humorously remarked.

“I suppose he means them—in the first place, at least—to try to talk you over.”

“In the first place, eh? And what does he mean in the second?”

Fleda hesitated; she had not foreseen that so simple an inquiry could disconcert her. “I'm afraid I don't know.” (107-8)

Though physical coercion would be the law's solution to the conflict, it functions in the present scene as a threat intended to induce voluntary compliance. Neither Owen nor Fleda knows precisely how the law would be able to physically grasp the spoils, and Mrs. Gereth's joke about the lawyers doing the packing is perhaps the best demonstration that the law has no way of accounting for Mrs. Gereth's attachment to her collection. Far from being a claim to possession, Mrs. Gereth's rearrangement of the spoils at Ricks simply stages her relation to the objects in all its indeterminacy. For application of the law to occur, the scene she creates would have to picture a clear violation. Instead, it embodies a situation to which Mr. Gereth's will had actually alluded: that “affection” might induce Owen to allow his mother to keep what she wants. The scene as a contingent arrangement held together by affect thus undoes the operation of the law.

Fleda builds the alternative to a coercive law based on right. Owen assumes that right carries through every scene. Fleda recognizes how a scene is a singular configuration, an utterly unique rhetorical situation, in which no abstract claims take hold. Though Mrs. Gereth first

defines Fleda as a kind of transparent medium, conveying messages between two parties who refuse to address one another directly, she in fact takes over the far more complex and important task of rendering Owen's demand intelligible and persuasive within the unique conditions of particular scenes. In an ironic reversal, it is Owen's legal right as a supposedly timeless principle that becomes unrecognizable within the contingent arrangements of scenes: "Wasn't it at all events the rule of communication with him for her to say on his behalf what he couldn't say?" (94). Fleda finds that Owen's invocation of the written law will bring him no closer to possession of the spoils. Moreover, his own attempts to formulate an argument to his mother are hopelessly inept. His best argument is that Mrs. Gereth should return the spoils for Mona's sake, as "She was awfully sweet on them." For her part, "Fleda remembered how sweet Mona had been, and reflected that if that was the sort of plea he had prepared it was indeed as well he shouldn't see his mother" (94). Mona, we recall, had failed to show the slightest appreciation for the beautiful things. Owen's untenable appeal to her taste would likely worsen the conflict by reminding his mother of the identity and character of one of its parties.

However, it suddenly dawns on Fleda that somewhere in Owen's severely attenuated appeal to Mona's desires there lies a viable legal claim. But this claim is built on a particular kind of legal relationship in which the identity of the participants is irrelevant. Owen mentions, "You see it puts me in the position of not carrying out what I promised." At that moment, Fleda "knew all she needed" (94). Rather than a "plea" on behalf of Owen's property rights, Fleda intuits another legal claim that is less obvious: Owen's "promise" to Mona in the form of their engagement. Though Fleda "knew all she needed, [] none the less she risked after another pause an interrogative remark. 'I forgot when it is your marriage takes place?'" (94). Owen's response, that Mona had pushed back the scheduled date, prompts Fleda to respond, "Of course

it makes all the difference!” (95). The only evidence supporting Owen’s plea was Mona’s love for the spoils—flimsy ground indeed. In support of *her* version of Owen’s claim, Fleda secures rock-solid evidence: Mona is holding off the marriage because Owen has failed to hold up his end of the bargain. To support this claim, Fleda will be able to present Mrs. Gereth with daily evidence: “Mrs. Gereth every morning looked publicly into *The Morning Post*, the only newspaper she received; and every morning she treated the blankness of that journal as fresh evidence that everything was ‘off’” (127). By shifting Owen’s claim to different legal footing, Fleda can now reframe Mrs. Gereth’s possession of the spoils as interference with a promise, a legal contract, for which daily evidence arrives at the doorstep of Ricks.

Under Fleda’s counsel, the novel anticipates, by at least a few years, a reversal in the relation between law and rights in American jurisprudence that takes place chiefly in relation to property rights. Legal historian Morton Horwitz defines this shift in the late nineteenth century as a reversal in the “analytic priority of rights and duties” over law (138). In her conference with Owen, Fleda actively transforms the foundations of his claim from law based on right to right based on law. In *The Common Law*, Holmes confronted a legal landscape in the late nineteenth century that still relied on invocations of natural rights. Appeals to natural law and rights only heightened in both abolitionist and pro-slavery circles leading up to the Civil War. However, as Horwitz argues, the judicial appeal to natural rights as an objective justification for legal decisions was weakened by social and economic tumult in the 1890s, particularly the confrontation between “capital and labor,” and with this “the emergence of fundamentally new problems” that challenged the universality of the rights on which legal decisions had been made (65). Horwitz hones in particularly on the right to property and the challenges it faces from the “dephysicalization” of real property at the turn of the century, or the difficulty of defining

property in terms of land. The inalienable right to property, Horwitz shows, was based on the assumption that “property” meant discrete parcels of land, which could be demarcated by clear boundaries. Without this simple equivalence, the right becomes more difficult to define, and hence, loses its universality. Most important, the right to property treated as an absolute is incompatible with a competitive market economy, in which businesses effectively try to ruin one another. If one can claim that a competitor who steals business has violated one’s property rights, then legal right stands in the way of economic competition and expansion. The confrontation between property rights and economic policies that promote competition thus made a single concept of property unfeasible.

As a result, Holmes’s thinking on the law turns in 1896—the year *Spoils* first appears in serial—to the conclusion that disputes about property cannot be settled according to some everlasting principle. And, moreover, because policy priorities like open competition are historically specific, any decision made by a court in their favor would be subject to change at any point in the future. For conflicts about property, then, cases became *singularities*; rather than offering a lapidary legal principle on which future cases could be decided, they balanced competing interests. Judicial decision-making, Holmes concludes, can hardly be considered an exercise in syllogistic reasoning:

Such matters really are battlegrounds where the means do not exist for determinations that shall be good for all time, and where the decision can no more than embody the preference of a given body in a given time and place. We do not realize how large a part of our law is open to reconsideration upon a slight change in the habit of the public mind. No concrete proposition is self-evident, no matter how ready we may be to accept it. (“The Path of the Law” 167)

By the first decade of the twentieth century, “a vision of property as a social creation” replaces the notion of absolute property rights (Horwitz 154). In other words, property is not a thing from

which rights descend, but a set of socially-created rights that may attach to both tangible and intangible things.

As their private conference draws to a close, Fleda evolves what had started as Owen's categorical assertion of his property rights into a more palatable plea: "What you wish me to say from you then to your mother is that you demand immediate and practically complete restitution?" (95). Fleda's recourse to the term "restitution" fundamentally reframes Owen's demand, which in its first iteration had seemed like "bestly" revenge for a criminal infraction, as a restoration of equity *sans* penalty or damages. Ironically, it is Fleda's reiteration that brings Owen into more intimate converse with his legal rights. Without her help, he quite literally "couldn't say" what he wanted. As far as he was aware, his only option was to release his relentless lawyer on his mother, but Fleda realizes clearly that such an option might only *distance* Owen from his property, as Mrs. Gereth would almost certainly put up a fight. As Fleda sees it, "Her problem was to help him live as a gentleman and carry through what he had undertaken; her problem was to reinstate him in his rights" (96). For Fleda, and implicitly for Owen, "rights" are not the principles to which a citizen can appeal in order to harness the coercive power of the state, but the *outcome* of a legal dispute. Fleda's conception of rights as *following* from rather than preceding and constituting a legal dispute implements Holmes's view in *The Common Law* that "Legal duties [] come before legal rights" (198). In other words, the obligations that the law creates, whether by statute, contract, or judgment, are what determine and circumscribe rights. By hinging Owen's rights not on a customary principle but on the uncertain status of his contract, Fleda reconstitutes the relation between rights and time. Whereas the principle of primogeniture is handed down *through* time and is unchanged by it, turning a right into a *thing*, the rights associated with a contract differ in at least two important

ways. First, they hold between persons. Second, they can only be invoked in the case of a breach, and only if the aggrieved party wishes to do so. The “rights” Fleda intends to restore to Owen are, therefore, *in time*. Rights themselves are no longer *things* but *relations*.

The “rights” Fleda intends to restore to Owen depend, as she comes to realize, on the relations that she has held open. While a number of scenarios present themselves that would save the spoils for Mrs. Gereth, the one point on which Fleda insists is the way rights inhere in the complex relations that hold the characters and the spoils together. Fleda is in a difficult place. She has already hinted at her feelings to Owen, but withholds any talk of a future together for one reason: Mona. Owen is more than willing to forego possession of the spoils to marry Fleda, leaving the spoils and Poynton to Mrs. Gereth. Fleda’s reaction to this proposition is clear: “That solution—of her living with him at Ricks—disposed of him beautifully, and disposed not less so of herself; it disposed admirably too of Mrs. Gereth. Fleda could only vainly wonder how it provided for poor Mona” (101). On its face, Fleda’s concern for Mona seems like simple consideration, but it is much more. Fleda suddenly realizes that her own position as alternative to Mona, and all the powers that it has conferred on her in the novel, including her very ability to appeal to Mrs. Gereth, only comes to exist as an alternative to the promise of marriage between Owen and Mona. Her position of advocacy, in other words, is grounded in the fact that she holds open a future different from the agreement’s fulfillment. In an enigmatic exchange with Mrs. Gereth, it becomes clear that Fleda’s position is based not in any positive foundation but in her capacity to unfold difference. Fleda has been pleading for the sanctity of Owen’s promise to Mona, and Mrs. Gereth recalls to her how “I contrasted you—told [Owen] *you* were the one.” Mrs. Gereth then repeats an offer she made earlier: “For you, you know, I’d send them back!” Suddenly Fleda grasps how the return of the spoils and her

own relation to Owen are intertwined:

The girl's heart gave a tremendous bound; the right way dawned upon her in a flash. Obscurity indeed the next moment engulfed this course, but for a few thrilled seconds she had understood. To send the things back 'for her' meant of course to send them back if there were even a dim chance that she might become mistress of them. Fleda's palpitation was not allayed as she asked herself what portent Mrs. Gereth had suddenly perceived of such a chance: that perception could come only from a sudden suspicion of her secret. This suspicion, in turn, was a tolerably straight consequence of that implied view of the propriety of surrender from which, she was well aware, she could say nothing to dissociate herself. (110)

What Fleda suddenly realizes, if only "in a flash" that is soon obscured, is this: the transfer of property between Mrs. Gereth and Fleda cannot take place in space, since neither woman has any claim to its ownership. Fleda's thought, in free indirect discourse, corrects any misunderstanding about what it means for Mrs. Gereth to send the spoils to Poynton "for her." The scare quotes around the phrase tell us that its ordinary meaning is suspended, and "meant of course" introduces the new meaning: that Mrs. Gereth would not be returning the spoils *to* a particular location, but *for the sake of a future*. Mrs. Gereth wouldn't be returning the spoils to Poynton *for* Fleda, but returning them to their place of influence in the relations between Owen, Mona, and Fleda.

The "contract" Fleda establishes between Owen and Mona *creates*, for the first time in the novel, Mona's right of "independent action" (105), and protects it from Owen's abuse of his masculine prerogative to wield his property rights as he sees fit. Fleda's consideration of Mona's "rights" comes not from sympathy—the two could not be further apart in their sensibilities—but from the recognition that their individual rights are produced out of difference, and thus mutually implicate one another. It is not until Fleda sees her own case as indissociable from the "propriety of surrender" that she uses the word "contract" with Mrs. Gereth: "'I'm thinking,' Fleda continued, 'of the simple question of his keeping faith on an important clause of his contract: it

doesn't matter whether it's with a stupid girl or with a monster of cleverness. I'm thinking of his honor and his good name'" (111). Just before speaking these words about Owen's reputation, Fleda has already made clear to herself that it is Mona whose independent action she must protect, but to do so, she must not utter her name to Mrs. Gereth. Her introduction of the notion of contract is designed to account not only for Owen's relation to Mona, but for Mrs. Gereth's relation to Mona. To account for the latter relation in a way that respects Mona's ability to act, however, Fleda must find a way of capturing the *relation* without naming its *parts*, because Mona can only have an impact on the outcome if Mrs. Gereth does not know about her part in it. So Fleda is not invoking contract in order to sway Mrs. Gereth with its legal force, but because it succeeds in the impossible task of opening the future to Mona's action without *representing* Mona's rights as such.

Rather than a device used to prescribe or proscribe individual actions, Fleda's notion of a "contract" is therefore a mechanism that establishes a collective in which each member is endowed with the power to act in a manner not determined by law.⁴ If the novel becomes a site for the production of rights, it makes clear the conditions under which this process must take place: rights do not reflect and reinforce preexisting social bonds, but emerge out of the testing of new and problematic social formations that takes place within the contingent space of the scene. We have already alluded to the way time is made to function differently in the novel, but it bears repeating in the present context. The orthodox conception of time would understand the time of the novel as a container in which characters bearing conflicting rights would enter into an agon in which the victor would be decided. In this scenario, which pretty well corresponds to

⁴ Here the term "collective" is used deliberately in place of "society," following Bruno Latour's distinction: "society" refers to a set of "homogenous social forces," while a "collective" "collects different types of forces woven together because they are different" (74).

actuality, individuals are said to possess rights in an abstract sense; while they may be “guaranteed” by law in theory, they can be lost in practice. What Fleda arranges, in contrast, is a fragile collective held together by the power of acting of its parts. While individuals come into conflict, as they do in the novel, it is on the basis of this power. Time is produced out of this conflict of forces (or durations) rather than serving as the container in which they collide. Conflict becomes an affirmation of power rather than a negation of rights.

The manner in which characters come to possess this power bears no resemblance to the possession of property. As a result, the behavior of the characters in the novel’s central crisis is divested from the logic of property possession. The spoils, moreover, are no longer limited in their influence to the fixed role of private property, but exert an influence on the collective more akin to the one they exert on Fleda and Mrs. Gereth, as things “worked for and waited for and suffered for” (53). In resuming this role freed from their status as private property, the spoils are not, as Bill Brown claims, ultimately invested with “metaphysical potency,” but take on a very real and physical role as what Bruno Latour calls *actants*. Since Latour, like James, starts not from the perspective of stratified relations like those fixed by property ownership but from that of a power to act, an agent is anything that “modif[ies] a state of affairs by making a difference.” An *actant*, meanwhile, is simply an agent that “has no figuration yet” (71), perhaps the best phrase we have to describe the status of the spoils. To focus on the seemingly anticlimactic return of the spoils to Poynton as a restoration of the status quo is to miss the novel’s real drama.

Fleda’s advocacy of the “contract” between Owen and Mona may not, as she fully realizes, be supporting a perfect picture of bourgeois intimacy, as the state of affection between Owen and Mona seems bleak. But Fleda recognizes how her judgment of their relationship, especially if negative, leads to a course of action that serves her own self-interest at Mona’s

expense. Any *intentional* action on Fleda's part is likely to bring about a result that favors one party over another. So Fleda seeks a middle ground between intentional action and inaction:

It would seem intolerably vulgar to her to have 'ousted' the daughter of the Brigstocks; and merely to have abstained even wouldn't sufficiently assure her she had been straight. Nothing was really straight but to justify her little pensioned presence by her use; and now, won over as she was to heroism, she could see her use only as some high and delicate deed. (104)

Fleда's resolution takes an unusual form. She has not decided on a specific course of action, but knows it must be "high and delicate," terms that seem more fitting to describe artifacts than persons. This is the moment in the novel when Fleда fully embodies the status of "moved mannikin" in James's Preface. In strong distinction to readings that position *Spoils* as a critique of commodity fetishism, here we see how the novel deliberately unleashes the subjectivity in things and renders it a participant in new social and legal formations. At this crucial moment in the novel, just as Mona and Owen's interest in market value seems to prevail—"They're awfully valuable, aren't they?" (92)—Fleда's particular power flares up. She becomes the entry point into the text of things' power to *make difference*, but without intending or causing a specific result, and in that manner, *allows the agential power of things to enter the text*. With the liberation and return of this power, however, it is not just things that take on a new kind of influence. Fleда essentially reintroduces into the text a picture of social relations allowed to unfold without the reductive threat of exchange-value. Under this different scheme, human beings enter into new and uncertain relations with each other and with things. There is a wider variety of eligible agents and types of agency; whereas a Marxist demystification would uncover the *human* agency behind the fetish, perpetuating a subject-object antagonism, James explores

more varied shades of agency and influence.⁵

For Fleda to find her value in her “use” is for her to decline some of the agency overattributed to the human will so that it might be distributed elsewhere in the assemblage of characters, things, and environment. Indeed, this gesture is the best evidence in the novel of her abiding care for and understanding of the spoils themselves, since, instead of simply fighting for their return to Poynton, she is seeking a way for them to obtain influence in the ecology of the text. It is here we begin to see how James proposes, in place of a strict focus on *human* rights, the creation of rights out of a more inclusive ecology, one not dependent on human *subjects*—those who can claim the status of subject of their own rights—but beings and things in possession of varying degrees of agency and capability. As Latour argues, conceiving a role for objects in social life means searching between precisely the two poles of intentional action and inaction that Fleda seeks to avoid: “things might authorize, allow, afford, encourage, permit, suggest, influence, block, render possible, forbid, and so on” (72). Fleda brokers the return of the things as objects that do not wear their significance as “symbols” or as exchange-value, but which open up the far more expansive field of *use*.

V. Fleda versus the Force-of-Law

The exact nature of Fleda’s use becomes clear in the novel’s climactic scene. The conflict that reaches its highest pitch in the scene, however, is the *nature of the scene itself*. On its face, the scene seems to place Fleda at a moment of decision; Owen puts it to her whether to call in his lawyers. But Fleda intuits a very different role. What she is in fact deciding is

⁵ For this point I am indebted to Jane Bennett’s *Vibrant Matter: A Political Ecology of Things*. Bennett warns that “demystification, that most popular of practices in critical theory, should be used with caution and sparingly, because demystification presumes that at the heart of any event or process lies a *human* agency that has illicitly been projected into things. This hermeneutics of suspicion calls for theorists to be on high alert for signs of the secret truth (a human will to power) below the false appearance of nonhuman agency” (xiv).

whether to arrange the relationships between herself, Owen, and Mrs. Gereth in a manner that would be recognizable to the law, and therefore subject to its force. The scene in which Fleda must decide whether to orchestrate a theatrical scene in service to the law thus reveals the way the former would be created by the force of law, or as Agamben notes it, the force-of-law: it is the extralegal creation of a minimum of order so that the law can apply to life.

That the novelistic scene becomes the site of exposure of this connection reveals its political capacity. The relations of disjunction that hold together the scene in James throw into relief the artificial, “theatrical” nature of the operation by which life is made amenable to law. Moreover, the recuperation of the theatrical scene would restore its conditions, in which human agency occupies the foreground, action becomes instrumental, and things passively occupy the background. On Fleda’s decision rests the status of the novelistic scene as a decentered, equitable arrangement of persons, things, and place. In acting to preserve it, Fleda fulfills her status as “moved mannikin,” in that she declines to reassert the privilege that the human actor wields in theater, and instead takes her place among the materials of the scene.

Mrs. Gereth’s efforts to settle the novel’s conflict simply repeat the logic by which it was created in the first place, as she frames Fleda’s decision in terms of possession. In her attempt to “settle” Fleda with Owen, Mrs. Gereth explicitly establishes the exchange-value of Fleda’s marriage: “‘If you’ll take him I’ll give up everything. There, it’s a solemn promise, the most sacred of my life!’” Owen becomes an inert object Fleda might reach out and “take.” Even more telling is the way “taking” is aligned with the enforcement of the written law. During the climactic scene in the novel, Owen has found his way to Fleda’s place of hiding at her father’s residence in London. Evidently, Mrs. Gereth has sent him in order to give Fleda the opportunity to “take” him by advising a break with Mona. But Fleda, as we have seen, has settled on a “high

and delicate deed” that will studiously avoid this course. Owen, in his exasperation, asks her twice, ““Am I to tell my solicitor to act?”” Fleda weighs this option:

She had at that moment turned away from this solution, precisely because she saw in it the great chance for herself. If she should determine him to adopt it she might put out her hand and take him. It would shut in Mrs. Gereth’s face the open door of surrender: she would flare up and fight [...]. The case would obviously go against her, but the proceedings would last longer than Mona’s patience or Owen’s propriety. With a formal rupture he would be at large; and she had only to tighten her fingers round the string that would raise the curtain on that scene. (145)

It is not the law as positive content that Fleda realizes she might wield to her advantage. As she intuits, the law would function purely as *force* that would stir up a contrary reaction, and the irresolvable *conflict* that results—what we might call war—would free Owen. The ambiguous use of “formal,” which connotes order and legality, to modify the violent “rupture” points toward a paradox in the institution of the written law, where force appears to be a condition of formality. James here strikingly anticipates Agamben’s elucidation of Schmitt’s “state of exception,” the suspension of the law that “separates the norm from its application in order to make its application possible” (*SE* 36). Referring to Derrida’s examination of the “force of law,” Agamben elaborates the state of exception as “a separation of the norm’s *vis obligandi*, or applicability, from its formal essence, whereby decrees, provisions, and measures that are not formally laws nevertheless acquire their ‘force’” (38). As Fleda intuits, it is the *applicability* of the law, the mere demonstration of its *potential* to be applied, that enables it to intervene in the state of affairs in the novel. We return again to the problem of contact between the law and the actual situation, only now it becomes clear how the written law handles this problem. To surmount the problem of its actual *application* to a specific state of affairs, the law maintains its *applicability*, the pure form or potentiality of the law or the law *as such*, abstracted from any particular content. With the law in force, but without particular *laws*, actions in the name of law

are, paradoxically, unregulated. The *force* by which the law would be established would not in itself be *lawful*.

Fleda, however, clearly associates the force of law with the deliberate staging of the theatrical scene. This artificial intervention, whether on her part or Owen's, to bring about Owen's freedom would in fact found this freedom on force, making it fundamentally not-free. That James's narrator resorts to a theatrical metaphor to capture this foundational action reveals the depth of the paradox. Fleda realizes that in order to prepare for the law's entry into the situation "she had only to tighten her fingers round the string that would raise the curtain on that scene." It is the law as threat, that is, the law in its potentiality rather than in its reality, that creates the scene to which law as such could then be applicable. In other words, the force-of-law is needed to delineate the scene with all the markers of identity—"subject," "citizen," "other"—needed for the law to function. The force of law must intervene to *create fact*. As Agamben puts it, "the state of exception appears as the opening of a fictitious lacuna in the order for the purpose of safeguarding the existence of the norm and its applicability to the normal situation" (SE 31). Fleda's incipient role as dramaturge in this legal performance more fully captures the fictionality of the fact it establishes. For the law to be effective in her situation, there must be a "fictitious lacuna" in the unfolding conflict between Mona, Owen, and Mrs. Gereth that exposes them to the law; like actors, they must be given roles and emplaced on the stage in order to be subjected to the law's judgment. This dramaturgical labor is essential for the establishment of the bare facts the law needs to function. Thus these "facts" are creations of force; whatever potentiality life had on its own is replaced by the force of law. In "fact," law and life are indistinguishable.

Fleda's refusal to play the role of dramaturge in the production of factuality further

clarifies the way in which she will restore Owen to his “rights.” *Her* role, it bears emphasizing, emerges out of her temporal relation to the spoils, so her refusal to produce fact is not a sovereign decision but an act of fidelity to her particular power. As we have already noted, James works to separate rights from any dependence on property, in the sense of land and tangible goods. Now we can see how rights are even further removed from dependence on *properties* or attributes, determinations that turn someone into a “subject” or “citizen” and hence a *proper* bearer of rights. Fleda faces a moment in which she must decide “If she should determine” Owen to take up the law. Most telling about this option is the way in which its future course is already obvious; if she “determine[s]” Owen to invoke the law, she triggers a predictable chain of events. The law in the novel is what constitutes a linear temporality held together by cause and effect, in short, a narrative.

In this pivotal scene, it is given to Fleda to decide whether to impose the law, and with it, the time of narrative. In this decision hangs not just the appearance of a solicitor, but the chronological representation of time itself. Only, as we have noticed, Fleda’s decision on whether or not to invoke the law *takes place in time*. The scene in which she spends moments contemplating whether to make a scene thus inhabits a unique temporality, the time in which narrative time is created. Agamben grapples with this other time in his reading of St. Paul, *The Time That Remains*, and turns to the notion of “operational time” posed by the linguist Gustave Guillaume. The representation of chronological time, which is intertwined with the actual operation of the law, does not represent “the phases through which thought had to pass constructing it” (65). Operational time is the time it takes the mind to come up with or apply a chronological schema, in other words, the equivalent of the sovereign decision by which the law is applied to life. Every attempt to represent operational time would in turn take up time, so that

there is always a remainder, however small. This remainder compromises the completeness of our representations of time, since it is “not entirely consumed by representation” (67), nor do we “possess” the representation as a self-present thing (65). Agamben’s explicit choice of “possess” and “consume” points toward the purpose of elaborating this “time that remains”: it offers an understanding of *use* that is reducible to neither possession nor consumption.

The time in which Fleda deliberates whether to “raise the curtain on that scene” and ultimately declines to impose the spatiotemporal unity of theater thus consummates her function in the novel as a “use.” She inhabits the position that would be claimed by the sovereign, from which legal identities would be doled out. Ontologically speaking, this is the time that *makes* time, the time in which lawful time is constituted. However, Fleda, in a manner reminiscent of Melville’s *Bartleby*, distinctly refuses to create a lawful time, a course that is neither obedience to the law nor its violation, but its suspension. The scene she creates is the suspension of the theatrical scene. What we have been calling “lawful time” is for Agamben equivalent to the social roles or “vocations” we inhabit, which prescribe the way we are able to causally interact with the world. By declining to actualize a lawful time, the time Fleda allows to prevail in the scene is operational time, or time as remainder.

In this unique mode of time-as-remnant, one might inhabit the same social role as before, except now one occupies it differently. The only *common* ground on which a subject or group could be based is the remnant that representations fail to capture; it is the only thing that repeats between all the different representations of chronological time that exist. This remainder is what vocations have in common, but it is also what makes each particular vocation impossible for a subject to identify with fully. As Agamben puts it, this “ulterior time” is “a time that prevented [the speaking being] from perfectly coinciding with the time out of which he could make images

and representations.” Operational time “measures my disconnection with regard to” the temporal schemes in which I interact with the world, but it is precisely this disconnection or dislocation that “allows for the possibility of my achieving and taking hold of [time].” It is by virtue of this *other* time, in which one *experiences*—without being able to represent—the gap at the heart of the temporal schemes that give us lawful identities, that one most fully comes into contact with the creative potentiality that produces them. This other time is that “out of which we *could* make images and representations,” just without the necessity that we actually do so (67). For James as for Agamben, accessing this potentiality does not require a withdrawal from actual social life to a merely imagined world, in the manner we might find in the utopian and dystopian fictions of Wells. Rather, it is by inhabiting these roles differently that we tap into the potentiality that created them. That is to say, it is in the *experience* of our difference from the identities we inhabit—an experience of difference from self—that we access what they all have in common. Our capacity *to be other*, without needing to be any specific other, is what distinguishes the human.

The scene that suspends the imposition of a theatricalized scene suggests a different orientation to the self in which one is no longer a spectator of her own actions. Agamben draws from Paul the way of inhabiting a social or lawful role in such a way that its content is suspended and replaced by the potentiality that created it. Here the logic by which the sovereign uses the law in its potentiality in order to create the “facts” to which it applies is no longer available solely to the sovereign. Attention to Paul’s terminological subtleties reveals how it becomes possible for individuals to experience the self-difference at the heart of the roles they inhabit: by acting “*hos me*,” “as not.” This phrase forms the crux of a passage from Corinthians I that Agamben subjects to careful examination: ““But this I say, brethren, time contracted itself, the

rest is, that even those having wives may be as not [*hos me*] having, and those weeping as not weeping, and those rejoicing as not rejoicing, and those buying as not possessing, and those using the world as not using it up. For passing away is the figure of this world” (23). Roles like those of “husband,” “buyer,” or, in Owen’s case, legal inheritor prescribe the ways in which the agent is to relate to the world and the things in it; time for each role is lawful in the sense that it can be represented and becomes a place *in which* the subject’s self-conscious action takes place. But as Agamben has pointed out, these roles *take time* to make and to grasp. A distinction of Agamben’s further clarifies this other time: “Whereas our representation of chronological time, as the time *in which* we are, separates us from ourselves and transforms us into impotent spectators of ourselves [...], an operational time in which we take hold of and achieve our representations of time [] is the time *that* we ourselves are, and for this very reason, is the only real time” (68). The remnant our representations leave behind is the time in which these representations are made, and hence it is what is left out of our vocations, just as “bare life” is what is banished from the political order in the creation of roles like “citizen.” This is the part of the subject that is not already claimed by some social role, and hence it is the part that is available for common use.

A creative capacity in “the only real time,” one not already beholden to a worldly vocation, is, for Agamben, “the only real political subject” (57), a claim that flies in the face of political theories in the liberal tradition, which rely on a self-sufficient subject whose possibilities for action are determined by a particular identity or vocation. For Agamben, identity or vocation is based in a chronological representation that makes predictable action possible. However, to achieve this predictability, a representation circumscribes how one might interact with the world and the persons and things in it. A politics that comes on the scene only

after the vocational division of the world—especially given the specialized roles of modern capitalism—is an enervated politics relegated to arbitrating conflicts that arise when one vocation (or class) conflicts with another. The most crucial division, and the one that enables the central conflict of *Spoils*, is private property. Inhabiting one’s social role *as not* crucially suspends the parceling of the world in terms of property, and supplies in its place a very different notion of use: “Paul contrasts messianic *usus* with *dominium* [property]; thus, to remain in the calling in the form of the *as not* means to not ever make the calling an object of ownership, only of use. [...] The messianic vocation is not a right, nor does it furnish an identity; rather, it is a generic potentiality [*potenza*] that can be used without ever being owned” (26). Experiencing one’s non-coincidence with a vocation accesses a way of being in the world that resists both consumption and ownership, and with them, the grounding of *right* in identity and property.

The climactic scene in which it is given to Fleda to decide whether or not to invoke the law ends in a melodramatic tableau when Mrs. Brigstock appears, finding her would-be son-in-law in intimate converse with Fleda. At this point, Fleda has two ways to restore a lawful time to the novel. In addition to the possibility of bringing down Owen’s solicitor, she also has Mrs. Gereth’s “solemn promise” to return the spoils if she is able to talk Owen around. Her status as a fully determined and determining subject depends on her fulfillment of one of these roles. When she successfully avoids these determining roles, she effectively loses the status of substantial subject in Mrs. Gereth’s eyes: “*I* should have found a way to take you, you know, if I’d been what Owen’s supposed to be. [...] Good God, girl, your place was to stand before me as a woman honestly married. One doesn’t know what one has hold of in touching you” (183). Any decision in either direction is suspended when Fleda hears movement in the hallway. She immediately suspects it to be Mrs. Gereth, “But as the door opened the smutty maid, edging in,

announced ‘Mrs. Brigstock!’” (147). The chapter ends with this unfortunate exposure, and the next picks up the same scene alternately described by the narrator and focalized through Mrs.

Brigstock:

Mrs. Brigstock, in the doorway, stood looking from one of the occupants of the room to the other; then they saw her eyes attach themselves to a small object that had lain hitherto unnoticed on the carpet. This was the biscuit of which, on giving Owen his tea, Fleda had taken a perfunctory nibble: she had immediately laid it on the table, and that subsequently, in some precipitate movement, she should have brushed it off was doubtless a sign of the agitation that possessed her. For Mrs. Brigstock there was apparently more in it than met the eye. Owen at any rate picked it up, and Fleda felt as if he were removing the traces of some scene that the newspapers would have characterized as lively. Mrs. Brigstock clearly took in also the sprawling tea-things and the marks as of a high tide in the full faces of her young friends. These elements made the little place a vivid picture of intimacy. (148)

The narrator is at pains to distinguish between what “met the eye” and what Mrs. Brigstock surmises from the scene. Even the dense Owen seems to recognize that the disorder signaled by the discarded biscuit could *look* bad for them. By undercutting Mrs. Brigstock’s perspective in this fashion, the text makes clear that this tableau in fact resembles precisely what it is *not*—two plotting lovers being discovered—and accordingly depicts Fleda in the act of differing from every possible role delineated for her in the novel: the one laid out by Mrs. Gereth’s promise; the role of Owen’s advocate; and the role of representative of her own interests. Peter Brooks’s view that “Place is conceived as stage set” in this scene (162) considers only the perspective of Mrs. Brigstock, who *misses* its true import precisely *because* she treats it as a straightforward representation of an action. Fleda’s act of differing from these three roles essentially suspends the representative function on which the theatrical scene depends, which is also essential for the position of subject in liberal democracy: party to a contract, where one represents one’s future self; representative of another; and most important, representative of one’s own interests.

Far from conspiring with Owen, Fleda is in fact busy holding off any determinate action.

Owen complains, “‘I’ve been waiting, waiting, waiting; so much has depended on your news.’” Fleda has created the impression that she is lobbying Mrs. Gereth on Owen’s behalf, when in fact we know that she has declined to “determine” the action in a way that would eliminate Mona or favor herself. While Owen presses for answers, she “eagerly accepted the diversion of arranging a place for [the tea things] on one of the tables. ‘I’ve been trying to break your mother down because it has seemed there may be some chance of it. That’s why I’ve let you go on expecting it’” (138). Fleda then “poured herself a cup, but not to take it; after which, without wanting it, she began to eat a small stale biscuit” (143). This rare interval of absent-minded behavior reveals precisely the time that “measures the distance” from the various roles Fleda has assumed. The kind of intentional or *representative* action Mrs. Brigstock thinks to have taken place, the fulfillment of a particular role or vocation, has a rupture at its heart signaled by the way in which Fleda’s relation to objects of consumption is dislocated: pouring tea is removed from the act of drinking it, and eating a biscuit is distanced from any desire or biological need for it. These behaviors *purely* take up time, drained of a purpose of *any kind*, whether cultural or biological. Her own “use” of these items of consumption perfectly parallels the mode of use Agamben finds in Paul, “using the world as not using it up,” where even the consumption of a biscuit is not *consumption* in any sense of the word once both the fulfillment of desire and nutritive function are removed from the equation. It is consumption *as not*.

Fleda takes up the time “out of which we *could* make images and representations,” but which lacks any necessity that she do so. As Mrs. Brigstock’s hasty conclusion makes clear, it is as easy to appropriate this image-making capacity, to draw out a particular image that fits into a particular narrative, as it is hard to distinguish it from what seems to be an ordinary social appearance. In the tableau Fleda *uses time differently*. Rather than taking place *in time, using up*

time as a kind of resource that fuels some other activity, Fleda *makes use* of time for its own sake as a purely productive capacity. If we recall just what Fleda is doing in the scene, the nature of this free use becomes even more clear. She is subject to four conflicting demands, one for each of the main characters in the story, each of which solicits her to “determine” the next action. First, there is Mrs. Gereth’s “solemn promise” that if she “let[s] herself go” and whisks Owen away from Mona, she will be “settled” with the spoils. Second, there is Mona and “the conception of still giving her every chance she was entitled to.” Third, Fleda has her own feelings for Owen, which would just as soon lead her to remove Mona from the picture so that she might “put out her hand and take him” (141). Finally, she recalls that “Owen had a right to his property,” and she had “her vow to stand by him in the effort to recover it.” With his “right” comes the “urgent claim of the truth,” which pressures her to reveal how easy it would be for him to reclaim his right: all he need do is release Mona and marry Fleda, and the spoils would be returned. Fleda stands at the center of these competing demands—of vow, entitlement, and solemn promise. She fully grasps how these claims are irreconcilable: “How did she stand by him if she hid from him the single way to recover [his property] of which she was quite sure?” At this climactic point, even a non-decision would be a decision, since to do or say nothing would leave Owen no alternative but to “send down the police.” Time as chronological sequence is interrupted. “For an instant that seemed to her the fullest of her life she debated. ‘Yes,’ she said at last, ‘if your marriage is really abandoned, she will give up everything she has taken.’” To which Owen responds, “‘That’s just what makes Mona hesitate!’”

Evidently, Fleda’s statement uncovers the source of delay, the temporality that holds off the application of the law. What is it about her statement and Owen’s response that invokes this other time? Both statements lay out the *conditions* under which the ordinary, chronological time

of cause and effect could resume. Not until it is clear just what behaviors will bring about what responses can the characters confidently act. This scene therefore takes up the operational time of which we have been speaking, the time in which conditions are made, the time that determines time. As Owen reveals, it is this time that “makes Mona hesitate,” distances her from full identification with her desire for Owen. Fleda has uncovered the delay, the other time, within the roles with which characters have fiercely identified. Owen responds to Fleda’s statement with Mona’s own condition: she “wants [the spoils] herself, [...] she wants to feel they’re hers; she doesn’t care whether I have them or not! And if she can’t get them she doesn’t want *me*.” Mona’s condition has a revealing contradiction at its heart: she is not concerned whether Owen has the spoils or not, but wants them for herself, even though it would only be through Owen’s legal possession that they could ever become “hers.” This contradiction shows us that the conditions both women offer are extra-legal; the claims they make on the spoils, the way in which they subsume them into conditional statements, cannot be based on ownership. There is therefore an impossibility at the heart of their conditions. The women cannot *identify* with the conditions they are making, they cannot be the legal subjects of the conditions they impose on one another. Fleda intuitively realizes that this displacement, the women’s non-coincidence with their positions, is what offers the solution to the impasse.

The brilliance of Fleda’s move comes in the way it locates the condition-making capacity both women possess by virtue of their dispossession. Since neither is the subject of her own demand, each inhabits the *distance* from her conditions. It is this dispossession from the law that is, paradoxically, the condition of their ability to make conditions. The novel’s *denouement* thus affirms the women’s distance from or non-coincidence with their conditions, and in doing so, demonstrates the political value of the dispossession James first articulated with reference to the

English woman novelist in “The Art of Fiction.” Both Mona and Mrs. Gereth ultimately act in ways that seize on their distance from the conditions each advances.

VI. Conclusion: Beautiful Action

Depicting the women’s action at a distance from representation, identity, and law, James locates the form of action that is adapted to the scene in its novelistic usage: *beautiful* action. By enabling the distance between action and its conditions to become visible, the scene enables human action itself to become eligible for aesthetic appreciation. In a sense, the novel comes full circle, as Fleda and Mrs. Gereth find in action the aesthetic properties that had been reserved for the spoils.

The mutuality that obtains in the novel is not a recognizable form of agreement, but each woman’s affirmation of her non-coincidence with the conditions she sets out. The novel unfolds a form of sociability that emerges out of those moments in which law, whether figured as written statute or implicit social convention, is deactivated. Its last chapter begins with a hint at this very logic: Fleda’s “relation with her wonderful friend had, however, in becoming a new one, begun to shape itself almost wholly on breaches and omissions” (205). For her part, Mrs. Gereth returns the spoils to Poynton before she can be sure that Fleda has “let herself go” and snared Owen in a promise of marriage. Fleda very clearly recognizes the significance of this act: “It was one thing for the girl to have heard that in a certain event restitution would be made; it was another for her to see the condition, with a noble trust, treated in advance as performed” (178). If by returning the spoils Mrs. Gereth hopes to exert influence on Fleda, it is an influence that is diametrically opposed to the force of law.

Beneath Mrs. Gereth’s promise to return the spoils in the event of Fleda’s engagement to Owen there was an implicit threat: that she would retain them should she not do so. Not only

would this eventuality have caused Mona to “flare up” for a fight, but as Fleda had recognized, the resulting conflict would leave Owen a bachelor, free for the taking. This is the outcome Fleda does want for herself. But whether she agreed to its initial terms or not, Fleda, in failing to cleave to Owen, would be relying on the cause-and-effect sequence of Mrs. Gereth’s promise in order to reach a desired end. In this dilemma, where *ignoring* Mrs. Gereth’s promise would use its terms to bring about a sequence of events, Fleda comes up against the inescapability of the law. The seeming innocuous peacefulness of contract, which had initially seemed so appealing to Fleda in her position as Owen’s advocate, suddenly lays bare the coercion at its core, making a promise between two private persons no different from the law of the state. Even Mrs. Gereth, who freely offers the promise to return the spoils, would be subjected to the coercion at its core: were Fleda to perform her end of the bargain, she would be compelling Mrs. Gereth to relinquish the spoils.

If the coercive force of law can surface even in a unilateral promise by a private person with no rights, the novel seems to suggest, then it is not actually possible to work outside the law. Since Mrs. Gereth’s promise retains its ability to alter outcomes whether or not Fleda agrees to its terms, there is effectively *no outside* to the law. In his search for a site of fundamentally non-coercive action, James intuits that it is not the presence or absence of the law that matters—it can never be absent—but the *relation* between the law and its objects. The ultimate affirmation of freedom for the women, the novel finds, is precisely a changed relation to the law, specifically, the women’s freedom not *from* the law but their freedom with respect to the conditions that they themselves put forth.

Mrs. Gereth’s early restitution of the spoils fundamentally alters the relation of this action to the promise Mrs. Gereth had made to Fleda, “the most solemn of [her] life.” Under the terms

of this promise, Mrs. Gereth's return of the spoils was to be Fleda's inducement for "letting herself go." The act of dispatching the spoils back to Poynton is thus given its meaning by the oral contract Mrs. Gereth offers to Fleda. We should also recall that the very same act could be an instance of compliance with the law of inheritance as well, since Mrs. Gereth has no rightful claim to the spoils, and holds onto them under the constant threat of Owen's solicitor. Returning the spoils at a different point in time, however, transforms this act of restitution: performing the consequent without the antecedent breaks the chronological connection that ties the act of returning the spoils to the promise, while retaining enough of a connection to the promise to make the act *resemble* performance of the consequent. The relation between act and law is opened to time.

From the perspective of Mrs. Gereth's performance, the law is *in the past*. Thanks to this unfolding relation, the act is neither meaningful nor meaningless; it is endowed with the potential for meaning by virtue of being a goal-directed action freed from a necessary relation to its goal. Because its relation to the law is opened to time, her act's ways of relating to it are not limited to compliance and violation. It can retain the shape and direction once provided by law that is now history. Another way to frame the same point is to say that the act differs from itself: it is more than the act of returning the spoils independently outside of any promise, *which would be an act of compliance with the law of inheritance*, but less than the act of returning the spoils as part of the promise, *which would be an act of compliance with contract*. Mrs. Gereth has managed to locate a form of action that manages to resemble *both* fulfillment of a promise and compliance with the law, but without actually being either. If the return of the spoils *were* actual compliance with the law of inheritance, it could not also serve as leverage in the promise to Fleda, as the restitution would constitute an admission that the objects did not belong to Mrs. Gereth.

However, if she returned the spoils entirely outside the context of a binding promise, the act would be intelligible only as compliance with the law. The promise essentially becomes an inert legal mechanism that prevents Mrs. Gereth's action from seeming lawless, in violation of the law, but without making it lawful either. In terms that Agamben adopts from Kojève and Nancy, Mrs. Gereth finds "another use of the law," rendering it *inoperative* (SE 64). In this state, the law is neither being applied—as it would be if the police arrived on scene to enforce Owen's right—nor in force through its suspension, but available in a new way.

Mrs. Gereth's transformed relation to the law opens the path to true freedom, as it uses law against itself in order to open a space for action that is genuinely free, a state Agamben describes, following Benjamin, as "a state of the world in which the world appears as a good that absolutely cannot be appropriated or made juridical" (SE 64). As Benjamin puts it in his first essay on Kafka, it is the deactivated law, "the law which is studied and not practiced any longer," that serves as the "gate to justice" (139). In other words, the possibility of justice emerges not in a pre-political state of nature nor through the rule of law, but in a changed relation to law, where the law becomes available for a different use. Mrs. Gereth's promise opens the possibility of justice precisely because it does not compel a specific outcome, but instead enables circumstances in which both Mrs. Gereth and Fleda's behavior can be regarded as just or ethical despite the fact that they cannot legally possess the objects of their behavior. In fact, when Mrs. Gereth performs the consequent without Fleda's antecedent, she voluntarily affirms what had once been an involuntary dispossession from the law, this time with respect to her own binding promise. Fleda clearly recognizes the way Mrs. Gereth's return of the spoils transforms the footing on which she is to act. Upon hearing of Mrs. Gereth's deed, Fleda directly intuits the implications: "She had been treated by her friend's act as a conscious prize, but her value

consisted all in the power the act itself imputed to her” (178). A revealing disjunction emerges in this phrase. Fleda has been “treated [...] as a conscious prize,” as the end goal of Mrs. Gereth’s scheming. But “her value” is derived from “the power” it imputes to her. Her relationship with Owen can no longer be used by Mrs. Gereth as a means to bring about her desired end. But this relationship retains the curious status of having once been considered a means to some other end from which it has been decoupled. By virtue of this decoupling, Fleda’s behavior in relation to Owen is endowed with a potentiality that Fleda explicitly recognizes as her “power to act.”

As a former means, this behavior retains a certain purposiveness, but without being allied to any specific purpose. Here we recognize the Kantian formula for aesthetic judgment—purposiveness without purpose—only this time applied to human action in a conflict over the disposition of goods. Kantian aesthetic judgment serves as both Agamben and Benjamin’s implicit model for a new relation to law. The common sense that arises in aesthetic judgment comes from the “universal communicability” of sensation (Kant 162), which is to say that the sensation alone, apart from any conceptual apparatus, is not simply amorphous and indeterminate, but differs from itself, takes an incipient form—it has the as yet unexercised *potential* to be communicated or sent elsewhere. We are asked, in this scene, to regard Fleda’s action in relation to Owen as communicable in precisely this manner, where it trembles with the capacity to be other. As such, it is communicable to others, but its communicability constitutively excludes *appropriation*: it appears as purposive, but without being subsumed under a purpose that might be transported to different contexts to reliably produce a particular end for someone else. Fleda directly experiences the communicability of her behavior with Owen as a “power to act” that cannot be used up in any particular action.

Mrs. Gereth's behavior earns her, in Fleda's eyes, this same kind of aesthetic status. The preoccupations of the text undergo a profound shift, where the sphere of human action, rather than the beautiful things, becomes the object of aesthetic judgment.⁶ James even deploys a formulation that mimics the logic of Kantian aesthetic judgment when trying to capture Fleda's new estimation of Mrs. Gereth:

If Fleda's present view of the "spoils" had taken precipitate form the form would have been a frantic command. It was indeed for mere want of breath that she didn't shout: "Oh, stop them—it's no use; bring them back—it's too late!"

The form of her present view is narrated as a counterfactual, which captures the logic of aesthetic judgment as the conceptuality under which a sensation *could* be subsumed. Suspended alongside this counterfactual is the disnarration of Fleda's judgment that Mrs. Gereth's gesture of returning the spoils is "no use." Through Fleda, James wishes us to see the gesture not as a useless act, nor as a useful one, but as an act that *could have been judged* "no use." Mrs. Gereth's act enjoys this special status of being judged as purposive, as having the *potential* to be given form, but without *actually* being given it. The very next lines confirm that James has indeed been preparing Fleda for an aesthetic judgment of Mrs. Gereth's act:

And what most kept her breathless was her companion's very grandeur. Fleda distinguished as never before the purity of the passion concerned; it made Mrs. Gereth august and almost sublime. It was absolutely unselfish—she cared nothing for mere possession. (179)

Just as Fleda assumes her highest value when her action becomes a means decoupled from an end, Mrs. Gereth enjoys a certain "grandeur" in Fleda's eyes once her behavior is found to be

⁶ Hannah Arendt will undertake a similar shift of focus in her *Lectures on Kant's Political Philosophy*, in which she argues that the *Critique of Judgment* explores the concerns that constitute Kant's unwritten political philosophy. For Arendt, the third *Critique* deals with two interrelated problems left over from Kant's pre-critical period: the way human "sociability" appears to be necessary for human mental faculties, not just biological survival; and the problem of a distinctly human being, or the question, "What is Man?" (12). Arendt's reconstruction of Kant's political philosophy out of these two concerns points precisely to the purposiveness without pre-given purpose that defines the human, or in other words, the aesthetic judgment of human action.

purposive without purpose. But it is important to note how this liberation comes precisely because it is “too late”: the act has the potential for a new use because its use *has passed*. Its status as a remnant is what endows it with the ability to exhibit grandeur or beauty; it is neither a definite action nor one unmoored from any purpose. Only in this way can we understand the use of the term “purity” as a state reached *after* usefulness, at the novel’s end, and in the wake of “mere possession,” rather than as the restoration of the use-value that is effaced under exchange-value.

Easily overlooked but just as significant as Fleda and Mrs. Gereth, Mona Brigstock is the figure *par excellence* of a pure means decoupled from goal-oriented action. Just as Mrs. Gereth had established conditions for the return of the spoils, Mona had said she would not marry Owen without the return of the spoils. Owen had assured Fleda that “‘Mona won’t take another step till mother has given full satisfaction. Everything must be there, every blessed ‘stolen’ thing. You see everything *was* there the day of that fatal visit’” (140). But at the very moment Mrs. Gereth is assured that the last item has found its way back to Poynton, she and Fleda hear the shocking news: Owen and Mona have married. Mrs. Gereth, predictably, insists that Mona only married Owen because she had somehow seen the spoils restored to their place. However, the text carefully declines to confirm Mrs. Gereth’s view, and supplies two additional factors that might have motivated Mona to marry without confirmation of the spoils’ return. First, Fleda had insisted to Owen that his honor required that he follow through on his engagement. Second, Fleda suspects that Mrs. Brigstock, having seen Owen with Fleda at her father’s home in London, went back to Waterbath to exert “action upon her daughter” (168). Given these sources of influence, Mona is made out to be a character whose next steps are overdetermined, and anything but her own. But if any of these influences are even minimally responsible for Mona’s

action, then Mona has, just like Mrs. Gereth, acted in a way that deactivates her legal demand that the “stolen” spoils be reinstated. As a result, her decision to marry Owen is loosened from being the consequent of Mrs. Gereth’s return of the spoils, but without being an action unrelated to it. A marriage freed from conditions would then be claimed as an instance or fulfillment of social convention, as the “right” thing to do for an eligible woman. Mona’s marriage remains a *means*, but one decoupled from any end. Mrs. Gereth quickly discerns just what Mona’s deactivation of her demand means: that Mona *uses* marriage in a way that cannot be known or repeated:

“It came to Mona’s knowledge—I can’t tell you how, but it came—that the things I was sending back had begun to arrive at Poynton. I had sent them for you, but it was her I touched.” Mrs. Gereth paused; Fleda was too absorbed in her explanation to do anything but take blankly the full, cold breath of this. “They were there, and that determined her.”

“Determined her to what?”

“To act, to take means.”

“To take means?” Fleda repeated.

“I can’t tell you what they were, but they were powerful. She knew how,” said Mrs. Gereth. (197)

Marriage as the paradigmatic denouement of comedy is radically refigured. On one hand, marriage in comedy is made out to be an end in itself for women, a good dictated by convention. On the other hand, it is portrayed as a means to some other end, whether that be social advancement, wealth, or some personal goal. Either way, it serves the conventions that govern the social. In *Mona*, James depicts the afterlife of a marriage once ensnared in these means-ends calculations. We are, indeed, left to wonder what will sustain a marriage once held in the balance in a fight over property. Mrs. Gereth is not off the mark in suggesting that Owen “ended by hating her, and [] hates her now more than ever” (196). The answer comes in the way means-ends calculation is suspended instead of simply substituting some other end for the place once occupied by the spoils. Having *once* been a means leaves the marriage with a residue

of purposiveness that wards off appropriation by any specific purpose. It suspends the force of the existing conventions it might have served, but without offering in their stead a new way of living. Mrs. Gereth's observation that Mona "knew how" leaves Mona with a kind of *savoir faire* unalloyed by a grammatical object—a purposiveness without purpose—and as a result, concludes the novel with this venerable institution in a deconstituted state, lacking a foundation in intelligible concepts like those of social custom, property, or sentiment.

Because Mona has deactivated the terms by which her marriage is hinged to ownership, it is no longer a marriage that subserves the force of law and convention. Rather than being an institution open to the force of law, marriage, as Mrs. Gereth has realized, is an opaque means that cannot be appropriated for either private or public purpose: it cannot be used to satisfy Mona and Fleda's desire for the spoils, nor can it be used as a mechanism by which the law determines ownership of property. What the novel leaves us with is then a form of sociability that defies reduction to either private interests like Mona's acquisitive impulses or public interests like those ensconced in law. The two extremes correspond to two different ways of defining human community: by the pursuit of individual, organismal wants and needs; and as founded in law or the dictates of convention (the human as *zoon politikon*). A pure means is the power of human action to differ from itself, to be other without being a specified other that can be appropriated for specific ends. Mona's opaque "use" of marriage restores the potentiality that lies within what is ordinarily goal-oriented social behavior, freeing it from its inscription within both specific social practices (marrying for money) and biological imperatives (passage of genetic material). In these terms, Mona seems poised to become the bearer of the potentiality James initially discovered in the novel's "germ." To recall the phrase that exercises Agamben in *The Time That Remains*, Mona occupies marriage *as not*. As a means that survives any means-end calculation,

marriage becomes the remains of a form of belonging that serves neither social convention nor individual ambition. And, as Agamben makes clear, to occupy a vocation *as not* supplies neither identity nor rights.

If marriage no longer extends the long arm of the law, it no longer serves as a mechanism of possession. As a result, the spoils, now nominally in the hands of Mona and Owen, occupy a limbo in which no one bears the right to possess them. A reverie of Fleda's clarifies their status:

Thus again she lived with them, and she thought of them *without a question of any personal right*. That they might have been, that they might still be hers, that they were perhaps already another's, were ideas that had too little to say to her. They were nobody's at all—too proud, unlike base animals and humans, to be reducible to anything so narrow. (194; emphasis added)

The relation between human beings and objects is now indexed to a temporality that is not reduced to space, and thus cannot be reduced to orthodox notions of human belonging like those based on land or nationhood. Fleda's physical possession of the spoils can only be conceived in a counterfactual past (might have been) or conditional future (might still be), not in the present tense. As she explicitly realizes, this temporality unhinged from spatial coordinates makes an assertion of "personal right" impossible. Here the connection between rights and temporality finally becomes clear: right depends on a static, atemporal relation between persons and things that persists *through* time but never *in* time. Right is therefore inimical to the kind of relation with which we began in this chapter, William James's "relations that unroll themselves in time" (*ERE* 57). Fleda only dimly glimpses an alternative in line with the elder James's notion when she thinks of the objects as "too proud, unlike base animals and humans." If, as we have argued, the accessibility of the spoils is temporal rather than spatial, then a relation to them cannot be grounded in stable identities or forms of life like those of "human" or "animal." Rather than positing a community for which the condition of entry is the attainment of a specific identity, the

spoils serve as the seeds of an inclusive community that preserves the singularity of its members by making the only form of relation one that unfolds *in* time. The only kind of affirmation of membership, then, is an acknowledgment of a person or thing's non-coincidence with itself, precisely the kind with which we opened this section, the relation between Mrs. Gereth and Fleda that had "begun to shape itself almost wholly on breaches and omissions." And it is this non-coincidence, this ability to be other, that grounds this community in a non-human *potentiality*. Not only characters, but the inanimate spoils, the law, and social convention, are restored to potentiality. In essence, we find society as such—people, things, laws, and conventions—refounded *in* time rather than *on* space.

At the novel's conclusion we find the clearest endorsement of potentiality or pure means as the basis for community. The entire domain of Poynton Park, not just the spoils, becomes a site where the purposiveness of a specifically *human* action is suspended. The novel achieves this deactivation not by returning to a primal state, but by decoupling Fleda's final journey to Poynton from its purpose. Fleda experiences a moment of weakness when Owen invites her to choose one of the spoils as a memento. Poynton is suddenly reduced to a kind of department store in which Fleda would luxuriate in indecision:

the thing she should go down to take would be up to the height of her privilege. The whole place was in her eyes, and she spent for weeks her private hours in a luxury of comparison and debate. It should be one of the smallest things because it should be one she could have close to her; and it should be one of the finest because it was in the finest he saw his symbol. She said to herself that of what it would symbolize she was content to know nothing more than just what her having it would tell her. (210)

Fleda thus travels to Poynton determined to find a way to possess one of the spoils. Worse, it would seem that she is prepared to reduce the significance of the chosen object entirely to "just what her having it would tell her." But once she comes within a mile of Poynton, it is as if the

objects themselves repel such an effort. James concludes the novel with a melodramatic scene in which the entire estate is consumed by fire. Fleda, who had made the trip to Poynton at Owen's behest, is met by a frantic porter at the train station. She inquires whether any of the family are present, to which the porter responds, "not a soul of *them* back. A pack o' servants in charge—not the old lady's lot, eh? A nice job for care-takers!" Fleda asks, "Were they saving the things?" to which the harried porter responds, "That's just where it was, miss—to get *at* the blessed things. And the want of right help—it maddened me to stand and see 'em muff it. This ain't the place, like, for anything organized. They don't come up to a *reel* emergency [*sic*]" (213). James attaches a curious status to the spoils, as objects "blessed" and, the text implies, thereby inaccessible to "saving" by human hands. This status is close to what Agamben mines from the concept of "profanation," which opposes the sacred with "'negligence,' that is, a behavior that is free and 'distracted' (that is to say, released from the *religio* [binding] of norms) before things and their use" (*Profanations* 75). Human action becomes disjoined from its purposiveness, as the "care-takers" become the very ones who essentially oversee the spoils' destruction, not as any kind of deliberate action, but by "muff[ing]" their designated duty—their vocation. The servants are, to echo Agamben, released from the norms that define and govern their behavior, but without the imposition of a new identity. Their behavior does nothing but indicate its non-coincidence with the role it is supposed to exemplify; it is neither the cause of destruction nor the saving intervention. The porter clearly identifies the most proximate cause of the conflagration: "What has done it is this cruel, cruel night" (212). As "blessed," the spoils delimit a sphere not defined by purposeful human action. Put another way, the spoils themselves mark out a place where purposiveness is suspended, such that "care-takers" cannot see their duties through and the domain of Poynton *as such* "ain't the place [...] for anything organized."

Like the novel's characters and the law itself, the spoils become available for a new use that is not a return to a previous, "natural" state, but is enabled by the residue of the old. Fleda finds not only that the objects are not available for her possession, but that they have been withdrawn from intentional human activity of any kind, including preservation. Most important, they become out of reach to the two ways of fetishizing or sacralizing objects that place them out of reach: commodity exchange and property rights. Their new, profane existence is thus not the restoration of an original usefulness or sensuousness, but a distancing turned against itself, the internal deactivation of all forms of appropriation and assertion of right. Agamben describes these as "behaviors that have been separated from themselves" (*Profanations* 87). As we are using the term, "use" is not an instrumental relation but what survives the unraveling of instrumentality. It therefore serves a crucial critical function, as it "lays bare the true nature of property, which is nothing but the device that moves the free use of men into a separate sphere, where it is converted into a right" (*Profanations* 83).

The deactivation of property rights, James realizes, is thus the separation of separation from itself, its availability for a new use. Cancelling Owen's property rights would only reintroduce ownership from some other direction. Were we to understand the spoils' abandonment to careless servants as their free availability, as in a state of anarchy, we would view the end of the novel as remaining open to new claims of possession. The novel clearly does not just cancel Owen's right to make room for other rights. It makes different use of Owen's right in such a way that this use dismantles the parceling of the world in terms of property while retaining a residue of order sufficient to ward off lawlessness. If we recall, in the late Mr. Gereth's will the estate and the spoils "had been treated as a single splendid object" (43). Likewise, as James had detailed in his preface to the novel, the imagined impatience of

consumers necessitated the treatment of the spoils as a single bloc rather than as a detailed inventory. Market forces and law mutually reinforce the consolidation of the spoils. The novel's brilliance lies in the way it deactivates this consolidation from within rather than entering into open conflict with both law and capitalism. Rather than cancelling the way that the will chooses to parcel out property, the novel actually *uses* this parceling into a single bloc to protect any of the spoils from being preserved separately, and thereby perpetuating property rights. Put otherwise, the ending uses the fact that property rights and market forces *separate* objects into a different sphere, but uses this separation for an utterly opposite purpose: rather than separating to preserve and protect, the novel uses this separation to prevent even a single item from slipping through the novel's net so that it might expose not just the items but the entire separate sphere to the everyday behavior of common folk and to the elements of wind and fire—to transience. Only *after the law* does the *other* time of the spoils finally prevail for the text as a whole. This is, quite literally, the time that remains, the vital, creative (and destructive) time that lies concealed within the chronological schemes that subserve capitalism and its inscription in law.

Leaving the spoils to the distracted use of servants and their ultimate destruction is not, as Bill Brown claims, a confirmation of their metaphysical status, but a final elucidation of the text's central insight about the law: that it is not the law's application but its deactivation that makes it the "gate to justice." Under the rule of law as Agamben understands it, the law remains in force even through its suspension. That is, the law persists *through* time. Yet James makes clear that a different state of affairs obtains at the novel's end. Poynton Park as a whole has left the law squarely in the past, where the past is not on a chronological continuum—which would allow the law to stay in force—but is an *other* time. That the present stands in a different relation to the past than continuity or causality becomes evident in the ways the porter

equivocally characterizes the status of the spoils. As he says, the organization of Poynton Park fails to meet a “*reel* emergency,” which is to say that the law leaves behind sufficient residue for the semblance of order, but, in sharp contrast to a state of exception, which would be reenergized by a “*reel* emergency,” at Poynton the emergency confirms the absence of the law, its status as *other* to the present. Order is not completely absent from Poynton, but neither does it retain the force-of-law through emergency.

Similarly, in response to Fleda’s disbelieving “‘Poynton’s *gone*?’” the porter responds, “‘What can you call it, miss, if it ain’t really saved?’” (213). The canny porter hesitates to call Poynton either “gone” or “saved.” To characterize it as “gone” would suggest that it is capable of being entirely consumed or “used up,” while allowing that it can be “saved” would suggest it is still subject to protections of law, such as the servants’ professional duty or the fast response of government services. The spoils are not fully “gone” in the sense they would be as commodities, where after being consumed and left behind by cycles of fashion they are treated as if they are nothing. They are also not “saved” in the sense of being redeemed and restored to full significance. But they do persist as a kind of *something*, a remnant or enigma that requires the kind of attention and reading that a psychoanalyst would give to the content of dreams. Benjamin conceptualizes this different orientation to the past and its contents as “study” that “transforms existence into script” (“Franz Kafka” 815). In other words, the spoils persist in the past as *other*, as discontinuous with the present, which requires the interpreter to seek out a schema in which to understand the singular elements rather than applying one that is already given. The temporality in which they remain is thus a different one, akin to the virtual or pure past, and therefore disrupts the supposed continuity of history and the cycle of conflict that comes with it. If Poynton is not fully “gone,” it does not create a void that can be filled by other

assertions of right; if it is not fully “saved,” it does not preclude new possibilities by restoring some new set of rules or rights that circumscribe acceptable forms of sociability.

As other to the present, the law is, properly speaking, *history*, rather than an active force; for Benjamin, this law “which is studied but no longer practiced is the gate to justice.” Benjamin then refines the phrase to read: “The gate to justice is study” (“Franz Kafka” 815). The “study” of the law as something that belongs to a time that is totally other reveals the non-relation between law and life, and makes of life, here figured as the negligence of servants, into a stubborn sphere from which the law can be resisted and also reshaped. We see in its fullest form the function of the “germ” that emerged as other to the “fatal futility of Fact.” That the novel conducts a reorientation to the past such that “existence” becomes a “script” that can only be studied but never mastered reveals the jurisprudential intervention the novel makes: it serves as the engine that transforms what was an already disposed case into one that becomes *legible* once again. In the original story shared on Christmas Eve, property is settled with an owner and thereby made forgettable; in James’s denouement, it occupies the past and demands attention. It becomes a “script” without a key whose perpetual reinterpretation will frustrate attempts to set the law in stone, and will thereby force the law itself into a becoming without end. James positions his work firmly *after the law*, with the law and the objects it would govern placed in the past understood not as a personal memory but as a pure past, an *other* time. The novel functions to recover this past that never existed, that never found its way into the official record of the published case. James’s fiction therefore accompanies, as remainder, every attempt to grant rights and protections to someone or something, and bears witness to the failure that awaits such an enterprise.

Chapter 2

Staging History: The Scene of Memory in Edith Wharton's *The Age of Innocence*

Edith Wharton traces her origins as a writer to a time when she could not read. As she recounts in her autobiography, *A Backward Glance*, books first entered her life as part of an unusual childhood game she called “making up.” In her family’s Paris home, Wharton would grasp the most ornate and unusual volume she could find, which was usually, she reports, Washington Irving’s *Tales of the Alhambra*, and would proceed to

walk the floor, turning the pages as I walked, to be swept off full sail on the sea of dreams. The fact that I could not read added to the completeness of the illusion, for from those mysterious blank pages I could evoke whatever my fancy chose. Parents and nurses, peeping at me through the cracks of doors [...] noticed that I often held the book upside down, but that I never failed to turn the pages, and that I turned them at about the right pace for a person reading aloud as passionately and precipitately as was my habit. (34-5)

To the young Wharton, reading and creating present themselves as indistinguishable activities. Before she could read, she uses the improvisational creative process to represent what she imagines reading to be like. Creating fiction, then, serves as a stand-in for that to which the child does not have access.

Wharton’s choice of a Washington Irving volume suggests a greater significance for this scene—and *the* scene in general. Irving’s work functions as her inroad to the American literary tradition as an expatriate child in Paris, but it is mediated by the book as artifact rather than as discourse. In the scene, tradition becomes available in and through the (literally) opaque materiality of the book. Wharton finds, as a child, the moment at which the past becomes newly *readable*, available in its own language, as it were. Its opacity restores the past for Wharton, and the strangeness and mystery it would lack were the text intelligible to her. To overcome this

strangeness, however, Wharton sets about creating something entirely *new* in the present that is, at the same time, her imagination of the strange contents delivered from the past.

This encounter with the past in its provocative strangeness, and the act of reading its contents *as a kind of creating* in its own right, underscore the way fiction-writing for Wharton emerges within a perceptible scene. Indeed, the scene comes to represent, in material terms, the creative process that would otherwise be utterly interior. Wharton reports that the humorous consequence of her “making up” rituals was to neglect her nascent social life, which took the form of the playmates who had come to spend time with her. She would retreat to the privacy of her mother’s bedroom in order to carry out her task. But the irony of this seclusion is that her dramatization of this early process brings out, into public view, what is usually the totally interiorized act of the inspired mind. Her relation to the American literary tradition and her first responses to it *take place*; they are mediated by the material elements of the scene, including not only the Irving volume, but the enclosure of the bedroom, which stands for the interiority and privacy of the mind itself.

In an important sense, Wharton’s (adult) fictional creations about the past repeat the same gesture as her “making up,” in that they imaginatively return to a previous era via the enigmatic relics it has sent forward to the present. Wharton will make the scene in her fiction the medium of transmission for both culture and social convention. In *The Age of Innocence*, the return of Ellen Olenska after a scandalously failed marriage seems likely to galvanize the conservative mores of her family. But the primary way in which society digests Ellen’s return is through the consumption of a scene in which she appears, as if in costume, before an audience gathered to view the opera *Faust*. Remembering in Wharton’s work is, quite literally, a scene: using all of the trappings of the theatrical, the past is brought into the present and negotiated in relation to the

concerns of the present. This need to process Ellen's return through a spectacle places a premium on the sensory immediacy of the occasion; scenic elements, especially wardrobe, become centrally important. But Wharton explores the extent to which this drama of memory, especially in its sensory investments, renders the past newly negotiable. When the composition of a scene does the work of negotiating the past, components otherwise muted in written history—objects, gestures, rooms, backdrops—gain an agency and, in turn, the discursive reign of the law is suspended. Society's public processing of the past in the terms of the present thus becomes the means by which the new is permitted to enter, making the return of Ellen Olenska an allegory for the functioning of memory. As Archer comes to recognize, he only has access to Ellen by virtue of the logic of remembrance, where she exists in the present for him only as lost and recovered. Archer repeatedly recognizes the condition of his access to Ellen: "We're near each other only if we stay away from each other" (204); "To have you here, you mean—in reach and yet out of reach" (218); "'If I were to let her come,' he said to himself, 'I should have to let her go again'" (219). The impossibility of their relationship therefore figures forth the nature of history as Wharton attempts to elaborate it, wherein the unobtainability of the past functions to liberate its materials for the imagination of a new, different future. The past returns repeatedly in a new light, as Ellen does for Archer: "*Each time you happen to me all over again [...]* Ellen—Ellen—Ellen!" (200). As Wharton envisions this process, it is ultimately productive, if not convenient for the desires of the individual. Archer's relationship with Ellen, and its dependence on the scenic negotiation of memory, ultimately serves as the foundation for a political use of memory, in the form of Archer's commitment, as a public servant, to museums and other forms of public memorialization.

I. Trying It On: Scene as Medium

The return of Ellen Olenska, following her scandalously failed marriage abroad, to the insular New York Society from which she originated takes a peculiarly public form. Her reentry is not a modest affair. She is, as it were, produced in her family's public theater box during a performance of the opera *Faust*. Wharton's juxtaposition of the two performances makes it clear just how public and choreographed Ellen's return is. As we will see in this section, Ellen's past is negotiated almost exclusively in terms of the scene in which she appears in the theater. One of Wharton's minor characters will describe her appearance as her family's "trying on" of her situation. The implication of the performance is subtle, but far-reaching: if the public willingly accepts the form that she takes in the theater, it simultaneously accepts her past. Ellen's appearance in a striking dress with certain provocative accoutrements therefore comes to stand, in the present, for her entire history, which means that this history is negotiated via the unit of the scene, which contains and stands for a complex not only of material elements but of characters' relationships and their pasts.

To comprehend the way in which an appearance in the present can come to stand for the past without representing it or reenacting it, we turn first to Henri Bergson, whom Wharton encountered on at least one occasion.¹ Bergson's philosophy, particularly in *Matter and Memory*, attempts to overcome the materialist treatment of the past, which considers any present attempt at its retrieval a representation or image that functions much like a photograph. Bergson conceptualizes the actual return of the past by conceiving of reality itself in terms of the image. "Matter, in our view, is an aggregate of 'images.' And by 'image' we mean a certain existence

¹ For a different take on the relationship between Wharton and Bergson, see Betsy Klimasmith, who traces the tension in the novel between "spontaneous recollection" and "habit memory." Klimasmith is (productively) invested in the ways the characters, particularly the protagonist, are torn between these two modes of memory.

which is more than that which the idealist calls a *representation*, but less than that which the realist calls a *thing*—an existence placed halfway between the ‘thing’ and the ‘representation’” (9). In Bergson’s treatment, “image” ends up with an idiosyncratic meaning. An image for Bergson is invested with both the capacity to be seen and the capacity to act in ways that may include passive forms of action, like perception, up through more active forms, like bodily movement. An *image* of another body in Bergson’s sense is thus never a snapshot of it at an instant, but a grasp of its potential to delay its reaction to other images; it is a composite of a body’s capacity to act. For Bergson, one’s body is “an image which acts like other images, receiving and giving back movement” (19), which means the body relates to other images in terms of the way they would impact its *action*: “I call *matter* the aggregate of images, and *perception of matter* these same images referred to the eventual action of one particular image, my body” (22). Bergson will say, consequently, that the body is “a center of action; it cannot give birth to a representation” (20). And in turn, the surrounding world is never a frozen image; what appears does so in the light of its potential for action: “The objects which surround my body reflect its possible action upon them” (21).

Walter Benjamin harnesses Bergson’s unique conception of the image in his meditations on memory and historiography in the *Arcades Project*, which expands its relevance beyond Bergson’s purely philosophical aims. Bergson’s recasting of the image as much more than a frozen representation proves essential to Benjamin’s effort to place the relationship between present and past on dynamic rather than fixed ground. In the theoretical work of Convoluted N, Benjamin explores the “figural” or “image-like” [*bildlich*] relation between “what-has-been” and the “now,” (*Arcades* N3,1), whereby materials from the past suddenly cohere, not by any standard of similarity, as in metaphor, but in their availability for present action. This is a much

wider and more flexible standard for coherence. What the materials essentially have in common is that they all reflect the “possible action” of agents in the present. They come together in their *availability for action*. When “*bildlich*” is translated as “figural,” the suggestion is that the materials, as “figures,” stand for something other than what they are, but without that something being identified. The “figural” thus differs fundamentally from the figurative. In the latter, elements are held together by some similarity, whether of appearance, traits, or significance. If something becomes figural by difference from itself, then a common figurality is a common *difference*; elements are joined by a disjunction.

Before we move to a consideration of Ellen’s appearance in the Academy Theater, it pays to consider how the theater is already constituted as a scene in which characters externally process their interior hopes and dreams. It is thanks to the externality and separation of the scene that Archer gains the critical distance to reflect on the social conventions that are moving him ineluctably toward marriage with May Welland, “exposing,” as Nancy Bentley puts it, “the contingency of culture” from among practices that are supposed to seem natural (106). But Archer’s reflections hardly keep their distance, and they begin to merge with the performance taking place in front of his eyes:

And he contemplated her absorbed young face with a thrill of possession in which pride in his own masculine initiation was mingled with a tender reverence for her abysmal purity. “We’ll read Faust together... by the Italian lakes ...” he thought, somewhat hazily confusing the scene of his projected honey-moon with the masterpieces of literature which it would be his manly privilege to reveal to his bride. [...] already his imagination, leaping ahead of the engagement ring, the betrothal kiss and the march from Lohengrin, pictured her at his side in some scene of old European witchery. (6)

Archer’s gaze is assisted by the technology of the opera glass which, while crude, flattens and frames its contents into images of the same scale. At first, this framing abets Archer’s cynicism, which tends to crop up when he sees pictures of May. Days later, meditating on a photograph of

herself May had given him, Archer sees only “That terrifying product of the social system he belonged to and believed in, the young girl who knew nothing and expected everything” (30). The distance of photography seems to foreground, for Archer, the way in which May is utterly reproducible, churned out by the machine-like apparatus of debutante balls and the like. The photographic frame seems to become a rigid boundary in Archer’s eyes, which even separates May from the performance of *Faust* happening in her midst, a separation that Archer will have to remedy himself by reading it to her. But something changes as Archer looks at May in the space of the theater: the scene in which he would do the reading starts “hazily” to merge with a scene from *Faust* itself, perhaps the very one unfolding on stage at the moment of Archer’s musing, preventing Archer from conceiving of himself as the transcendent gatekeeper. The mediality of the scene takes its revenge: the scene in which Archer will recover the Western literary canon for his beloved *asserts itself*, calling attention to the fact that this recovery will *take place*, that the retrieval of the past is itself an event that occupies space and time—a performance.

As if to reinforce this point, Archer seizes on a “scene of old European witchery,” the *Walpurgisnacht* scene in which Mephistopheles presents Faust with fantasmatic images of famous queens and courtesans from throughout history. The scene Archer imagines himself inhabiting is, thus, a scene of remembering, which literally stages Faust’s reception of a theatrical performance of history. Wharton’s inclusion of *Faust* within the scene of Ellen’s appearance, therefore, models the way that the scene functions as the medium by which the past is negotiated within the space of the present.

When the past comes up for review as a scene in the present, both the past itself and the conventions by which the present seems to be governed come up for renegotiation. The present scene in which this renegotiation takes place comes to matter, since its visual, tactile, and

material dimensions are the primary mechanisms by which the concerns of the present and the return of the past are mediated. Scenic elements ease the accommodation of Ellen's scandalous past for even the most conservative representatives of Society, troubling critical judgments like Elizabeth Ammons's that characterize Ellen as an outcast, as Other of conventionality. Ellen Olenska's relation to Henry van der Luyden serves as a case in point. Van der Luyden takes it upon himself to visit Ellen's unfashionable residence in a bohemian quarter of New York for the express purpose of chastising her boldness. But he is brought up short. He becomes captivated by the scene in which he finds her. He finds it so scintillating that it forms the thrust of his report to the Archers, in effect blocking the formation of a negative opinion of Ellen: "Ah—a charming woman. [...] She has a real gift for arranging flowers. I had sent her a few carnations from Skuytercliff, and I was astonished. Instead of massing them in big bunches as our head-gardener does, she had scattered them about loosely, here and there ... I can't say how." Ellen's decorative abilities disrupt the smooth application of past standards to present situations. The Archers had expected van der Luyden to lay down the law. That he actually comes to accept Ellen, thanks to nothing more than a floral arrangement, shocks them: "A dead silence greeted this unusual flow of words from Mr. van der Luyden." And Archer turns to see his sister's "gaping countenance lit up by the coming of the second lamp" (63). The utterly unexpected result of van der Luyden's visit, which owes itself to the opacity of Ellen's scene, produces a scene of its own in which the material dimensions take precedence over the narrative or discursive ones, hence Janey Archer's "gaping countenance" and the unusual attention to the lighting of the room. These separate scenes are therefore connected, but by their interruptive function; it is by their materiality and resistance to incorporation within the narrative that they transmit the effect of Ellen's past on the orthodoxies of New York Society.

To underscore how the negotiation of Ellen's past is an encounter that takes place within the terms of the present in all their materiality, Wharton draws particular attention to the function of wardrobe. As Kathy Miller Hadley expertly demonstrates, Ellen's *actual* history—and May's, for that matter—remain untold. Not even Archer's examination of Ellen's dossier in his law office manages to garner more than “the vague charge of an angry blackguard” (70). Scenic presentation offers other means by which Ellen's past is negotiated. Returning to her appearance at the Academy Theater, we immediately notice how the surprise it occasions, which owes to a number of factors, including her own past and her family history, is figured in terms of her costumery:

Newland Archer, following Lefferts's glance, saw with surprise that his exclamation had been occasioned by the entry of a new figure into old Mrs. Mingott's box. It was that of a slim young woman, a little less tall than May Welland, with brown hair growing in close curls about her temples and held in place by a narrow band of diamonds. The suggestion of this headdress, which gave her what was then called a “Josephine look,” was carried out in the cut of the dark blue velvet gown rather theatrically caught up under her bosom by a girdle with a large old-fashioned clasp. The wearer of this unusual dress, who seemed quite unconscious of the attention it was attracting, stood a moment in the center of the box, discussing with Mrs. Welland the propriety of taking the latter's place in the front right-hand corner. (7)

Ellen's entrance into the family box essentially duplicates that of the *prima donna* on the stage. Her dress is styled “theatrically” and, like a performer, she proceeds to the center of the box, fully inhabiting the scene she has created among theatergoers. But it is not simply that Ellen's fashion choices reflect her present tastes. Mentions throughout the text make clear that the unusual, even shocking, character of her wardrobe serves as the means by which her past surges into the present. When she appears at her parents' funeral strangely attired in “crimson merino and amber beads, like a gipsy foundling” (42), it is because she *is* a foundling who, from that moment on, must be raised by an aunt. At her coming-out ball, Ellen shocked her family by

appearing in black—a violation of convention, to be sure, but also a clear reference to the loss of her parents. In Archer’s eyes, Ellen’s demeanor is all compliance, but her wardrobe is anything but: “Madame Olenska’s pale and serious face appealed to his fancy as suited to the occasion and to her unhappy situation; but the way her dress (which had no tucker) sloped away from her thin shoulders shocked and troubled him” (11). While Ellen’s countenance reflects the inescapable judgment on her vaguely scandalous past, her dress signals, in other form, the return of that past as unassimilated, unjudged. Rendered discursively, tradition has no choice but to judge her record harshly and unequivocally. But the *return* of that past in purely scenic terms within the present effects a displacement so that the history Society views as traumatic to its values can be assimilated and can actually begin to transform them.

This displacement of Ellen’s past into the terms of fashion is rendered complete when Wharton constructs the authority of tradition in precisely the same terms. The presence in Archer’s box of both Lefferts, the expert on “Form,” and Sillerton Jackson, the expert on family history, raises our expectation that Ellen will be judged according to long-held principles. Lefferts and Jackson, at first, seem to be traveling archives of Society’s recent past. But the evidence for Lefferts’s authority, which *we* assume to be based on his history, is in fact a flimsy inference from his wardrobe: “One had only to look at [Lefferts] [...] to feel that the knowledge of ‘form’ must be congenital in any one who knew how to wear such good clothes so carelessly.” Jackson’s authority on family, meanwhile, derives solely from an analogy with Lefferts’s: “Mr. Jackson was as great an authority on ‘family’ as Lawrence Lefferts was on ‘form’” (7). The narrator once again hedges on his knowledge: “between his narrow *hollow* temples,” Jackson “was *supposed* to be the only man” who could recount

Society's scandals (8). The linchpin on which the collective judgment of Ellen quite literally hangs is Lefferts's wardrobe.

The scenes in the Mingotts's box and in Archer's function homologously: both the transgressing event and the scene of its judgment ultimately cohere around fashion choices. As Georg Simmel established at the turn of the twentieth century, the kind of agreement that fashion fosters has nothing to do with character or motive: "As a rule the material justification for an action coincides with its general adoption, but in the case of fashion there is a complete separation of the two elements, and there remains for the individual only this general acceptance as the deciding motive to appropriate it." In fashion, Simmel concludes, "no dependence is placed on really vital motives of human action" (544-5). Of all those present, Sillerton Jackson is the best situated to frame the Mingotts's bold introduction of Ellen in its proper terms: it is Ellen's *history*, and what this history reveals about her *character*, that makes her presence in the Mingotts's box so shocking. Yet Jackson reframes his own area of authority in terms of a risqué fashion choice:

Mr. Sillerton Jackson had returned the opera-glass to Lawrence Lefferts. The club box [...] waited in visible suspense while Mr. Sillerton Jackson handed back Lawrence Lefferts's opera-glass. For a moment he silently scrutinized the attentive group out of his filmy blue eyes overhung by old veined lids; then he gave his moustache a thoughtful twist, and said simply: "I didn't think the Mingotts would have tried it on." (8)

Reconceptualized as "trying it on," Ellen's transgression takes precisely the same form as Jackson's authority. Margaret Jessee reasonably argues that the Mingotts "attempt to deceive the audience, to pretend [Ellen's] past does not prohibit her present and future acceptance into society" (39). More than just a simple obfuscation of Ellen's history which, given resources like Jackson's, could hardly be expected to work, the Mingotts appear to be cannily invested in the

way August “tradition” is, itself, just a series of scenes by which adjustment is made in visual, rather than principled, terms.

Far from an act of deception, Ellen’s appearance utilizes to the Mingotts’ advantage the mediality of the scene. Jackson’s reaction, accordingly, fails to distinguish between Ellen, her dress, and the scene she creates; the components cohere into an indivisible unit, which onlookers are then forced to consider as a whole. Hence the indeterminate reference of the “it” in “tried it on”: did the Mingotts try *Ellen* on in the sense that they are testing the renewal of their family affiliation with her? Or are they simply testing her “unhappy situation”? Or indulging her penchant for provocative clothing? The “it” refers to the composite nature of the scene itself, which is made up not only of clothing choices, but also of the characters’ relationships and histories. The “it” can just as easily be Ellen’s relationship to the Wellands as it can be her “Josephine look,” but the undecidability of the scene requires that Society deal with the former in the visual terms of the latter, which, as Simmel notes, removes “vital motives of human action” from the equation. So when the Mingotts decide not to press Ellen on the public any further, and she skips the ball after the opera, what would otherwise be an offense against decorum is inoculated because, owing to a fashion choice, it cannot be chalked up to intention: Ellen “decided that the dress in question wasn’t smart enough” (28).

Lefferts’s phrase, “trying it on,” thus offers a further window into the mediality of scenes, as it suggests that Ellen’s reintroduction is part of a potentially iterative process by which different appearances could be tested. At the scene’s heart is a “trying,” which means there is no one privileged aspect from which the Mingotts must have Ellen regarded. As a “trying on,” the scene is not a representation of Ellen’s true character, and so the elements included within it lack any necessary connection except as a means by which the past can be negotiated. As we will

see, scenic repetition becomes tantamount to a structuring principle of the novel; scenes enacted by Wharton's characters are repeated on stage, and vice-versa.

Archer's fundamental task in the novel is, therefore, to adjust to the conditions under which he has access to Ellen, which are those of history itself: she is physically present to him only as lost and recovered. Wharton accordingly constructs the scenes in which Archer and Ellen interact as scenes of remembering, where the spatial configuration in the present figures forth relationships that are temporal in nature. As we will see, the physical separation and posture in the scene occurring in the present of the text physically manifest the separation wrought by time. In addition, the separation of the scene itself from what precedes and follows it indicates how it stands out from the chronological flow of time. Scenic arrangement, *mise-en-scene*, by which figures, objects, and space come to relate to one another spatially, therefore does the work of memory in Wharton. As Archer comes to realize, his relationship to Ellen, which he sums up in the formula "To have you here, you mean—in reach and yet out of reach" (218), is a coming-to-grips with a genuinely historical time, in which the past is no longer simply a species of the present, and is actively affirmed as *lost*. But once affirmed, its passage necessitates its active retrieval within the space of the present, which renders it newly negotiable.

Archer's chief desire in the novel turns out to be unobtainable in strictly chronological time, but becomes available to him within the historical time Wharton explores. The difference between what is available to him in chronology, versus the time of history, enables Wharton to demonstrate how the retrieval of historical material from one of the most rigidly conventional periods in American history need not repeat its strictures, and can actually provide the basis for a liberated future. Archer frames his desire as "the wish that his wife should be as worldly-wise and as eager to please as the married lady whose charms had held his fancy through two mildly

agitated years.” In other words, he desires a woman with the social experience that only marriage can provide, yet with the sexual innocence Society demands: an impossible combination. He imagines the social impossibility of his desire in terms of a banal metaphor: “How this miracle of fire and ice was to be created, and to sustain itself in a harsh world, he had never taken the time to think out” (6). Wharton’s response to Archer’s question is that the “miracle” can be sustained, but only within the scene of remembering, which she painstakingly constructs, and which will repay our close examination.

The scene in question takes place on the grounds of the van der Luydens’s ancestral estate, where Archer and Ellen come across the original stone dwelling of the Patroon, the Dutch governor from whom the van der Luydens descend. Immediately we witness how the van der Luydens’s property itself spatializes history in the manner of archaeology, as it contains a physical remnant from the family’s Dutch past. And yet the Patroon house is not marked by age at all, but by its presentness and receptivity: “The homely little house stood there [...] as if magically created to receive them” (94). Inside the Patroon house, Ellen admits, “I can’t feel unhappy when you’re here,” a hint that delights Archer, and begins a crescendo that builds throughout the scene. But as the characters grow more and more honest with each other, Wharton’s narrator turns our attention to the spatial configuration in which this honesty is expressed:

The words stole through him like a temptation, and to close his senses to it he moved away from the hearth and stood gazing out at the black tree-boles against the snow. But it was as if she too had shifted her place, and he still saw her, between himself and the trees, drooping over the fire with her indolent smile. (95)

It would appear that Archer has turned his back to Ellen, who is standing by the fire. He is staring out a window and sees what is, in fact, Ellen’s *reflection* in the glass. Yet Archer does

not acknowledge the reflection as a mere reflection, and treats Ellen “as if she too had shifted her place” and is now outside the house, but still inside tending the fire. Ellen doubles into two figures within the same space. But Archer makes no distinction between the Ellen behind him and the reflection in the window, as he “still saw her” when he turned around. Just as important, Archer’s own movement is not tracked internally by his own spatiotemporal awareness, or externally using the spatiotemporal coordinates of the house, but via the illusion of Ellen’s movement: his turning around is registered “as if” Ellen had moved.

Most important, by juxtaposing a figure metonymically associated with fire and a figure superimposed on the snow outside, the scene incarnates, in literal form, the metaphor for Archer’s desired partner, that “miracle of fire and ice.” Archer even echoes that earlier formula, standing “with soul and body throbbing with the *miracle* to come” (95; emphasis added). We must account for the way in which the metaphor, which had once served as a figure of impossibility, now quite literally enables a scene in which Ellen and Archer are brought into a new relation. As a metaphor, the “miracle of fire and ice” had signified the incompatibility of the two qualities Archer seeks. At the heart of the impossibility is chronological time: a woman who has the sexual innocence to be eligible for marriage cannot also have the worldliness Archer desires. Chronology imagines time as instants separated from one another and related only by causality. But Ellen’s simultaneous appearance to Archer alongside both fire and ice figures this separation *within one moment, the present*, so that the separateness is reconfigured in terms of a single spatial configuration: a scene. All of the pieces are brought within the same instant, and what had been a chronological relationship is now what Benjamin calls a *Bildlich*, “figural” or “image-like,” relation, in which time appears to be frozen. Components that had been separated by time are now separated by space, which renders them newly available to one another. When

elements from the past cohere in an image, what holds them together is their recovered quality which, because it introduces the priorities or interests of the present moment, *separates these elements as it joins them*. They are joined by separation, by their difference. The terms of the metaphor had been held together because of their meanings; now they are held together because of the act of retrieval.² The principle that holds them together *comes from the present*, which means it is not *in the elements themselves*. What Benjamin will ultimately term the “dialectical image” is, therefore, a coherence that contains within it a distance.

The presence of Archer and Ellen together within the space of the Patroon house therefore functions as a scene of memory, in which the remembered elements are not recalled in their previous form—as metaphor—but in relation to their potential for action in the present. A merely chronological retrieval of Archer’s metaphor would have simply repeated its sense. The mode of remembrance Wharton constructs has, at its core, the recognition that the materials being remembered have first been *lost*. So when the metaphor is remembered, it is not remembered in chronological time, in which the past is just another instant like the present, but in genuine time, for which the past is different in kind from the present. The metaphor is retrieved for the present *in its pastness*, which means it exists in the space of the present in a manner that represents this pastness in terms that are perceptible to the present. The scene thus does the work in the present of negotiating anew the materials of the past. The Patroon house is accordingly not, as Cynthia Griffin Wolff would have it, the “home [that] stands for the values that will endure—values of family and honor” (307), but the site of their fragmentation.

² See Paul Ricoeur, “The Metaphorical Process as Cognition, Imagination, and Feeling,” where Ricoeur offers a “semantic theory of metaphor” in which images always already possess *meaning*. On the nature of images as such, Ricoeur insists, “We first have to understand an image, according to Bachelard’s remark in the *Poetics of Space*, as ‘a being pertaining to language.’ Before being a fading perception, the image is an emerging meaning” (149). Ricoeur ultimately seeks a way of accounting for the role of feeling in the production of metaphor. To do so, however, he situates the sensuous, or what he calls the “pictorial,” firmly within discourse.

In fact, Archer's newly tactile relation to what had been a metaphor signifying prohibition is precisely what enables physical contact with Ellen. As Archer regards in visual form the "miracle of fire and ice," he is turned away from her, which liberates other forms of relationality. He senses the way his body holds out possible courses of action for Ellen, and these are figured in terms of *sound* and *touch*: "For a long moment she was silent; and in that moment Archer imagined her, almost heard her, stealing up behind him to throw her light arms around his neck." Only moments later does Archer realize she actually "had sprung up and moved to his side, slipping her hand into his" (95). The metaphor, which had once signalled a prohibition, now provides stage-direction, as it were, which physically orients Archer and Ellen in such a way that touch becomes possible. They become newly available to one another *by virtue of the pastness of the metaphor*.

The remembered metaphor—with metaphor as a species of literary language—therefore functions precisely like the Washington Irving book for the young Wharton. To the child, the book appears without its key—the ability to read—which foregrounds for her its quaint materiality. But its opacity is obviously not, in Wharton's case, due to the mysterious script of the book itself, but to Wharton's inability to read. Pastness is therefore figured not as a measurable, chronological distance from the present, but appears *within the present* as a distance from sense itself, which charges the relationship of child to book with the potentiality to arrive at sense in the future, a potentiality Benjamin names, and Samuel Weber brilliantly expounds: *readability*. For Wharton, this distance from sense is what enables the process of "making up," through which the child-author endlessly creates. For Archer, the distance from the metaphor's sense opens a future promise, his "soul and body throbbing with the miracle to come."

Because it is held together by a distance from sense rather than a spatial or temporal distance, the scene of memory is charged with an inner tension. The future, like the past, is not defined in terms of a chronological point, but as the closing of this distance, the resolution of the tension. The scene is, in an important sense, removed from the chronological flow of time, and from the causality that holds the novel together. Its main function is to picture, within the space of the present, relations that had once been chronological. This completely different orientation to past and future, which for Benjamin is the time proper to history, is built on the distance of the present from certain historical *knowledge*. As Michael Taussig puts it, “what happens is that the very concept of ‘knowing’ something becomes displaced by ‘relating to’” (24). Benjamin describes readability with respect to cinema as the “physiognomic aspects of visual worlds,” where appearance offers itself to be read as a “face,” which offers a multitude of visual, tactile, and auditory hints, none of which has any significance on its own (“Short History” 176; translation modified).

It is no accident, then, that after this scene alone with Ellen, Archer “was beginning to think that he could read her face, and if not her face, her voice” (97). This moment of readability is a far cry from any kind of competence or *praxis* that Archer might grow and develop. As the narrator’s turn of phrase here reveals, the “beginning” of understanding is undecided as to *which* sensory modality it understands, which throws the self-presence or secure possession of such an ability into question. Multiple exposures to Ellen do not hold out the promise of a cumulative education or *Bildung* that will equip Archer with the means to *read* her finally like a book whenever the need arises. Rather, Archer’s sudden sense of Ellen’s *readability* is situational, tied to the particular configuration of the scene in which it occurs.

III. Culture in the Time of Gesture

The scene in Wharton serves as a privileged site in which historical materials enter into a newly productive relation. Ellen's readability signals not just the adjustment of Archer's society to her past, but its transformation by it. In contrast to Ellen, May is regarded as having no past worth mentioning and, indeed, this blank slate is a condition of her eligibility for marriage. But the repression of May's agency allows it to resurge into the present in another form: the gesture. As Giorgio Agamben puts it in the heading to the opening section of "Notes on Gesture," "By the end of the nineteenth century, the Western bourgeoisie had definitely lost its gestures" (49), meaning human movements lose the context in which they are transparently meaningful, and return only as enigmatic exertions that have lost their significance. May's blushes serve, likewise, as returns within the present of movements forgotten in the commodification of women. Since they constitute the return of something forgotten, they take a form unrecognizable to the present, but which therefore activates the interpretive energies of the present. As rebuses, they convert situations into scenes of memory, disrupting their narrative momentum, but in the process signaling a new potentiality for women's action. Archer will learn, too late, that May's blushes conceal her active effort to subvert his relationship to Ellen.

Agamben compares Balzac's attempt in his *Theorie de la demarche* to read moral character from gait with Gilles de la Tourette's inventory of spasms and tics over fifty years later, in 1885, and concludes that the end of the nineteenth century witnessed a "generalized catastrophe of the sphere of gestures" (51). Balzac worked with a bourgeoisie whose movements could be read for their social and characterological significance. Under historical circumstances about which Agamben is silent, but which almost certainly include the rise of industrial capitalism and the harnessing of human movement for repetitive tasks, by the turn of the

twentieth century, the gesture loses its transparency and its self-evident meaning. At that moment, a new technology intervenes: “In the cinema, a society that has lost its gestures tries at once to reclaim what it has lost and to record its loss” (53). The gesture persists into the twentieth century, but only *as lost*.

The gesture becomes central for Wharton in its very loss. The frequent focus on, and repetition of, gestures serves as the most powerful means in the novel for staging the scene of memory, wherein the pastness of the past *becomes present* in and through the enigmatic form of the gesture. Because gestures are only present as lost, a gesture does not inhabit a space and communicate with other gestures. As Judith Butler puts it in a discussion of Benjamin and Agamben, “the gesture is the unemployed action,” a movement that is detached from a context in which it could produce things or make things happen. It merely shows its capacity to bear meaning without communicating anything; as Agamben puts it, it is the “communication of a communicability” (59). The gesture *differs*. If gestures can be said to connect, they do so via this difference, which separates them from other gestures and from the scene they displace.

Through the gesture, Wharton explores a way of bringing women’s sexuality outside the private sphere and into the public, where it might become part of *culture* instead of being relegated to *nature*. The retrieved gesture serves this function by bringing, into the space of the present, the labor of women that is quite literally unrecognizable to Archer’s patriarchal society. In “Marginal Notes on *Commentaries on the Society of the Spectacle*,” an essay that appears later in *Means Without End*, Agamben characterizes the gesture as “pure praxis,” “neither use value nor exchange value, neither biographic experience nor impersonal event: it is the other side of the commodity that lets the ‘crystals of this common social substance’ sink into the situation” (80). The “crystals of this common social substance” is Marx’s phrase for the abstraction that is

labor time, which in the gesture is no longer congealed into the commodity, but is also not restored to the use-value it possessed prior to being exchanged. The gesture is not reducible to the movement that it is in the present, nor is it an abstract quantity of labor that can be exchanged for any other. It stands for the *kind* of movement it is, and therefore serves as “an indistinguishable mixture of power and act” (79).

Archer’s wife, May, repeatedly appears to him as a statue, a timeless form that simply persists and therefore obviates any act of retrieval in the present. May’s ability to impact the plot is, accordingly, minimized, because Archer and his cronies believe her to be incapable of any independent movement. As Kathy Miller Hadley has shown, the novel is rife with “untold stories” about its women. This inability to perceive May’s *capacity* to act will ultimately blindside Archer, because it is May who contrives to separate Archer from Ellen by telling the latter that she, May, is pregnant well before she is sure. Wharton, however, carefully signals May’s capacity through the involuntary emergence of a remnant of her movement: her blushes. Far from signifying in any conventional manner, May’s blushes function as gestures: each one is the remainder of an exertion that the commodifying male gaze only regards as a thing—as a statue. Though the blushes themselves clearly originate in different kinds of exertions, Archer struggles to tell them apart. Therein lies their power. Their indistinguishability reveals the abstraction that has occurred, that sees the movements as interchangeable. One blush can stand for any kind of movement, but therein lies its potency as gesture: rather than *representing* an action from the past, the blush functions as the summoning within the present scene of *any movement*, of the potentiality to act, hence Agamben’s insistence that the gesture mixes power and act. A blush on a statue is indeed a strange image, but it perfectly encapsulates the resurgence of a lost effort, which appears in the present as uncanny and even monstrous.

May's sexuality surfaces—literally, on her skin—as a lost gesture, as ruin or artifact that disrupts the contexts in which it appears, unraveling their narrative continuity. Early in their courtship, Archer visits May in St. Augustine, where they appear to stumble into sexual arousal. The narrator's focalization through Archer immediately reveals a tension between her motion and his image of her: "As she walked beside Archer with her long swinging gait her face wore the vacant serenity of a young marble athlete" (100). Archer subsumes May's very real movement under a frozen face, which retrospectively renders her "swinging" into a mechanically repetitive motion rather than a human movement, depriving May's body of its readability as they become intimate:

They sat down on a bench under the orange-trees and he put his arm about her and kissed her. It was like drinking at a cold spring with the sun on it; but his pressure may have been more vehement than he had intended, for the blood rose to her face and she drew back as if he had startled her.

"What is it?" he asked, smiling; and she looked at him with surprise, and answered: "Nothing." (100)

May is only *really* startled when Archer stops to ask, "What is it?", which means that she is surprised by his *question*, not by his "pressure." Archer, however, understands the rising blood as an automatic response to the stimulus of his own pressure. His explanation situates her blush within a dependable, mechanistic causality, one that redounds to his reading—and that of many critics of the novel—of May as sexually inexperienced. That is, her blush at his stimulus is the expected, "natural" response of an unmarried woman to sexual advances. The delay between the "startled" response Archer notices and the "surprise" the narrator registers undoes Archer's causal explanation, as May's "surprise" is decoupled from her blush. While the former is a response to Archer's question, the latter floats free of any clear cause. Not only does it persist as

an enigmatic remain, but as such it disrupts the intelligibility of the entire scene by throwing the causal sequence into confusion. The characters no longer know what they are doing.

Archer's attempt to secure May's blush in a definitive reading—to tame the refractory power of her gestures—is, paradoxically, just what preserves her agency. Her potentiality for a multiplicity of significant movements is *recalled* or *recovered* by its reification in a frozen image. During her first visit to Newport as a married woman, May participates in an archery competition, where she is widely regarded as the most skilled competitor. For Archer, though, she is still a Greek statue with “the same Diana-like aloofness”: a thing. Since he first remarked upon her statuesque appearance, Archer thinks to himself, “not a thought seemed to have passed behind her eyes or a feeling through her heart; and [...] he marveled afresh at the way in which experience dropped away from her.” When she competes, May evinces an “attitude so full of a classic grace that a murmur of appreciation followed her appearance, and Archer felt the glow of proprietorship that so often cheated him into momentary well-being.” Archer's cronies remark that “no one holds the bow as she does,” but they add, “Yes, but that's the only kind of target she'll ever hit” (147). These characterizations of May once again freeze what is, in fact, an extremely subtle physical operation into the mechanically repetitive movements of a factory-worker, which are guaranteed to produce a particular result, but only in a particular context. Archer makes the mistake of seeing May's statue image as *illusion*, as falsehood: he wonders whether this image of May “were only a negation, the curtain dropped before an emptiness?” As if to answer his question, May from competing, “flushed and calm” (148). May's facial flush serves as the remnant of bodily effort, of the movement that is forgotten by the men's characterization of her skill as machine-like. The blush, in other words,

is the flashing-up of a disavowed effort, of the bodily motion that is pure means, that Archer dismisses as an “emptiness.”

May serves a subtle but important political function in the novel. Her blush, rather than enacting its longstanding cultural role as an indicator of feminine modesty or shame, confronts the masculine world with the movement or means that is usually obscured by its commodification. It does not stand for a particular act, but for movement-as-such, for the *ability* to act. A blush in Wharton is not, as Pamela Knights claims, a “witness to the interior self” (31), but the glowing forth of the realm of women’s exertion, a sign of women’s capability, which bursts open interior, private spaces, and disrupts the means-ends ordering of the masculine world. Fittingly, May and her husband leave the archery competition with “May handling the reins and Archer sitting at her side” (148).

The novel, therefore, does not treat women’s movement as another sphere, a private or domestic area marked out from the masculine world of exchange, but a potentiality—enigmatic to male characters—that erupts into and displaces the masculine public sphere. Only in the final line of the novel’s main story does it become clear to Archer how May has got rid of Ellen. We return to Archer’s library, where he meditated on May’s photograph only two years earlier, “oppressed by this creation of factitious purity” (32). May informs him that their pregnancy has just been confirmed, but she also tells him that she had broken the news to Ellen two weeks earlier—before she was sure. At the time, Archer and May had spoken briefly of May’s conversation with Ellen. Something seemed strange to Archer:

[May] paused again, a little breathless with the unwonted length of her speech, and sat with her lips slightly parted and a deep blush on her cheeks.

Archer, as he looked at her, was reminded of the glow which had suffused her face in the Mission Garden at St. Augustine. He became aware of the same obscure effort in her, the same reaching out toward something beyond the usual range of her vision. (221)

Archer barely allows himself a moment to reflect before he reduces the blush to a reading: “‘She hates Ellen,’ he thought, ‘and she’s trying to overcome the feeling’” (221). Unsurprisingly, he opts for the most banal explanation of redness: anger. At the moment they emerge, May’s blushes are read as ordinary social signs for sexual modesty and then jealousy. These readings lay down an orthodox narrative of women’s subjection to the hypocritical sexual mores of society, where May’s blush at St. Augustine is the sign of her hesitance to have sex before marriage, and her blush in Archer’s library is the jealous rage of the powerless woman whose husband carries on a barely-concealed affair. Like any good narrative, this one establishes clear causes for each blush. But Archer’s vague intuition of May’s grasp at “something beyond the usual range of her vision” reveals the superficiality of this narrative.

In fact, May’s blush refers only to its *kind*; the effect of May’s current glow is no more than to remind Archer of previous instances that were equally enigmatic. But Archer does achieve some illumination. For one thing, he finally acknowledges the capacity of May’s blush to function as more than just the biomechanical response to an external stimulus. For another, he suspects that “the same obscure effort” underlies each manifestation. The blush as recovered gesture does not re-create each movement according to its social or biological function, but evokes the entire undifferentiated field of women’s movement as a pure potentiality. May’s “obscure effort” therefore cannot be segmented into functions like “pleasure” and “reproduction.” There is not, as Archer wishes, and as Knights argues, a taxonomy of the blush, by which one might be able to use it to read women’s interiority. Rather, the blush as ruin brings into the present movement-as-such, which resists the gaze of “proprietaryship” Archer directs at his wife.

IV. Wharton's Ur-Gesture

The gesture catalyzes a scene in and through its disruption. That is, the scene becomes visible not because it forms a coherent representation of an action or event, but by virtue of the refractory resurgence of materials from the past. Its interruptive character ultimately makes the gesture the organizing principle of a new sociality in Wharton because it is in no way anchored to a specific place or a specific person, but opens up formerly private spheres, from the microcosm of the self to the fashionable Academy Theater. Under the pressure of the gesture, the scene ceases to serve as a container within which movement or action takes place. As we will see, the only kind of response befitting the interruptive character of the gesture is another interruption which must, by definition, be different in kind from what it interrupts, and cannot be expected or coerced. This form of connection via disjunction therefore eschews both the embeddedness of an action within a scene and the obligation to respond that an action elicits. Instead, the scene forms itself around the disjunction of the gesture. What the gesture creates is neither an attachment to a place nor an identification between agents, but a participatory sphere that invites its own interruption. The scene thus models a sociality that temporarily coheres and welcomes its own dissipation, a sociality that affirms its own historicity.

Wharton will explicitly connect the sociality built around the lost gesture with Newland Archer's service to progressive politics at the turn of the century, particularly the effort to found a publicly-accessible culture in the form of museums and archives. By the novel's end, long after Ellen's decapment to Paris and May's death, Archer's signal achievements include a part in the founding of the new Metropolitan Museum and the New York Public Library, earning him the designation of "good citizen." At stake in Wharton's preoccupation with gesturality is not aesthetics alone, but its relation to politics. The aim of this section is to articulate the role of the

gesture in the formation of the “good citizen.” Here, once again, the relation between the image and its “home” in the gesture will help establish a link between Archer’s personal attachment to Ellen and his brief but productive public life.

Ellen, we discover, *overtly* participates in this disruption and reconstitution of the public sphere, to the point that Archer is able to articulate her role. As with May, Ellen’s gesturality only emerges in recovery, as a ruin. Archer attends a performance of Dion Boucicault’s melodrama, *The Shaughraun*, of which he has apparently seen numerous productions. He is drawn to yet another production in order to see how the actors handle one scene, and at the center of this scene is a mute gesture:

There was one episode, in particular, that held the house from floor to ceiling. It was that in which Harry Montague, after a sad, almost monosyllabic scene of parting with Miss Dyas, bade her good-bye, and turned to go. The actress, who was standing near the mantelpiece and looking down into the fire, wore a gray cashmere dress without fashionable loopings or trimmings, moulded to her tall figure and flowing in long lines about her feet. Around her neck was a narrow black velvet ribbon with the ends falling down her back.

When her wooer turned from her she rested her arms against the mantel-shelf and bowed her face in her hands. On the threshold he paused to look at her; then he stole back, lifted one of the ends of velvet ribbon, kissed it, and left the room without her hearing him or changing her attitude. And on this silent parting the curtain fell. (81)

We might consider this the *ur*-gesture of Wharton’s novel, as we have already witnessed it in inverted form when Archer stares out the window of the Patroon house and Ellen approaches from behind. There, rather than wait by the fire like Miss Dyas, Ellen is the one who steals up on Archer, and Archer plays the part of the waiting woman. We will also witness the same gesture again in Newport. For now, the scene prompts Archer to remember the previous evening, when he parted from Ellen after persuading her to drop her plans for divorce. But as he himself admits, what links the two scenes is not visual similarity. Rather, the pose, torn out of its

context in the rest of the play, calls forward all of the movements in which it could play a part, including those, like Ellen's, outside the play:

It would have been as difficult to discover any resemblance between the two situations as between the appearance of the persons concerned. [...] Nor were Archer and Madame Olenska two lovers parting in heart-broken silence; they were client and lawyer separating after a talk which had given the lawyer the worst possible impression of the client's case. Wherein, then, lay the resemblance that made the young man's heart beat with a kind of retrospective excitement? It seemed to be in Madame Olenska's mysterious faculty of suggesting tragic and moving possibilities outside the daily run of experience. She had hardly ever said a word to him to produce this impression, but it was a part of her, either a projection of her mysterious and outlandish background or of something inherently dramatic, passionate and unusual in herself. Archer had always been inclined to think that chance and circumstance played a small part in shaping people's lots compared with their innate tendency to have things happen to them. This tendency he had felt from the first in Madame Olenska. (81-2)

In this crucial passage, Archer dimly perceives how the scene works to retrieve a lost potentiality within the space of the present. While he finds no visual resemblance between the two situations, the immediate scene with Ellen makes him think of both her "mysterious and outlandish background" and her "dramatic" quality. The repetition of the scene from drama does not re-present it, nor does it retrieve a specific segment of Ellen's past; it returns the unrepeatable uniqueness of the scene, its difference. To perform it again is to communicate the impossibility of communicating it any other way. Instead, the gesture recalls *movement-as-such*. So Archer's experience of "retrospective excitement," based on the "tragic and moving possibilities" suggested to him, is nothing but the retrieval of pure movement that has not yet been congealed into a definitive action.

The retrieval of the gesture from the previous evening therefore does not re-present Archer's version of events, but a unique kind of dramatic reversal of what *actually* occurred. The evening before, Archer had visited Ellen as her attorney, with the express purpose of dissuading her from pursuing a divorce. First, Ellen, following Archer's advice, had agreed *not* to seek a

divorce, which effectively eliminates any possibility of a romantic relationship between them. Now, Archer looks back on the moment as one that reveals “tragic and moving possibilities.” We are faced with a paradox, then: the scene in which Archer convinces Ellen to cleave to “the daily run of experience” and to behave as the conventions of Society dictate becomes the very one that seems to promise (but not actually provide) release from them. Second, Archer’s hunch that “an innate tendency to have things happen to them” is more influential in human affairs than “chance and circumstance.” During the meeting of the previous night, however, Archer had *doubly* asserted the determining role of the past on Ellen’s situation, first in the form of the “old-fashioned ideas” of Society’s denizens, and second by the inescapability of the “offensive insinuations” her husband has made about Ellen’s past (78). In essence, Archer undergoes *peripeteia*, but without the accompaniment of *anagnoresis*, that is, without the transmissible knowledge that the tragic hero earns. His near equivalent is a “retrospective excitement” that quickens his pulse.

Perhaps the most startling consequence of this reproduction is the reversal of the way we typically conceive of structure, especially the structure of discourse or argument. During the evening before the performance of *The Shaughraun*, Archer was essentially prosecuting Ellen’s case in front of her, insisting that it was his role to “to show you honestly how [their families] judge such questions” (80). Ellen’s response to Archer’s verbal onslaught is essentially its opposite: “her tone was so faint and desolate” (79) and her frozen silences are long and frequent. During one interval, Archer becomes a kind of camera that stores the details of Ellen’s posture: “She paused for a long interval; so long that, not wishing to keep his eyes on her shaded face, he had time to imprint on his mind the exact shape of her other hand, the one on her knee” (78). Ellen’s stillness serves as the provocation that rouses Archer to speech; he finds himself “almost

pleading with her in his eagerness to cover up that yawning silence” (80). Archer’s legal “pleading” is prompted not by the formalities of the law or the exigencies of persuasion, but by the provocation of Ellen’s stillness.

The return of the gesture thus denatures the rhetorical situation in which Archer’s legal appeals would have weight. As a result, the scene cannot be conceived along rhetorical lines, as lending a context that validates communicative acts. Ellen’s mute gestures perform a political function, as they work to hollow out Archer’s appeal to political principles such as collective interest, and therefore clear the way for the imagination of a new order. By making Archer come up with material to cover them over, gestures deprive Archer’s salvos of purpose and coherence. Desperate, Archer “rambled on, pouring out all the stock phrases that rose to his lips in his intense desire to cover over the ugly reality which her silence seemed to have laid bare” (79-80). One of his “stock phrases” is an appeal to “the collective interest” to which the individual case “is nearly always sacrificed.” Since it is offered merely to fill a gap in speech, this political principle becomes hollowed-out, empty chatter. Rather than being structured by the premises of a reasoned legal or politico-theoretical argument, Archer’s discourse is in fact structured by Ellen’s silences. Rather than speech giving rise to a reflective pause on the content of the speech—the moment of true *anagnoresis*—silences issue the demand to be filled by speech, an inversion that recalls Benjamin’s provocative formulation: “interruption is one of the fundamental devices of all structuring” (“Epic Theater” 151). If silence does the structuring, then speech is no longer self-motivated and self-present, which Wharton clearly recognizes: Archer leaves his evening session “bursting with the belated eloquence of the inarticulate” (80). Not only does his speech fail to cover over Ellen’s gesture—it will emerge again and again—but

it becomes hobbled and muted, a mere ruin of the kind of reasoned prose Archer's profession demands.

In the context of *The Shaughraun*, the same posture Ellen had adopted is performed by the actress playing Claire Ffolliott [sic], a young woman whose loyalties are divided between her brother, a suspected Fenian being held by the English, and her lover, an English soldier, Captain Molineaux. Claire gives Molineaux an ultimatum: he must not "speak of love" to her until her brother is released. With speech barred, the romance plot stalls. Claire cannot allow Molineaux to continue his professions of love, nor can she bring herself to order him away so that he might fulfill his obligation to her. Her gesture—back turned, her hands over her face—presents to Molineaux the same options Ellen presents to Archer: he can either respond in kind, or endure the interruptive effects of her silence. While Archer chooses the latter, Molineaux chooses the former, and fills the interruption of Claire's gesture with one of his own. His furtive movement—lurking up behind Claire without her hearing and kissing the ribbons from her dress—is not an act of communication directed at her, but a gesture in which the communicable power of the gesture as such becomes visible. While Archer fills the pause with an unraveled discourse, Molineaux *joins* in the interval that Claire's gesture establishes, and contributes one of his own that sustains the pause even further. To succeed in this delicate operation, the gestures must come to the edge of signification, but no further; Claire's stance must not communicate an invitation, while Molineaux's must not indicate an advance. Each must communicate the communicability of his or her own gesture, its own ability to mean *something*, which is what enables it to fill in time and not be covered over by action or discourse. The two gestures are linked by the fact that the communicability of each depends on the way it differs from the other; Claire's gesture threatens to unravel any romantic action that would follow it, so Molineaux's

gesture avoids being registered as a romantic communication. However, the communicability that preserves these gestures from being definitive actions—their ability to be inserted into a multiplicity of meaningful movements—opens them up beyond just the scene in which they occur. Each gesture is a nod to all its other potential contexts. So while Claire and Molineaux *jointly* demonstrate the communicability of their gestures, paradoxically what connects these demonstrations is a double disjunction: their difference from one another, and the difference between this gesture and all its future reproductions.

Neither gesture constitutes a communication, in the present, to the other, and so the moment of the couple's greatest intimacy in the play is made possible by a separation that makes the characters strangers to one another. The scene thus coheres around a disjunction, and the sociality it suggests is one in which connection or communication no longer depends on familiarity or physical proximity. All things considered, the ribbon on Claire's dress prefigures precisely the function of new media such as the telephone, where connection between two parties does not require familiarity or physical proximity. However, the ribbon is only a found item used to express a mediality that pre-exists it. Wharton appears to be making a point about media that is urgently directed at her audience in 1920: that media is not reducible to nor dependent on a material apparatus.

V. The Scene of Awakening to History

Archer and Ellen, accordingly, will experience their most profound moment of intimacy in the novel as participants in this public sphere. In addition, if Archer can be said to undergo anything resembling *anagnoresis*, it is when he suddenly finds himself stopped in a frieze-like reproduction, in the open air at Newport, of the scene from *The Shaughraun*, which was itself a reproduction of Archer and Ellen's confrontation from the night before. Archer, however,

remembers only the former, not the latter: “Archer, as he watched, remembered the scene in *The Shaughraun*, and Montague lifting Ada Dyas’s ribbon to his lips without her knowing that he was in the room” (151). A public performance thus stands in for Archer’s personal memory, which means that Archer relates to his own past as something not his own, unfamiliar, and externalized.

Archer and May are visiting Granny Mingott in Newport for the first time as a married couple. Since his marriage, Archer has not seen Ellen, and assumes she has remained in Washington. To his surprise, she is visiting Mrs. Mingott, and when he and May arrive, Ellen is strolling on the grounds. It is precisely at this moment that he is forced to take up a gestural relation to his past as if the latter suddenly congealed into a spatial configuration:

From the willow walk projected a slight wooden pier ending in a sort of pagoda-like summer-house; and in the pagoda a lady stood, leaning against the rail, her back to the shore. Archer stopped at the sight as if he had waked from sleep. That vision of the past was a dream, and the reality was what awaited him in the house on the bank overhead: was Mrs. Welland’s pony-carriage circling around and around the oval at the door, was May sitting under the shameless Olympians and glowing with secret hopes, was the Welland villa at the far end of Bellevue Avenue, and Mr. Welland, already dressed for dinner, and pacing the drawing-room floor, watch in hand, with dyspeptic impatience—for it was one of the houses in which one always knew exactly what is happening at a given hour. (151)

As he pauses on his way out to Ellen, Archer experiences the scene he is just approaching, his immediate future, *as his past*, laid out before him. In other words, this unusual sequence suggests, his past has the character of a future, in that it is yet to be decided. Archer’s vision, then, is not an archival photograph that purports to present how things *actually* were, but an unstable assemblage whose components—including himself—appear able to stand for something other than themselves. The scene consisting of items for *future* action then appears as a kind of *figure* for the past, meaning the past becomes something available for action in and through

the present. If the future becomes a figure for Wharton's idea of the past, the immediate past becomes a figure for the future. Archer's immediate past, Mrs. Mingott's cottage, is positioned behind him; Archer takes it to be ineluctable "reality" because it "was what awaited him." But something curious has happened. If Archer "stopped at the sight as if waked from sleep," the sleep-state must have included Mrs. Mingott's. Yet he is sure Mrs. Mingott's is the "reality" that "awaited him." Likewise, the sight of the "pagoda-like summer-house" is unambiguously predicated as "a dream," and yet it is the very sight that jolts Archer "*as if* he had waked from sleep." Wharton very clearly introduces the dream-state without qualifying it as a metaphor; what *is* qualified as a mere "as if" is Archer's awakening. The text rather plainly insists that Archer awakes from sleep *into a dream*. This passage only makes sense if, first, we decouple our own association of "dream" with "unreality" and "awakening" with "reality," and following from this, cease to understand "awakening" as the privileged, self-present, conscious state in which we conduct our lives.³

What Archer experiences in this scene is precisely the "figural" or "image-like" [*bildlich*] relation between "what-has-been" and the "now," an experience for which our closest equivalent is dream, where objects and persons from our (past) waking life appear in the present of our dream-time, and in standing for both for themselves *and* for something else, await their decoding in the future (*Arcades* N3,1). Wharton is keenly attentive to this temporal reversal, in

³ Wharton's sympathies with Benjamin's philosophy of history are especially apparent in this scene. Take, for example, Benjamin's dialectical inversion of our common understanding of terms like "awakening" and "dream." Since the truth of the nineteenth century lies in the phantasmagoric, dream-like nature of commodity capitalism, the historian's task, as Benjamin puts it, is to awaken *into* the dream, "To pass through and carry out *what has been* in remembering the dream!—Therefore: remembering and awakening are most intimately related. Awakening is namely the dialectical, Copernican turn of remembrance" (*Arcades* K1,3). Remembrance, like the moment of awakening, provides a momentary critical distance from history as determining continuum: "history is not simply a science but also and not least a form of remembrance. What science has 'determined,' remembrance can modify" (*Arcades* N8,1).

which our past opens up to us as a future. So attentive, in fact, that Archer literally comes face-to-face with his past *as a scene to be decoded*; thus it becomes a task laid out before him, which will absorb his *future*. As in a dream, the items laid out around him constitute his everyday life, but also insist upon him in a strange way. They become enigmatic, which restores them to *readability*, the suspended, *virtual* capacity to stand for something else. They are not quite figures, as they do not stand for something determinate, but they are not quite self-identical objects either, as, collectively, they appear to stand for *something* other than themselves.

Unlike a personal dream, however, this experience is not happening within Archer's psyche. Rather, he himself becomes one of the elements, which explains why he is awaking *into a dream*. Archer's ability to experience this sudden flash of awareness is not proprietary, but public; it is an awakening to historical experience in general, which Benjamin theorizes as readability or as the "Now of recognizability": where a disparate assemblage of persons, objects, or images suddenly coheres to become readable, to offer itself forward as a self-consistent language (but one for which we do not yet have the key). This instant happens just like the chemical process of crystallization, where one element causes the others to precipitate into a relation with it. What is being recovered, for just an instant, is the truth of the relations between people and things under capitalism in the late nineteenth century, which, as in a dream, submerges the subject within a seemingly timeless, phantasmagoric state. The sudden, camera-like flash of readability or recognizability serves to punctuate this dream-like state and recover from it historical time, but not from some external critical point; from *within* it.

For Wharton, the frozen, captured gesture serves precisely to recover a properly historical time that has been submerged by the repetitious life of the New York elite. The frozen gesture is uniquely prepared to do so because it is a stoppage within the flow of habitual, everyday life that

suddenly becomes readable; it precipitates a scene that erupts and appears to communicate. Everyday coordinates—including and especially the *self*—become strange, seem to stand for something else. Wharton, as we will see, is deeply invested not just in the dream-state that is New York society, but in the way coordinates emerge from within it. Archer's scene with Ellen will therefore repay close analysis.

On one hand, the scene is a composite of elements reproduced from elsewhere in the novel. As Archer watches Ellen, his phrase, "She doesn't know—she hasn't guessed," echoes the one he used while watching May watching Madame Nilsson in the performance of *Faust* that opened the novel: "She doesn't even guess what it's all about." The posture being reproduced here is most obviously the one from *The Shaughraun*, but it also reappears in two other instances: the encounter Archer had with Ellen as her lawyer the night before the performance of *The Shaughraun*, and the moment of his solitary meeting with her in the Patroon house. On the other hand, the fact that it concentrates so many bits and pieces from elsewhere in the text makes the scene itself an inimitable montage. Moreover, the layering of images from multiple contexts makes any appeal to the immediate context of the scene impossible. We are thereby forced to reckon with its present-ness, its utter singularity, all the while knowing that the elements that make it up lead us to multiple pasts.

Archer approaches Ellen initially as the object of his social task. He is directed by a servant to the path down which Ellen is supposed to have traveled. When he finds her inhabiting the "pagoda-like summer-house" at the end of a pier, he "stopped at the sight as if he had waked from sleep." At that moment, the scene is transformed into a "vision of the past." What had been a space draped with the coordinates of Archer's social life suddenly becomes a still image, a vision. As "ordinary" space, the lawn outside the Mingott household

was no more than the container of Archer's action. Mrs. Mingott orders Archer, "Run down and fetch [Ellen], like a good grandson" (150). The implications of this order are clear: it would bring Archer, Ellen, and May together in the same room for the first time since Archer and May were married. Mrs. Mingott, a keen reader of facial expressions, would be well-positioned to sniff out Archer's secret affections. However, Archer's denial of her command would immediately raise suspicion, as he has maintained a facade of the purest familial affection for Ellen. The house and its environs are the space of determinateness, where every movement is read as part of some meaningful action. Archer's stroll outside in search of Ellen is an—admittedly mundane—instance of what counts as narrative progress for the Mingotts. Ellen, the object of this progress, suddenly turns the tables on it. Once Archer sees her, motionless, not just his errand but the entire social world of which it is a part appears to him under an entirely different guise, as senseless movement, with Mrs. Welland's carriage "circling around and around the oval at the door," and Mr. Welland "pacing the drawing-room floor, watch in hand, with dyspeptic impatience." Newport life, here represented by Mrs. Mingott's and Mr. Welland's domains, is transformed from a sequence of social accomplishments to a state of eternal Sisyphean punishment over which "shameless Olympians" appropriately preside. In turn, if the perpetual motion characterizing social life is mindless, then stillness becomes *mindful*, purposive even if its purpose is not apparent. Just moments ago Ellen was Archer's *object*; now she is the site of mindfulness. Ellen's image, rather than Archer's gaze, functions as the "seed" that crystallizes the scene on the Mingott lawn, and it does so by retrieving its own potential meaningfulness, its status as a position that cannot immediately be *read* but instead displays its *readability*.

Though her pose calls to mind for Archer the scene from *The Shaughraun*, it in fact bears a much more concrete and *critical* relationship to its immediate surroundings. Its power comes from the way it does not simply oppose the onward rush of social visits and dinners, but *exposes* it, lays it bare from within. What we might think of metaphorically as a “critical gesture” is in fact *literally* a gesture that brings Ellen (and Archer) into relation in a scene that performs an essential critical function. And, much more than an individual act of defiance on Ellen’s part, her image precipitates a participatory sphere that solicits Archer, as well. As soon as Archer pauses on his way toward Ellen, the movement that had apparently executed Mrs. Mingott’s command is instead interrupted by an image—one person facing away, the other standing behind—that recurs in both dramatic and everyday scenes throughout the novel. Whether Archer’s walk will be an action or a gesture hinges on whether Ellen turns around; if she acknowledges him, then Archer’s movement immediately becomes an *action* in service to Mrs. Mingott. Archer, of course, initiates the task he is assigned out of sheer habit. But when he comes across Ellen, her back turned, his errand is interrupted.

Her positioning and posture preclude the kind of automatic recognition on which habitual social behavior depends, and so it becomes a coordinate that enables Archer to “awake” within the dream-state of his automatic social tasks. Indeed, Archer at first only perceives “a lady” before him, and yet this is sufficient to stop him in his tracks “as if he had waked from sleep.” This “sleep,” of course, is precisely the habitual behavior, the blind obedience to the matriarch’s commands, that Archer exhibits as he strolls out in search of Ellen. In its thrall, Archer is unwittingly acting against his own self-interest. Were he to bring Ellen back inside Mrs. Mingott’s cottage—for the first time since he and May were married—he would create a potentially damaging scene, where his awkwardness around Ellen would reveal his secret

affections to the Mingott clan. Ellen's posture, however, suspends Archer's habitual obedience by disabling the transparent intelligibility that subserves the somnolent behavior of habit; she is neither in a position that recognizes Archer, nor in one that refuses his advances. But neither does she stand in some way aloof or apart from Archer's social world. Ellen's image, as she stands at the end of the pier, would fit just as easily into a humdrum scene in which Archer sees her, approaches her, and calls her back into the house. If Ellen's pose is consistent with these multiple courses of action, but not reducible to one, it is not actually *communicating* in the scene, not *indicating* that it is part of an action, but showing its *communicability* or *quotability*. Ellen's pose in the present is not determined by what she is doing in the here-and-now, but exists *virtually*.

Its virtuality is produced by a particular tension. On the one hand, to be marked out from the scene, the pose must be repeatable, like a sign. But on the other hand, if the pose *were actually* to become part of another scene, say, one in which Archer finds Ellen and leads her back into the house, it would not be communicating anything on its own—it would be absorbed into action. Whatever other contexts the pose might be eligible to appear in *as a pose*, recognizable on its own, must remain unknown, because a known or expected context instantly absorbs it into a continuum in which it no longer stands out. Likewise, if its previous instantiations are recounted as part of a narrative, its own communicability is lost. Its bare ability to be noticed, to stand out, depends on its capacity to be repeated elsewhere. However, none of these other possibilities can be described without thereby absorbing the pose and eliminating its communicability. If it repeats the past, as Ellen's pose clearly does, it does not confirm an identity or pre-established meaning. Such repetition, to paraphrase Samuel Weber, is *nothing* apart from its reenactment (206). Its bare reappearance without the accumulation of

some insight about it only further entrenches its enigmatic nature. As we consider how it might be repeated in the future, as soon as we contemplate *scenes* in which it might appear, we absorb it into narrative—we make it *communicate*, and cancel its communicability. The pose thus performs a powerful function with respect to both the past and the present. Concerning the past, it stands as a repetition of the past *in the present*, and by rendering its previous instantiations enigmatic invites re-reading of the past. Hence the repetition is what precipitates the “Now of recognizability,” where the past is retrieved from decisive *readings* back into a state of enigmatic *readability*.

This explains why the scene we have been examining appears to Archer as his “past” laid out before him: what had been a sleep-like series of identical repetitions has been restored to a singular strangeness that invites interpretation. Concerning the future, the pose opens the present to an unknown and unknowable future, and thereby breaks it out of its predictability. Because its future instantiations as a pose can only be imagined outside known parameters, the pose acts as a kind of assurance in the present that *everything* could in fact be different. Ellen’s still stance “awakens” Archer from the hellish repetition of the Mingotts’ and Wellands’ world, where “one always knew exactly what is happening at a given hour,” by bringing about what Weber calls a “transformation of repetition from a process aimed at reproducing identity to one that allows for the *aporetical resurgence of the singular*,” in which repetition paradoxically affirms the unrepeatable uniqueness of what it repeats (203). This need to repeat then opens the present to the past, since the past must now *take place* within the present, and the future, since a condition of the repetition in the present is that it be repeatable again.

When Archer enters into this scene, then, he sacrifices the scopic self-presence on which his “proprietorship” over May had depended, and himself becomes part of the cinematic reel of

reproduced images. As Archer looks out at Ellen, he recycles a phrase he has already used on both Ellen and May: “She doesn’t know—she hasn’t guessed” (151). In the very effort to make of Ellen an unknowing object of his knowing gaze, Archer resorts to well-worn material. With a repeated line referring to a repeated image during a repeated posture, Archer’s estimation of Ellen, “She doesn’t know,” is less an observation than a linguistic ruin, a bit of the bricolage that adorns the scene, but fails to *describe* it. In a scene he thought he might be directing, Archer is in fact no longer in possession of a stable self, but consists of borrowed materials without the secure anchor of a fixed spatiotemporal coordinate or an “original.” Archer’s momentary awakening is thus paradoxically an awakening into a state where one’s appearances and utterances cannot be held together by some privileged point outside their comings and goings.

But Archer does on some level recognize that the condition of his access to Ellen is not the detached gaze of the masculine proprietor but the wholesale submission of self to the alien rhythms of mechanical repetition, and in this climactic scene, engineers a curious exercise to prove it. His repeated line is followed immediately by an experiment: “‘Shouldn’t I know if she came up behind me, I wonder?’ he mused; and suddenly he said to himself: ‘If she doesn’t turn before that sail crosses the Lime Rock light I’ll go back’” (151). As he stands “irresolute,” Archer sees the Ida Lewis lighthouse off in the distance, and a sailboat in the middle distance. Using his own position and the lighthouse, Archer establishes a line that the sailboat seems to be approaching. Whether it crosses in time or not depends on an indistinguishable mix of human and environmental factors: the intended destination of the boat’s helmsman, wind speed, current. Moreover, the framework of this impromptu “race” depends entirely on Archer’s relative position with respect to the fixed lighthouse and the moving sailboat. Time is no longer

measured as it is in the Mingott household, where “one always knew exactly what is happening at a given hour,” but has become spatialized, marked only by relative differences of position.

If time is purely relational, dependent on the relative movement of objects in the scene, then Archer has finally joined Ellen in attaining the status of “image,” not in the sense of an actual reproduction, but as something defined by its reproducibility, its ability to appear in a number of different contexts. This complex tableau thus captures or “exposes” Archer and Ellen in a state of reproducibility. In achieving this virtual status, Archer and Ellen discover a means of connection that avoids the censure of Society because it is perfectly consistent with conventional behavior. The moment Archer pauses on his way out to Ellen, he risks incurring judgment from two different sides. First, he is not quite obeying Mrs. Mingott’s command to “fetch” Ellen. Second, he is in a pose that could be construed, by his wife, as a longing gaze at another woman. To succeed, however, both of these readings of Archer’s pause would need to refer his stillness to the time of his departure. Either his wife or Mrs. Mingott would have to register that too much time had in fact passed. Yet the predictable repetition of Society life obscures just that: the fleeting duration of ordinary gestures like the strolling required to “fetch” a person. Because the fleeting bodily effort that goes into the task is utterly disavowed, there is simply no measure by which Archer’s stroll could be determined to be too long. So it is precisely because Archer’s actual walk is expected to be a perfectly reproducible sequence, one that neither expends energy nor takes up a time and place, that he is able to interrupt it without consequence. If what satisfies convention is the still, reproducible image, then Archer’s frozen posture on the way to Ellen is, quite literally, the picture of compliance. It can be taken as Archer undertaking his task. It is the nature of conventionality-as-reproduction, then, that offers the interval for its own interruption.

The reproducibility of social compliance is precisely what enables social performances to recover lost gestures, and with them the fleeting, everyday experience of history that is embodied in the gesture. If Archer and Ellen carry on any kind of relationship, it is in the lost time of the gesture, which in the novel amounts to all the efforts of walking, sitting, and standing that are usually absorbed into specific social behaviors. So it is not by evading but by embracing their status as reproducible images that the two are able to achieve their greatest intimacy in the novel. Their pose attains to virtuality because, in order to be conventional, it has to be reproducible for all to see.⁴ Archer's scenic experiment simply makes manifest and unavoidable the consequences of this reproducibility by making the relativity of one's image to other images a principle of visibility as such. Rather than taking his own or Ellen's stillness as a starting point, Archer starts from the perspective of movement. The stillness that we would ordinarily attribute to a lack of movement, to the simple fact of spatiotemporal fixity, then becomes a deliberate, physical feat on Ellen's part. We might say that her stillness becomes a *stance*. Ellen can only be said to be actively standing still in Archer's scheme if, from his perspective, she does not move her body in the time it takes for two other scenic elements to achieve a new position. Once brought in relation to a scene imbued with movement, Ellen's pose endures through time, where every moment that passes reveals the bodily disciplining that goes into the pose, and where stillness continued too long into the future becomes, as it does for Melville's *Bartleby*, strange and disruptive.

Archer's scenic experiment shifts the context ever so slightly so that the still image of Ellen is, to borrow a phrase from Benjamin, "filled to the bursting point with time." Archer's

⁴ Here Granny Mingott's oft-remarked corpulence, which prevents most kinds of movement, becomes more than an idiosyncrasy: it is doubly-determined by the structural requirement that all social behavior be transmissible, obviating and obscuring both the real efforts that produce the behavior and the need to be physically present to witness it.

bodily orientation is similarly transformed from being the stoppage of an action begun in the past to being the tensed expectation of some unknown event in the future. A stationary pose becomes total bodily coordination and involvement in the scene, the fullness of effort rather than its absence. The still images of Archer and Ellen, once brought into relation with other images—once their reproducibility or mobility is fully embraced—restores the sense of time that makes these purposeful *gestures*. What come to the fore are thus the mundane bodily efforts normally cast into the background, but which are no less than the body's experience of history.

Endowed with a new consciousness of the time that passes in the gesture, Archer not only notices the movements he himself has been expending, but grasps how the bodily labor forgotten by social life marks or “charges” social space:

The young man, as he followed his wife into the hall, was conscious of a curious reversal of mood. There was something about the luxury of the Welland house and the density of the Welland atmosphere, so charged with minute observances and exactions, that always stole into his system like a narcotic. The heavy carpets, the watchful servants, the perpetually reminding tick of disciplined clocks, the perpetually renewed stack of cards and invitations on the hall table, the whole chain of tyrannical trifles binding one hour to the next, and each member of the household to all the others, made any less systematized and affluent existence seem unreal and precarious. But now it was the Welland house, and the life he was expected to lead in it, that had become unreal and irrelevant, and the brief scene on the shore, when he had stood irresolute, halfway down the bank, was as close to him as the blood in his veins.

All night he lay awake in the big chintz bedroom at May's side, watching the moonlight slant along the carpet, and thinking of Ellen Olenska driving home across the gleaming beaches behind Beaufort's trotters. (152-3)

Reversals from awakening to sleeping become almost vertiginous: Archer awakes to a place he had long passed through as if drugged, only to find that it “had become unreal and precarious”—like a dream. Once again, he awakes into a dream, and the coordinate that enables him to do so is his “irresolute” stance. It is what measures out time, introduces the crucial indication that *passage has in fact occurred*. Left in the dream-state of Society life, time appears to stand

still, so that the usual measures of time like a clock and the stack of calling cards remain “perpetually” the same. The instant of awakening, by introducing the signpost of passage, reintroduces into the dream-time of Society the set of spatiotemporal coordinates needed for it to become *historical* time. Just like the first scene in which Archer and Ellen, as lawyer and client, performed this pose, the structure is determined by interruption, not by positive knowledge or goal-oriented action. “Reality” is not the solid ground from which Archer strays in his dream-moment, but something that only gets its shape from the interruptions that disturb the seeming timelessness of the routine. Only *after* experiencing the past as a dream does the sleep-filled past and future deserve the predicate “reality.” Wharton’s keen awareness of this unusual temporal structure is clear from the long passage just quoted, when Archer returns to the very house he had, during his “brief scene on the shore,” called “reality”; he now realizes how it “always stole into his system like a narcotic.” In other words, it is only real insofar as its unreality is grasped as a describable, historical phenomenon.

Archer realizes, that evening, that “the brief scene on the shore, when he had stood irresolute, halfway down the bank, was as close to him as the blood in his veins.” The scene thus functions in Wharton as the character’s identification with the material conditions of his social existence *in their evanescence*; it constitutes his presence within genuinely historical time. As the circulatory simile suggests, Archer thinks of body and scene as one: the lack of separation between self and social life. However, the price of this identification is both his temporal and spatial separation from Ellen. Archer and Ellen’s repeated scene thus serves a crucial historiographic function. It provides the photographic “flash” of awakening that establishes the socio-historical coordinates needed to move within the dream-time of New York Society. The gesture, as the paradigm of our day-to-day sociohistorical existence, is a continuous movement

through time and space; as such, it cannot be recovered in its entirety. In a compelling sense, the loss of the continuity of the gesture in the nineteenth century is the loss of sociohistorical self-awareness, a loss nowhere more clear than in Archer's final estimation of his wife: "Her incapacity to recognize change made her children conceal their views from her as Archer concealed his; there had been, from the first, a joint pretense of sameness" (244). But its recovery in the present punctuates or structures what would otherwise be an endlessly repetitive existence. By establishing spatiotemporal coordinates in and amongst this narcotic or dream-like state, it also disturbs the sharp distinction between "fiction" and "history." If, as Wharton seems to suggest, the history of nineteenth-century America can only be navigated as a collective dream, then what we typically understand as "fiction" serves not as an excrescence on the record of historical truth, but its primary mode of access.

Chapter 3

Making a Scene: The Productive Realism of F. Scott Fitzgerald's *Tender is the Night*

Immediately following the publication of his last completed novel, *Tender is the Night*, F. Scott Fitzgerald is forced to reckon with a near-consensus of critical opinion about its narrative.

Clifton Fadiman, writing for the *New Yorker* on April 14, 1934, offers a representative response:

The actual decay of these super-civilized people [...] is traced with masterly narrative skill, but the primary causes of the decay are not made clear. (Nicole's mental instability and Dick's infatuation for Rosemary are only the detonators). Dick's rapid acceptance of his failure, for instance, is not convincing; there must have been some fundamental weakness in his early youth to account for his defeatism. [...] The events of the narrative, tragic as they are, are insufficient to motivate his downfall. (qtd. in Brucoli 6)

In his study of the novel's reception, Matthew Brucoli sums up the critical accounts of the novel as "attacks on the verisimilitude of Dick's decline" (7). Fitzgerald's effort to restructure the novel, continued by Malcolm Cowley after his death, sought to motivate the decline by restoring the novel to chronological order, removing the flashback in the middle, and thereby rooting the decline in Dick's past. In Cowley's opinion, the missing motivation for Dick's disintegration was an effect of the "uncertainty of focus" of the earlier version: "We weren't quite sure in reading it whether the author had intended to write about a whole group of Americans on the Riviera—that is, to make the book a social study with a collective hero—or whether he had intended to write a psychological novel about the glory and decline of Richard Diver as a person" (qtd in Brucoli 10). Cowley's edition clearly attempts to steer the latter course, but fails to offer the clarity critics sought. As Brucoli shows, the critical response to Cowley's edition still complains of, as one critic puts it, a "fatal diffuseness" (12).

Most recent critics have adopted a posture of acceptance toward the version published in 1934, recognizing that its structure might be better explained by an appeal to forms other than

the linear psychological novel. But one avenue of inquiry into the problem raised by these early critics takes us through previous versions of the novel, which Fitzgerald had worked on for many years before turning to the version that was ultimately published. Along with its protagonist, *Tender is the Night* is a strange palimpsest that contains an abundance of material transplanted from previous versions whose plots bear little resemblance to the published novel. The first of the previous two versions, *The Melarky Case*, which Fitzgerald worked on from 1925 until 1930, features the prototype of Dick Diver, but as a minor character, Seth Roreback. The story follows the actual protagonist, Francis Melarky, who murders his domineering mother. A fragment of this text published in 1948 as “The World’s Fair” depicts Melarky carrying on a liaison with Roreback’s wife, Dinah, as Roreback makes his way up the stairs of their apartment building. The character who would become Dick is cuckolded by Melarky. The infidelity would make sense of Dick Diver’s decline had Fitzgerald preserved the same roles for each character. But he does not, and completely reconfigures the gender dynamics. Dick inherits the charismatic qualities of Seth Roreback, but also plays the philandering spouse, which would identify him with Dinah were he not male. As the agent of infidelity, he is closer to Melarky, but Melarky’s position—as a Hollywood insider who causes trouble in the couple’s marriage—is taken by Rosemary Hoyt, a teenaged actress. Yet the character-who-would-become-Dick seems faithful to his heritage as Dinah, as he retains subordination to a male protagonist even as he takes the position of lead, which becomes especially clear in *Tender* when the mercenary Tommy Barban moves in on Nicole beginning in the very first scenes. If, structurally speaking, Dick is Dinah, then it would appear that his status as protagonist owes to little more than Fitzgerald’s decision that he must, at all costs, have a male protagonist, despite the obvious drift of the Melarky role toward Rosemary. Fitzgerald’s phallocentrism in his selection of a protagonist—who is, we

must not forget, named Dick—requires the forgetting of the double castration that lies in Dick’s characterological heritage, in the cuckolded Seth Roreback *and* the cuckolding wife, Dinah.

Dick’s decline, then, originates in the subordination to an alpha male that is doubly encoded into the genesis of his character. Dick suffers from a literary-genetic conflict neither he nor his creator could hope to resolve. His *hamartia* is of a uniquely intertextual variety.

The problem that is far greater than the motivation for Dick’s decline is therefore the mechanism by which he, as an ostensibly different character in a different novel, draws with him the vestiges of his discarded Others, even when these hamper the narrative unity critics seek. When we consider the fact that Dick Diver and the novel as a whole are animated by their previous incarnations, we come to re-value the novel as part of a production process that it never really leaves behind, and that troubles any hard distinction between the process and the product. The primary means by which previous versions are carried into the present, I argue, is neither plot nor character, but the *scene*, an element that clearly exists in narrative fiction before Fitzgerald, but which picks up its uniquely productive function thanks to the advent of film. In the novel, the scene had traditionally functioned in service to narrative as a kind of container for units of action. Film, in contrast, utilizes the material discreteness of the scene—the fact that it must be captured on its own and then configured into a narrative later—as a principle of production.

Screenwriting practices evolving in the 1920s and 30s would have exposed Fitzgerald to one key notion: the separation of the system of scenes from narrative continuity. As Steven Price shows, this separation is a function of the rise of the studio system, in which both roles and the documents that pertain to them become specialized. Scenes and narrative were developed in separate documents, the aptly named “scenario” and “continuity.” Starting around 1913, a studio

might hire a famous writer like Fitzgerald to develop the “scenario,” but then employ “a separate set of technical experts” to produce the narrative “continuity” script (77). Fitzgerald’s stints writing for film began in 1927, just as he started work on the Melarky version of the novel. Aaron Latham details Fitzgerald’s trials in Hollywood, which began when he was hired to write a story for a film in 1927. In Latham’s telling, Fitzgerald smacks up against precisely the division between the story, conceived as a set of vivid scenes, and the “continuity,” which is produced by a technical expert. Both his 1927 and 1931 screenwriting ventures ultimately fail, not because Fitzgerald cannot bear to sacrifice creative control—he was, after all, desperate for money—but because of his amateurish inability to negotiate the complex system of production in which he was only a small part. His first attempt, *Lipstick*, as Latham puts it, reads like a short story rather than a scenario; it contains “ideas and emotions which could never be photographed” (56). During his 1931 drafting of *The Red-Headed Woman*, Fitzgerald chafes against Marcel de Sano, the writer hired to do the technical version of the script. He considers appealing to the producer who hired him, the legendary Irving Thalberg at MGM, but is warned that such a move violated studio protocol. Fitzgerald is forced to accept the fact that the “continuity” was a separate layer added to his own work, and would likely be reformulated without his input or consent. Moreover, the studio process, as Walter Benjamin perceives in his “Work of Art” essay, is itself fragmented into scenes that never cohere into a single, intelligible whole.

The externality of narrative to scenes is reinforced in another way during this crucial period. Fitzgerald gets his start in Hollywood during the transition from silent film to the “talkies.” Whereas narrative cues during the silent period reside outside the filmed material, for instance, in intertitles, the introduction of synchronized dialogue recreates a narrative continuity akin to that in theater. However, its incorporation into films that had already been “silent” for

almost thirty years underscores how narrative continuity is a late addition, a function of technological development rather than a native resident of the filmed scene. In 1927, as Price shows, writers were challenged to figure out how to accommodate spoken dialogue in new films, and what to do with projects that had already been filmed without it. One response was to introduce dialogue in small increments. *The Jazz Singer*, with only two instances of dialogue, “suggested that audiences might temporarily accept the ‘part-talkie’” (120). Another was to reconfigure silent films for spoken dialogue, and an even more labor intensive option was to issue both versions of one film. For a writer in the midst of this transformation, the lesson is clear: narrativity is an external intervention, and can vary from scene to scene.

Demonstrating how the scene separates from narrative thanks to technological developments and corporate practices enables us to rigorously historicize the unit of literary form that Percy Lubbock identifies as characteristically modernist. My aim in this chapter is to fully flesh out the narratological priority of the scene in Fitzgerald, and to demonstrate how this priority turns the text itself into a productive process rather than a product, which regards its own narrative as an artificial excrescence on an actively unfolding relationship between scenes. *Tender* so closely identifies its own scenes with those of an active film set that many significant moments actually take place on or orbit around working film lots. More than a flourish, this identification reveals the novel’s internalization of the material limitations of recording technology, specifically, that the need to record specific passages of video or audio apart from their place in a larger narrative enables a different orientation to time, wherein participants inhabit time as duration rather than time as chronology. That scenes inhabit duration rather than chronology means they face both past and present differently: a scene produced much earlier can sit in storage, as they clearly do for Fitzgerald, awaiting its place in the novel; and those that find

their way into the published text are constitutively open to time. The filming of a particular scene, for example, takes place with the awareness that the productive apparatus is actively producing other scenes with which the current one will ultimately form a whole. However, that this whole is not given until much later demands that the present scene unfold as it is lived. Most important, its significance is not a function of a narrative *denouement*, in which the actions that unfold within it become intelligible as part of a chain of cause-and-effect, but of a material operation of editing and reconfiguring. The scenes contained in the published version of 1934, which we will examine in this chapter, not only derive from previous work of Fitzgerald's, but are also subject to reordering later. *Tender* offers perhaps the most famous case of the reconfiguration of scenes in all of twentieth-century literature; Fitzgerald's impetus to reorder the novel, ultimately completed and published posthumously by Cowley in 1948, presents the 21st-century reader with *two* versions. Moreover, upon finishing *Tender*, Fitzgerald immediately sets to work on a treatment of the novel for Hollywood, which fundamentally alters the plot and adds new characters (Latham 83). The ordering of scenes in the 1934 novel, it turns out, is *actually* contingent on earlier and later productive activities.

My argument, however, is that this scenic contingency enters into the fabric of the novel itself, to the point that it produces the narrative, rather than vice-versa. The scene in *Tender* ceases to function as a container for narrative action, and comes to assume an agential role in the way that it lays bare the productive process of which it is a part. The central conflicts in the novel cannot be characterized as conflicts between characters' intentions, actions, or attributes; they are conflicts between those, like Dick, who cleave to the illusion of narrative continuity, and those, like Nicole Diver and Rosemary Hoyt, who actively participate in the productive processes by which scenes are created. Novelistic action is thus thoroughly mediated through

scenic production, whether through Rosemary's screen performances or Nicole's phonographic sessions. Scene becomes the medium on which characterization and narrative depend, a reversal that takes some adjustment, since to experience a scene *as a scene* rather than as a node in a larger narrative is to absorb it in all its singularity.

When scene precedes and constitutes narrative, it is not subordinated to communicating the contents of the narrative, and so scenes connect in a way that affirms their singularity: via repetition. Deleuze attempts to resolve this paradox by insisting that "repetition is a necessary and justified conduct only in relation to that which cannot be replaced" (*DR* 1). One repeats only what cannot be exchanged easily with something else. *Tender* is structured by a scenic repetition in which what returns is contingency rather than identity. The Divers' social circle only coheres thanks to the recurrence of unrepeatable, and usually traumatic, events, including two murders. These bear no direct relevance to the action or to the main characters, but function only to galvanize them as a group of helpless spectators. Characters like Rosemary and Nicole end up occupying an influential place in the narrative not because they anticipate or control outcomes, but because they actively affirm the repetition that returns only contingency.

In its reliance on external sources of contingency, the scene ultimately serves as the entry point for the productive uncertainty of history itself. Fitzgerald composed the novel during the very period in which synchronized sound film became commercially viable. During the transitional period in which the novel is set, at the end of the 1920s, practices from silent film coexist alongside the new presence of synchronized dialogue. For some films, both a silent version and a "talkie" are issued. The contents and organization of any one scene—whether it has music or dialogue, for instance—come to depend on the technological capabilities available in a particular time and place, perhaps even in a particular theater. At crucial junctures in the

novel, Dick and Nicole are exposed to an adventitious soundtrack that demonstrates how the scenes they inhabit are held together by changing technical capacities. The narrative continuity of their own relationship is revealed to be dependent on the intervention of new technologies that promote continuity between scenes. The materials of the scene thus lay bare the productive process on which a linear narrative is an excrescence. In doing so, they make clear how the narrative of Dick and Nicole is a creation external to the scenes in which they are captured, one that is likely to undergo future alterations. Rather than persisting through narrative, social formations like marriage and nationhood are renegotiated in terms of the concrete but unstable relations of the scene. The novel welcomes both its own reconfiguration and, as Fitzgerald puts it, “the shifting about of atoms to form the essential molecule of a new people” (81).

I. On Being Exposed: Scene, Duration, and Narrative

Fitzgerald’s investment in the scene as the generative source of narrative—rather than vice-versa—becomes clear from the novel’s opening pages. While a causal connection between distinct scenes still holds to some degree, it fails to explain both how the characters cohere into groups and how they relate to place. The novel’s opening at Gausse’s Hotel on the French Riviera is focalized through a young film star, Rosemary Hoyt, which immediately trains our attention to the resemblance between the hotel and a film set. Rosemary reserves her room as if she were playing a part, in “idiomatic but rather flat French, like something remembered” (4). When she makes her way down to the beach, she finds a multitude of scenes in progress. John T. Irwin reads this moment as an instance of the “interaction of professional theatricality and social/theatrical performance” (110), except the multiplicity of ongoing performances that are opaque to one another much more closely resembles the activity of the film set. Rosemary’s

professional eye is hardly necessary for her to notice “the man in the jockey cap was giving a quiet little performance for [his] group,” which is all the more interesting to beachgoers precisely because they have no idea what it is supposed to mean; it appears only as an “esoteric burlesque” (6). In strong contrast to a narrative that begins with intentional or even just intelligible actions, the interaction between characters gets underway in the novel when Rosemary witnesses Dick’s performance as an outsider, one who is not the intended audience, and for whom the performance does not make sense.

Gausse’s division into multiple, ongoing scenes evokes the film set, which appears to the outside observer as discrete modules of activity unconnected by narrative or other coherence. Fitzgerald’s opening to the novel thus *visualizes* narrative potential. The narrative emerges by virtue of the multiplicity of scenes, which contain ongoing behaviors that the narrative does not coordinate. Dick’s performance has no narrative content, and so does not *serve* plot. The way scene functions independently of plot is that the scene as a discrete unit emerges out of its difference from a whole, but a *virtual* whole, which consists of a multiplicity of scenes that *could* be. Dick Diver, who ultimately becomes the novel’s protagonist, first enters the text as “the man in the jockey cap.” His status as an unknown figure in the background, however, provokes an interest in Rosemary that makes her impatient with the first group of American tourists that attract her attention. Even before actually interacting with either Dick or the other group, comprising Albert and Mary McKisco, Royal Dumphry, and Luis Campion, Rosemary already “form[s] a vague antipathy” to them (6). Before becoming fully-predicated characters, Dick and his circle nevertheless exert influence on the narrative by virtue of the interest they attract. This interest, however, is based only on the way they arouse Rosemary’s impatience with the *actual* scene in which she is involved. They do not provide a specific alternative scene, but simply one

that is *other*. Rosemary therefore has no specific reason to dislike the McKiscos, but judges them only based on their difference from a vague alternative: “She did not like these people, especially in her immediate comparison of them with those who had interested her at the other end of the beach” (8). The scene in which Dick gives his “quiet little performance” thus impacts the narrative because, as “esoteric,” its significance suspended, it sustains Rosemary’s impression that the beach is a concatenation of separate, productive territories that do not cohere into an easily intelligible pattern.

Rosemary’s method of differentiating the groups further endows each with narrative potential simply by virtue of its exposure on the beach, which reinforces not only the visual resemblance to a film set, but its productivity, as well. Rosemary, finding “a tanned woman with very white teeth,” became “suddenly conscious of the raw whiteness of her own body.” Just as quickly, she realizes that this difference is what constitutes the social groups on the beach: “Farther up [...] sat a group with flesh as white as her own,” who, she infers, “were less indigenous to the place. Between the dark people and the light, Rosemary found room” (5-6). Indigeneity is gained not by birth, heritage, or any other index of physical belonging but by *time*, literally the time of one’s exposure to light. If the criterion of belonging is the duration of exposure, then social preeminence at Gausse’s is attained the same way as status in film, by dint of the time one’s image is cast forth by the light of the projector.

But it also means that everyone on the beach is conscious of being constantly visible, endowed with the potential to enter into focus. Rosemary, the newcomer, finds the beach “too bright to see,” and quickly feels “the impactful scrutiny of strange faces” (4). During her first swim, she finds a man “regarding her attentively” (5). Thinking she will be safe with the unexposed set, Rosemary makes her way to the “untanned people,” who introduce themselves

with a word of caution: ““We wanted to warn you about getting burned the first day”” (7). If we follow the terms of belonging just discussed, getting burned would be the mark of the parvenue, eager to short-circuit the temporal investment required for true belonging. But the “untanned” quickly establish a link between the terms of sheer physical exposure and those of narrative:

“We thought maybe you were in the plot,” said Mrs. McKisco.

[...]

“We don’t know who’s in the plot and who isn’t. One man my husband has been particularly nice to turned out to be a chief character—practically the assistant hero.”

“The plot?” inquired Rosemary, half understanding. “Is there a plot?”

“My dear, we don’t *know*. [...] We’re not in it. We’re the gallery.” (8)

Those who are sure they are *not* in the plot are those unexposed to the light. This simple equation is striking in the way that it renders narrativity a function of exposure rather than action, which suggests that Fitzgerald imagines the novel itself as a cinematographic narrative, in which the measure of narrativity is *duration*. On careful examination, the division between those who are in and out of the “plot” cannot be read from skin color alone, since everyone on the beach could very well be on their way to *becoming* tan. Likewise, the status of these outsiders only becomes evident when they remain on the beach and persist in shielding themselves from exposure. The status of any character on the beach can only be determined by their color in relation to time. In other words, the standard for inclusion in the plot is not a deliberate contribution but sufficient exposure, with the suggestion that one can gradually *become* part of the plot or *find oneself* in it. Indeed, the McKiscos merit a scene of their own simply by virtue of their awareness that any scene *could* be part of the plot, and it is this suspicion, rather than any action, that inducts them into it. Their awareness therefore makes plain the logic by which the potentiality that inheres in scenes drives the plot.

Dick’s status as protagonist is earned only because the rest of the beachgoers “sent out

antennae of attention” in his direction (6). When Mrs. McKisco describes herself and her compatriots as the “gallery,” then, she cannot mean that they are an audience viewing a completed film or a play on stage. Not even Rosemary’s fame as a professional film actress is any guarantee she will be “in the plot.” Every person they come across is *potentially* in the plot, and the only way to verify one way or another is to see how they develop—photographic pun intended. Mrs. McKisco is appropriately fitted with “photographic” eyes (10). Skin color offers no inherent identity, but its change or lack of change through time registers who is a participant, regardless of his or her conscious desires. One *becomes* a character in the plot if one is exposed for a sufficient time. Gause’s functions like an inverted cinematographic mechanism: when everything is *potentially* part of the cinematic narrative, the bodies of the characters themselves, rather than film, act as photosensitive surfaces.

Rosemary is accordingly inducted into “the plot” when Dick Diver finds her on the beach, overexposed. She has fallen asleep in the sun, and her “crimson legs” attract his concern: “I was going to wake you before I left. It’s not good to get too burned right away” (11). That Dick’s reason for approaching Rosemary is as superficial as her sunburn cements the link between exposure and narrativity; had Rosemary heeded Mrs. McKisco’s warning, she would have missed her entry point into the plot of the novel. Rosemary finds her place in the action by doing nothing but remaining exposed. In a strikingly ironic twist considering Rosemary’s occupation, the criterion for inclusion in the plot is a period of non-action, a passive exposure. Once she is invited to the Divers’ territory on the beach, she discovers that they, too, paradoxically derive their narrative significance from stillness rather than agency: “Even in their absolute immobility, complete as that of the morning, she felt a purpose, a working over something, a direction, an act of creation different from any she had known” (19). David

Bordwell's analysis of protagonists in film reveals how Rosemary's place in the plot, and now Dick and Nicole's as well, derives from a specifically cinematic criterion for who can occupy the role of protagonist. Typically, the protagonist is the "character whose actions give the drama its distinctive arc." But Bordwell shows how this definition fails to account for another way of attaining the protagonist role: screen time. In *The Godfather*, Bordwell argues, the Sollozzo gang incites plot movement, but we would never accord them protagonist status, since Don Vito or Michael Corleone consume the lion's share of screen time (91). Rosemary's equating of exposure and narrative importance is now doubly determined: she is a Hollywood starlet whose prominence comes from the duration of her appearances across multiple films, and she has been selected for her most recent "role" on Gause's beach because of her overexposure. Through this overdetermined perspective, Dick and Nicole are reciprocally endowed with a narrative directionality purely on the basis of Rosemary's vision of them through time.

If narrative importance is earned by the way characters come to endure in each other's visual frames, then Fitzgerald's feat is to have generated a narrativity that is produced immanently out of scenes. Rather than being selected by the interest of a directorial consciousness, characters emerge because their bodies endure exposure to one another. Fitzgerald's novel thus internalizes, as its narrative principle, the unique conditions of film *production*, and not only, as many critics have claimed, the aesthetic techniques that are displayed in the edited film.¹ In his "Work of Art" essay, Benjamin differentiates the scene in film from the scene on the stage by the inability to locate in the production of the former a place from which the apparatus is not visible:

The shooting of a film, especially of a sound film, affords a spectacle unimaginable

¹See especially the chapter on Fitzgerald in Michael North's *Camera Works*.

anywhere at any time before this. It presents a process in which it is impossible to assign to a spectator a viewpoint which would exclude from the actual scene such extraneous accessories as camera equipment, lighting machinery, staff assistants, etc.—unless his eye were on a line parallel with the lens. This circumstance, more than any other, renders superficial and insignificant any possible similarity between a scene in the studio and one on the stage. (232-3)

Benjamin here allows film and theater to enter into a dialectical exchange, with the “actual scene” as the mediating term, which approaches film at the moment in which it is most like theater: when its scenes are actually being filmed, where the spectator is within the same spatiotemporal continuum as the actors and the set. Yet it is precisely at this moment that the essential difference between the two becomes most apparent. What gives the scene of film production away is the presence of elements that either would have remained hidden on stage, or are otherwise part of the mechanical apparatus unique to film. The visibility of these scenic elements precludes the possibility of a solely spectatorial position on the set, with the curious consequence that nothing, not even the actual filming of a particular scene, can lay claim to the representational function of the scene in theater. There will always be a glimpse of the apparatus busy producing the representation; the *process* will always cut into the *product*.

As Benjamin carefully indicates, to experience the production as *process* is to restore the refractory nature of duration that is concealed when the film is edited to form a continuous narrative. It is precisely the *process* in which characters participate on Gausse’s beach: Dick watches Rosemary get tan through time; Rosemary watches as Nicole makes Dick a new costume, and sees Dick change into it. Fitzgerald’s *mise-en-scène* is clearly not that of theater, in which the actors and set appear, from the perspective of the live audience, to create the illusion of verisimilitude, since it renders visible the productive apparatus of which Benjamin speaks. Without the perspective from which process and product can be distinguished, there can

be no clear distinction between a character's performance and the preparatory operations that subtend it. Consequently, the privileged position of spectator, for whom there is no evidence of real work, disappears. Cinematic production resists the fetishization of the final product, of the film itself as spectacle, by requiring that the witness *experience the labor time* that goes into the production.

In fact, as Benjamin puts it, the production is *a spectacle all its own*. Rather than denoting the film itself as a form of distraction or illusion, as it will for, say, Adorno and Debord, the term "spectacle" captures the inability of the new scene of production to be incorporated within the traditional, theatrical understanding of a scene. The scene of production constitutively exceeds the typical measure of "scene" as a spatiotemporally discrete arrangement that can appear as a representation to an audience. There are clear epistemological consequences: when one is looking at the spectacle of production, one is not seeing something that stays within the confines of a representation. The spectacular quality then comes from gazing at something without the understanding that would be provided by either a narrative scheme or a "this is that" kind of judgment. The audience as a passive consumer of a finished product is replaced by an audience-to-come; the scene becomes spectacle only in that it exceeds the comprehension of the spatiotemporally limited human being.

II. *Daddy's Girl* and the Scene of Viewing

Tender abounds with scenes of both film production and consumption. The one depicted in the most detail, however, blurs any hard distinction between spectatorship and production; the scene of viewing functions as just another node along the productive process, and not a final destination. When Dick and company witness a screening of Rosemary's hit film, *Daddy's Girl*,

the text's careful attention to the audience's lived time precludes them from succumbing to the illusion of the film's spatiotemporal continuity. The scene at Franco-American studios thus presents, in miniature, the central conflict of the novel, between Dick's old-fashioned orientation to the narrative continuity of theater, and characters, like Nicole and Rosemary, who readily navigate and affirm the contingency of the scenes they inhabit.

For a novel in which Hollywood film figures so centrally, we expect a straightforward account of the film's narrative, but we get instead an oscillation between multiple, uncertain views of the film. At the very least, we can identify four different audiences: Rosemary, who watches her own performance; the audience inscribed within the film, including Rosemary's co-stars; Dick, who exercises a uniquely cynical reading of the film; and the more sympathetic members of the audience, who seem fixated on Rosemary's image. As the novel's attention turns from one audience to another, it privileges the temporal unfolding of the film, the unique temporality that cinema technology mines, rather than the sequence of events that the film *represents*. When the narrator signals the film's beginning, we find, in place of a recap of the movie's plot, a peculiar ekphrasis. The film is narrated not as film but as *past*:

There she was—the school girl of a year ago, hair down her back and rippling out stiffly like the solid hair of a tanagra figure; there she was—*so* young and innocent—the product of her mother's loving care; there she was—embodying all the immaturity of the race, cutting a new cardboard paper doll to pass before its empty harlot's mind. She remembered how she had felt in that dress, especially fresh and new under the fresh young silk. (68)

The repetition of “there she was” suggests at first glance a fixed spatiotemporal point from which the film is appraised. But its repetition in fact highlights the *change* in perspective at each incantation: the first appears to be Rosemary's personal memory, since none of the other characters would be able to position the film within Rosemary's biography; the second is a less

personal version of the first, belonging perhaps to parental figures like the Norths; and the last likely represents Dick's cynical take, which imputes less-than-pure motives to the usage of Rosemary's pure image. Each of these shifts seems to offer not simply a different perspective on the same film, but an entirely different film. In other words, there is no position within the audience from which the film can be seen as representing objective actions or events. Properly speaking, *there is no audience* in the theatrical sense, as a position within the theater from which the display on stage functions representationally. The film thus appears much as the spectacle of production does for Benjamin: the spectator can occupy *any* place because there is no privileged place marked out for her.

When the film *is* focalized through the perspective of a single character—its protagonist—we still do not get a hint of its narrative content. The final sentence in Fitzgerald's shifting *ekphrasis* constitutes the film as a memory of Rosemary's, which effectively collapses the distinction between what is on screen and what Rosemary contemplates privately. Though we know that the scene in which the film is viewed features the "real" Rosemary and her projected image, when it is focalized through her perspective the two scenes become indiscernible; the scene in the film cannot be separated from the scene in which it is viewed.

The audience does not experience Rosemary as *acting* in the film so much as *enduring*, like a statue, across multiple frames: "Before her tiny fist the forces of lust and corruption rolled away; [...] Her fineness of character, her courage and steadfastness intruded upon by the vulgarity of the world, and Rosemary showing what it took with a face that had not yet become mask-like" (69). Like her appearance on Gausse's, Rosemary's performance depends solely on duration, so that her innocence is neither an attribute she has possessed and lost, nor a function of her physical stamina, but a function of the cooperation of the recording apparatus with the

memory of the audience, its appeal to the workings of memory as such. In narrative film, the camera primarily serves the story; its captures serve the purpose of presenting images that the audience can *recognize* as particular actions. *Daddy's Girl*, in contrast, prioritizes the audience's ability to retain the image in memory, to experience its *duration*, over its ability to recognize it as someone or something. For Bergson, this priority reflects a fact about perception itself, which is always more than what actually appears at a given moment: "perception, however instantaneous, consists then in an incalculable multitude of remembered elements; in truth, every perception is already memory. *Practically, we perceive only the past*, the pure present being the invisible progress of the past gnawing into the future" (MM 150). Paradoxically, Rosemary's innocence is a product of her image's accumulation in the memory of the audience, so that it emerges at the end of her performance.

Most important, this innocence, or resistance to the world's vulgarity, is a product of *the scene of viewing* rather than a characteristic of the film itself. In contrast to narrative development, which would follow a progression from innocence to experience, where the most recent stage replaces the earlier one, the function of remembrance renders the earlier stage as that which persists; later events are merely passing phenomena through which the remembered past endures. The audience of *Daddy's Girl* therefore experiences a reversal caused by the unique temporality of cinema. Since, following Bergson, it is the past that is more present to us than what goes by the name "present," remembrance disrupts our chronological representation of the past, which holds past events at a distance. Remembrance brings the past into direct contact with the future, and the present is merely their meeting-place. This function of both visual and audio recording disrupts the chronological, developmental understanding of history. *Daddy's Girl* therefore has the effect of rescinding the legacy of the Enlightenment: "syllogism, dialectic, all

rationality fell away” (69).

If we were to hold the inscribed audience accountable to any standard of faithful description of the film, they would be left severely wanting, because it is not simply what they perceive that constitutes Rosemary’s performance, but the duration they experience. The source of conflict that they notice is accordingly not a conflict *within* a plot, but a conflict *between* the affective power of duration that is produced by the whole scene of viewing and the artificially continuous acting on screen that is the product of editing. Rosemary’s prime antagonist is a character who serves as the beneficiary of continuity editing. Her performance, the text makes clear, is the result of a series of separate takes against costly backdrops, which are then strung together in the editing room: “Women would forget the dirty dishes at home and weep, even within the picture one woman wept so long that she almost stole the film away from Rosemary. She wept all over a set that cost a fortune, in a Duncan Phyfe dining-room, in an aviation port, and during a yacht-race that was only used in two flashes, in a subway and finally in a bathroom” (69). Continuity editing creates the illusion that the weeping woman is doing the same action through multiple scenes. However, the suggestion goes, the temporal scheme that supports continuity is a chronological treatment of time, in which change ends up being an illusion. At any given moment, the weeping woman is doing the same thing; the variables of setting, wardrobe, or even the intensity of her weeping are purely incidental. Her performance reveals how it makes no difference to continuity editing whether the actions and reactions are an interconnected sequence of different actions or just the same one repeated; what the two approaches have in common is the artificial connection across multiple scenes. Essentially, the suggestion goes, all narrative film is a variation on the single thread of continuous action, for which the limit case is an emotional effusion, since it is both the highest form of continuity, and

also collapses action and reaction into the same behavior.

The case of the weeping woman unearths what remains invisible in most narrative film, since the change of scenery creates the illusion of difference: that the scene in narrative film is merely a part subordinated to the whole, and therefore deprived of any real or productive difference. As such, its individual components, especially the sets, become superfluous “flashes” that contribute nothing but spectacle in the negative sense articulated by Debord, for whom “the spectacle is *capital* accumulated to the point that it becomes images” (17). Narrative film, Fitzgerald shows, subordinates everything, especially its expensive visual scenery, to the single spatiotemporal thread that unifies its parts. Scenic elements are changed with frequency solely in order to foreground the sameness of the human actor’s behavior.

Rather than the attempt to continue the same action *through* different moments, Rosemary inhabits time itself. Though she seems to be motionless across multiple frames, this stillness, as we have seen, introduces change. Rosemary’s performance introduces what Deleuze theorizes as the “time-image,” which presents duration in perceptible form. For Deleuze, an image that simply persists does not simply represent something, but is a direct presentation of passage, of “that which endures”: time itself. The nature of the image is transformed. In narrative film, the image itself serves as a vehicle to enable the audience’s recognition; it serves the pragmatic function of presenting a character. But when an image persists far longer than is necessary for any recognition, when it endures in the audience’s gaze far longer than necessary, it prevents the audience from seeing “behind” it to what it represents. In essence, the film refuses to reduce the image to its representative function. Deleuze makes a remarkable point about the effect of the enduring image: “‘focusing’ has jumped out of the image,” by which he means the “depth” to be discovered in a given scene is no longer a function of the camera’s

operations—its close-up on some aspect of the scene, for example—but a function of the *time* a scene takes up. When the scene persists longer than is necessary for action, it begins to suggest, even to the characters themselves, that its real problematic is “deeper than the situation in which they find themselves caught” (*TI* 176). In other words, simply by virtue of the fact that it holds longer than is necessary to *represent*, the scene suggests the inadequacy of *any* understanding—narrative or otherwise—that would attempt to digest it. In continuity editing, time is subservient to space, which suggests that the “situation” in any scene can always be resolved by the characters’ actions in subsequent ones. But in the time-image, temporality no longer serves space, and so no longer functions to connect characters’ actions. It functions, instead, to hold open the scene long past the time needed for recognition.

The camera, and the film production apparatus as a whole, ceases to present the characters or the audience with action it can absorb and react to, in a sense consummating, in the finished film, the inchoate “spectacle” that Benjamin identifies in film production, because the apparatus—in all its multiple parts, including the camera, the editor, and the director—is no longer working to support the illusion that the characters are acting continuously through space and time. When the camera “lingers” on an object or character for far longer than is necessary, the camera ceases to be in league with the actors, as it is not working to present a space in which they can act. It is, as it were, fulfilling its own autonomous function as a machine that registers visual stimuli, disjoined from the requirement that it present something for the recognition and response of a human being. The set, in turn, is liberated from its service as a necessarily three-dimensional container of human action. Likewise, a figure that takes up a duration rather than acting through scenes makes plain its full “thinghood” as something that endures through time. Rosemary need not *act*. We find, in essence, all of the components of the film’s production

allowed to assume their full opacity and singularity, without any necessary spatiotemporal connections between them. These components instead assume “internal relations,” which means, for Deleuze, “the whole image has to be ‘read,’ no less than seen, readable as well as visible,” since “it is the ‘literalness’ of the perceptible world which constitutes it like a book” (TI 22).

Rosemary’s triumph over the weeping woman is, in a sense, a triumph over *acting* itself, in both senses of the word: as goal-oriented behavior, and as the playing of a character. Her own use of the film as a form of recollection shows how she does not regard her presence on screen as fundamentally different from her “real” self. But it is a “real self” in a sense very different from the real off-screen person. Benjamin devotes a whole section in his “Work of Art” essay to this phenomenon. As he observes, anticipating the “literalness” of which Deleuze writes, “For the film, what matters primarily is that the actor represents himself to the public before the camera, rather than representing someone else.” The audience who will ultimately “receive” the performance is not immediately present, and an entire apparatus intervenes between it and the take. Consequently, “for the first time—and this is the effect of the film—man has to operate with his whole living person, yet forgoing its aura” (229). Benjamin proceeds to quote Rudolf Arnheim, who identifies the trend in the 1930s of “treating the actor as a stage prop chosen for its characteristics and ... inserted at the proper place” (230). The stage actor identifies with her character because the appearance of that character depends entirely on what the actor does in the time and space of the theater itself. The appearance of the film character, in contrast, depends on a whole productive apparatus that may, even after the most impassioned performance, decide that the scene just taken is not adequate to its purposes.

Rosemary’s acting appears to internalize this productive practice that would otherwise be alienating; it accounts in its very style for the fact that the take, at its moment of capture, *does*

not necessarily have a fixed position within the film. As it is captured, it is pure duration for the film actor who is not acting within the context of the film's whole action. That Rosemary's performance in the finished film likewise depends on duration demonstrates how the product faithfully exhibits the process that produced it, rather than concealing it as narrative film does. It is acting that has perfectly suited itself to the realities of film production. As a result, the scene of the film's reception is not only homologous in function to the scene—or "spectacle," as Benjamin has it—of the film's production, but it draws on and continues its productivity.

Dick's access to Rosemary is predicated on the productive temporality that inheres in the scene, but Dick resolutely insists on viewing their relationship in terms of the continuity of narrative. One of the reasons Rosemary sets up the screening of her film at Franco-American studios is to arrange a screen test for Dick. We should be able to predict that Dick will react badly to this proposal when, halfway through the screening, he remarks to Rosemary, "I'm simply astounded. You're going to be one of the best actresses on the stage" (69). This remark is our first hint that Dick thinks of himself as operating within the spatiotemporal unity of a theater, despite the scenic cues that suggest otherwise, such as the executive's "trouble with the projector." Most important, Dick's compliment reveals his understanding of film as just another species of theater, which disavows precisely the productive apparatus that renders narrative film into a continuous whole. The spatiotemporal continuity that appears to obtain in film is *produced* elsewhere.

Dick has already boasted to his coterie that, other than himself, "no American men had any repose" (51). but Rosemary's suggestion that Dick take a screen test triumphs over Dick's repose, producing a him a reaction similar to the restaurant patron: "There was an awful silence—then an irrepressible chortle from the Norths. Rosemary watched Dick comprehend

what she meant, his face moving first in an Irish way” (69). Dick’s repose, it turns out, relies on an eye toward the narrative whole in which any scene participates. A screen test threatens this connection because it is a genre of recording defined by its contingency, by its potential to be recombined in an unpredictable multitude of contexts. This contingency is paradoxically Dick’s only route to a future with Rosemary. To enter into narrative, Dick must first relinquish his control over it to the studio apparatus. Rosemary makes the terms clear: ““I thought if the test turned out to be good I could take it to California with me. And then maybe if they liked it you’d come out and be my leading man in a picture”” (70). Capture onto Franco-American’s celluloid is an entry into productive potentiality signified by the *ifs* in Rosemary’s syntax. Dick’s belief that he can escape the contingency of the scene is crushed by a loss of repose *at the mere suggestion*. He turns out to have two options, neither of which is to step out of his imbrication within scenic contingency: he can, like Rosemary, embrace the immediacy of the scene without knowing its place in narrative; or, he can cling to his belief that he is part of a narrative whole, and, like the weeping woman in the film, come into conflict with those who choose the former option.

The screening of *Daddy’s Girl* thus captures, in miniature, the central conflict in *Tender* itself, between those who work *with* the productive process of cinema, who willingly participate in the productive spectacle of film production, and those who, like the weeping woman in the film, are unconscious of the true nature of their roles because they *think* they are performing continuous actions within and across scenes, when this continuity is in fact produced later and elsewhere. The difference between these options is subtle but crucial. In the first, the character is conscious *as they act in the present* that this action could enter into any number of configurations. She might not know *what* these configurations will be, but she knows that they

are multiple. This captures precisely the way duration works: it is the time I experience because it differs from a multiplicity of other times, though these are not given. In the second, in contrast, the actor clings to the belief that the scene in which she is acting takes place as it would in a theater, when in fact it is the production apparatus that strings together the performance that the character *thinks* is entirely her own.

III. Scenic Sociality

At stake in the difference between these two ways of relating to the scene in which one acts is also the relationship between desire and the unconscious. Fitzgerald's interest in the contingent temporality of the scene locates an unconsciousness that is *not* a function of repressed desire, but instead models a non-sexualized dynamism. As Dick's reaction to *Daddy's Girl* demonstrates, there are two kinds of unconsciousness: the unconsciousness that is a function of the way scenes are produced, and the unconsciousness Freud postulates, the lack of awareness of one's desires caused by the mechanism of repression. Stuck in his theatrical orientation to film, Dick sees desire as functioning *through* scenes, such that characters can be said to have an interiority that remains consistent throughout a film. He feels momentarily superior to the film when he feels conscious of what the film's actors are not: "a lovely shot of Rosemary and her parent united at the last in a father complex so apparent that Dick winced for all psychologists at the vicious sentimentality" (69). But the rug is pulled out from under this diagnosis, as it is unconsciousness in a sense totally other than what Freud intended: what Dick assumes to be the actors' fulfillment of unconscious desires is in fact a function of the process of production in which scenes can be captured in such a way that the actors do not know precisely how they will fit together. Rosemary does not *actually desire* her parent throughout the film, and the final scene only appears to be wish-fulfillment on the basis of Dick's false imputation.

As John Fletcher shows in his study of scenography in Freud's theorization of trauma, Freud himself produces the concept of the Oedipus complex by imputing to Sophocles's character a desire for his mother (and the concomitant desire to kill his father) that the play itself simply does not bear out. Oedipus's murder of his father Laius, Fletcher demonstrates, is a function of his absorption in a scene in which he thinks he is being robbed by highwaymen. In turn, his ignorance of his true identity as Laius's son is the result of his parents' abandonment of him on a hillside. What prevents Oedipus from seeing the connection between these is the *discreteness of the scenes in which they take place* rather than his ignorance of repressed desires to marry and kill. Each time Oedipus makes what will turn out to be a fateful move, he is—much like an actor filming a discrete scene—reacting to an immediate situation for which there is no wider context. His murder of Laius, for instance, constitutes a perfectly equal response to the threat he perceives from what he thinks are highwaymen; as Fletcher puts it, “The killing is a violent response to the violence offered to Oedipus,” wherein, as Oedipus reports, Laius ““leaned out and lunged down / with twin prongs at the middle of my head”” (140). Whereas Laius's lunge has intention and direction behind it, Fletcher shows how Oedipus's lunge in response has the quality of “chance, contingency, or in this case, bad luck” (141). If Oedipus can be said to be acting unconsciously, it is because he lacks awareness of the way these scenes fit together. His passion is adequate to the situation in which he finds himself rather than a symptomatic acting-out.

Dick's invocation of the Oedipus complex is a repetition of *the original scene of Freud's misreading*, in which Freud too chose to impute desires where in fact the character's behavior is a function of the compartmentalization of scenes. But that places Dick precisely in the shoes of Sophocles's Oedipus, who *cannot know* that the scene in which he is acting is tied to earlier

ones. The propagation of the Oedipus complex in the novel is therefore an expression not of some fundamental observation about human nature but of the inescapable, contingent nature of scenes as such. What gets disavowed by Freud and Dick's homologous misreadings—what becomes unconscious—is not some human, sexual desire, but a machinic productivity embodied for Fitzgerald in the unseen productive apparatus of cinema and for Sophocles in the driving force of *daimon*, “the unseen action of a divinity” (Fletcher 141).

The novel thus offers a fundamental redefinition of desire, the unconscious, and their relationship, one that already has a foothold in twentieth-century thought. Bergson offers a conception of the unconscious during precisely the same decade in which Freud is working up to an articulation of the Oedipus complex. In *Creative Evolution* (1907), Bergson draws a distinction between unconsciousness as consciousness “absent” and consciousness “nullified” (158). While the former term points to the Freudian model, in which the unconscious is that which, by definition, has never been conscious, the latter term situates consciousness and unconsciousness on a continuum: unconsciousness prevails when “the representation of the act is held in check by the performance of the act itself, which resembles the idea so perfectly, and fits it so exactly, that consciousness is unable to find room between them. *Representation is stopped up by action.*” Bergson then proceeds to elaborate consciousness as “the light that plays around the zone of possible actions or potential activity which surrounds the action really performed by the living being. It signifies hesitation or choice” (159). In reimagining the unconscious, Bergson also expands the domain of consciousness itself. If unconsciousness is the complete absorption of representation in action, then for Bergson consciousness can no longer be defined simply as the awareness of the action taking place, as a kind of attention. Consciousness is, instead, an awareness that there are alternatives to the present action, though there is no

requirement that these be specified.

Consciousness is no longer hinged to representation, since it is not identified with specific alternatives to a present action, but with anything *other than* the present action. Bergson will explicitly define consciousness in terms of difference rather than identity, specifically, as “*an arithmetical difference between potential and real activity. It measures the interval between representation and action*” (160; original emphasis). Bergson’s definition of consciousness as interval very precisely accounts for the way scenes function in cinematic production and in Fitzgerald’s novel. Consciousness is the awareness that action within the present is enduring in time, differing from a (non-given) multiplicity of other durations. As such, it is our form of contact with reality in its true state, as “perpetual becoming,” or with the “making” of what our intellect, which isolates only what is already “made,” cannot grasp. Once we cease to equate consciousness with intellect, we understand how consciousness is for Bergson access to the productivity of time as duration, as becoming. Though Bergson aligns the movie camera with the intellect as part of his critique of the latter—both “pull” discrete moments out of what is otherwise a continuous duration—we can see how participation in movie *production* would recuperate cinema from Bergson’s critique, as it exposes those on the set to the process that will ultimately yield the series of still images strung together in the finished film. By virtue of their investment in the production of images, Rosemary and her ilk exemplify what Bergson means by consciousness: an awareness of productivity.

Bergson’s understanding of unconsciousness, meanwhile, perfectly captures the nature of Oedipus’s unconsciousness, and with it, the nature of theatrical acting, in that both are defined by a *lack* of awareness of the operative productive forces, whether theatrical or *daimonic*. If we follow Fletcher, Oedipus has no cause for hesitation because he has no reason to see the violence

directed at him as anything other than what it seems to be. To him, there is nothing behind appearances; representation corresponds perfectly with action. Likewise, in the case of a theater actor, the immediate presence of the audience means that the actor is completely invested in displaying the character. To allow space between her action on stage and the representation it makes is to allow the audience to see the “apparatus”—the human person—that makes the representation. The same goes with the productive apparatus behind the theater, which must remain hidden.

Rosemary’s desire is an investment of energy within scenes she knows are fleeting. In fact, this direct investment is made possible by their passage. At no point does Rosemary exhibit a consistent desire *for* a person or thing that is not a function of the exigencies of a particular scene. Dick’s “quiet little performance” on Gausse’s beach is a case in point. Dick’s coterie *is* enjoying it as a live theatrical performance; in fact, their group is constituted by its efforts at self-amusement. Abe North, just the previous evening, attempts a performance involving a waiter and a musical saw. Rosemary, however, approaches the performance from a skewed angle, which reveals the entire apparatus to her. Dick’s gesturing ceases to represent something, and instead embodies the productive spectacle out of which multiple narratives could be produced. It endures for her in precisely the same fashion she endured for the audience in Franco-American studios. Rosemary is drawn to the performance by its productivity rather than its picturesque qualities, which changes the terms by which scene comes to function. Dick does not function as a desired object, but as a kind of co-star who will elicit a performance from Rosemary, and Rosemary’s ultimate satisfaction will be achieved *in and through the performance* rather than in the attainment of any one goal. Scene therefore ceases to serve as a container for characters’ goal-oriented action, and becomes an assemblage in which the components are acutely invested

in their present behavior toward each other precisely because they *lack* a sense of what it will mean in narrative terms. If there is an agent at work, the agent is time itself.

Rosemary, it becomes clear, is drawn to the productivity that Dick's scenography offers her. Like an actress on a set, she "delighted in responding to the eventual movement [toward the water] as if it had been an order" (21). Rosemary's desire is less a desire *for* Dick—or *for* any particular person or thing—than her investment in Dick's sense of *mise-en-scène*, a desire that simply connects Rosemary to the creativity by which the social scene at Gausse's is produced. So much becomes clear when the text reports the terms of Rosemary's attraction; she is drawn to "a direction, an act of creation different from any she had ever known," and "perceived the web of some pleasant interrelation" (19). As noticed above, the creativity emerges as pure difference, as "different from any," which lacks identity, and can only be grasped as "some" relationality. In Paris, the infatuation continues in the same terms: "The enthusiasm, the selflessness behind the whole performance ravished her, the technic of moving many varied types, each as immobile, as dependent on supplies of attention as an infantry battalion is dependent on rations" (77). The engine powering the production of Dick's social life is pure attention, which explains how it effectively functions as a "technic" for arranging "many varied types": there is no principle of identity by which entry into a Dick Diver scene is judged, simply one's persistence in an impersonal, camera-like gaze.

The origins of sociality in a scene-producing "technic" is now rendered explicit, reconfiguring desire from its basis in individual lack, need, or urge. Ironically, those moments when characters attempt to reestablish desire on its traditional footing—as a heterosexual couple's search for carnal pleasure—seem the most forced and artificial. Far from characterizing their relationship as sexual in nature, Dick clearly perceives its technical production. Rosemary

tries to invite herself on the Divers' trip to Paris, but Dick fends it off:

“That’s nice of you.” Did she imagine that his voice was suddenly metallic? “Of course we’ve been excited about you from the moment you came on the beach. That vitality, we were sure it was professional—especially Nicole was. It’d never use itself up on any one person or group.” (38)

Dick clearly reciprocates Rosemary's initial reasons for being attracted to his group, and lays bare the way scenes produce desire: the Divers seek out Rosemary for inclusion *because they believe her energy cannot be contained within their social scene*. And their conviction that it cannot is based on her “professional” life. This is perhaps the closest Dick comes to a reckoning with the terms of his access to Rosemary, as it accepts that to have Rosemary is to only ever have *part* of her productive potential. Her vitality, then, far from being a biological drive or a function of sexuality—as it would be for Freud—is a function of the way film production situates the behavior of the actor within a larger “spectacle” of activity that cannot be assimilated into a narrative (in the same way the finished film can). Dick's recognition of this vitality accordingly takes on the “metallic” resonance of the apparatus, since it is the production itself that seeks Rosemary, not Dick himself.

Rosemary's seemingly romantic expressions are imbued with a similar resonance. Alone with Dick in a Paris hotel room, Rosemary boldly commands him, “Take me,” with the deflating confession, “I don't care if I don't like it—I never expected to.” Taking the place of a sexual desire for Dick is her sense that it will be a great part for her: “Suddenly she knew that it was one of her greatest rôles and she flung herself into it more passionately” (64). Rosemary's passion, it becomes clear, is only increased by the alienation of the film actor as described by Benjamin; only once she realizes that she is not acting for Dick in the here-and-now of the scene, as she would in theater, but for an as yet undetermined future audience, does she offer herself to

him. Her sexual willingness is therefore entirely a function of the contingency of the scene.

If desire connects Dick and Rosemary, it is not a desire *for* some person or thing, understood in psychoanalytic terms as a lack that must be fulfilled, but desire in the sense Deleuze and Guattari elaborate in their work, as the productive connection or relation that builds and maintains the social. Abe North's response to Rosemary clearly establishes this difference. Rosemary asks, "Do you like it here—this place?" to which Abe preemptively responds, "They have to like it [...]. They invented it" (17). There is, in other words, no separation between desire and its object, since desire is invested in the very creation of the object. For Fitzgerald, as for Deleuze and Guattari, "to desire is to produce," which means desire is not cordoned off in a world of its own conjuring that is somehow less real, but creates social reality itself. In *Anti-Oedipus*, Deleuze and Guattari seek to collapse the division, maintained in the legacies of both Marx and Freud, between the productivity of desire and the social real:

There is no such thing as the social production of reality on the one hand, and a desiring-production that is mere fantasy on the other. [...] The truth of the matter is that *social production is purely and simply desiring-production itself under determinate conditions*. We maintain that the social field is immediately invested by desire, that it is the historically determined product of desire, and that libido has no need of any mediation or sublimation, any psychic operation, any transformation, in order to invade and invest the productive forces and the relations of production. *There is only desire and the social, and nothing else.* (AO 29; original emphasis)

We are now in a position to elaborate further Rosemary's joy at being ordered as an emblematic instance of the desire that propagates the social, where "social" here is understood as nothing more simple than the synchronous movement of bodies. Invoking the work of Wilhelm Reich in the very next paragraph after the one just quoted, Deleuze and Guattari adduce this desire as an answer to Reich's question: "Why do men fight *for* their servitude as stubbornly as though it were their salvation?" How can people possibly reach the point of shouting: 'More taxes! Less

bread!?’” (AO 29). Such a commitment to or *desire for* the social order that has failed to fulfill one’s basic needs defies explanation by those who insist on seeing that order as held together by rational agents pursuing their self-interest. Social cohesion is, rather, the product of an irrational connectivity that any more rational pursuit of goals presupposes.

The identification of desire and the social thus completely alters the terms by which we come to appraise *Tender*’s narrative and enhances our understanding of the way the scene functions as an elementary unit. Under the orthodox understanding of desire as a single character’s desire *for* a particular outcome, the scene functions as the space in which the desires of multiple characters come into conflict. The scene itself therefore functions as a way-station toward one of these outcomes. But when desire is understood as what creates the scene, we find that scenes find their satisfaction in themselves. Desire is fulfilled in the creation of the social order itself.

The novel comes to insist so fervently on the productivity of desire, as opposed to its pursuit of phantasms and illusions, as in Freud, that it eliminates any separation, so important to the Freudian schema, between desire and the social world. The juxtaposition of the scene at Gausse’s with the next one, an active Gaumont set in the French Alps, renders cinematic and social production indiscernible, thereby (1) precluding the tendency to consign the former to the world of illusion; and (2) underscoring the way in which desire in the former scene on the beach is as much a material production of a “machine” as in the latter. The surface resemblances between the scenes are striking, first of all, in the way that they each contain a surplus of items on hand to construct a “set.” Rosemary notices the Divers’ vast “appurtenances,” including “four large parasols that made a canopy of shade, a portable bath house for dressing, [and] a pneumatic rubber horse” (18). This collection might easily serve, like the Gaumont set, as “the

bizarre debris of some recent picture”; the latter similarly features a fake animal, “a great cardboard whale,” and comparable conveniences like “a quick-lunch shack” (22). When Rosemary first steps on Gausse’s beach, she finds Dick giving “a quiet little performance”; at Gaumont, she stumbles on a performance mid-take, and watches as “a French actor [...] and an American actress stood motionless face to face.” That Rosemary watches as, “for a long time nothing happened, no one moved” (23), precisely echoes the “long, forced inaction” (21) of the Diver clan before the choreographed swim.

When the director, Earl Brady, emerges to greet Rosemary, “As he took her hand she saw him look her over from head to foot, a gesture she recognized and that made her feel at home.” Far from being an alienating experience for Rosemary, the directorial gaze that we might be tempted to criticize as scopophilic is the mechanism by which her social reality or “home” is established. Though the possessory implications of this gaze are not entirely lost, it serves primarily in Fitzgerald’s handling not as the mechanism of sexual desire as psychoanalysis understands it, but as a gesture that signals to Rosemary her inclusion in a creative vision. After all, the scene is focalized entirely through her, which reverses the roles of director and actor: it is *her* gaze that captures the *director’s* gesture. This reversal is reaffirmed in Brady’s second glance:

Again he looked her over completely, and, as he did, something in Rosemary went out to him. It was not liking, not at all the spontaneous admiration she had felt for the man on the beach this morning. It was a click. He desired her and, so far as her virginal emotions went, she contemplated a surrender with equanimity. Yet she knew she would forget him half an hour after she left him—like an actor kissed in a picture. (24)

Left to an orthodox psychoanalytic reading, Earl Brady’s role as film director would be nothing more than the production of coveted objects. However, since his gaze is again focalized through Rosemary, it is not a *seeing* gaze, but a gesture, which exposes the director to Rosemary as much

as she is exposed to him. And as the final line suggests, Rosemary is invested not in Earl Brady himself but in the *scene* that they have just produced; she delights, in other words, not in the prospect of some future sexual fulfillment but in the way this encounter itself embodies the same kind of scenic organization arranged by Dick on Gause's. Desire is satisfied in what it has already created.

The impossibility of distinguishing between Brady's professional, directorial function and his personal desires further underscores the way desire fulfills itself in and through the scenes or social groupings it creates. That this "private" scene takes place in and among an active film set immediately suggests a blurring of the distinction between the social and the cinematic. So when the narrator reports that Rosemary will forget Brady "like an actor kissed in a picture," we can hardly ascribe this simile to an intellectual synthesis on the part of the narrator. It is, instead, a product of the perceptual indistinguishability of the social and cinematic. The verbal comparison of cinematic and social production effectively *offers itself* to the narrator. As Rosi Braidotti puts it, the desire that produces the social in this way "makes for an absence of metaphoricity and renewed emphasis on concrete, literal actualizations," a clear echo of the "'literalness' of the perceptible world" Deleuze locates in the time-image (158). That the narrator simply reads a simile from the indiscernibility of social and cinematic production suggests the reversal of metaphoricity. Metaphor links two unlike elements in order to reveal unnoticed similarities between them. Here, the narrator begins with the similarity of the elements, and the simile (as a species of metaphor) actually serves to *distinguish* them, making it clear that the scene we witness is only *like* a film. The figure of speech depends on a more prior, literal apprehension of the scene, where the scene itself is responsible for making perceptible the similarities that will yield the figure of speech. From this unique kind of self-offering metaphor,

we can draw the conclusion that Fitzgerald seeks to ground the production of literary language itself in the literal connectivity characteristic of the social, where the commingling of scenic materials itself becomes productive. Scene thereby takes over the creative responsibilities that produce literature from transcendent centers of subjectivity like the author and narrator.

Likewise, Rosemary's desirability, which moves both Earl Brady and Dick, is a function of the productivity of the film set. That Rosemary's attractiveness does not inhere in a stable image explains Dick's persistent ambivalence about it. Once again, the perfect overlap between the novel's scenes and a film set reveals how this productivity works. Four years after their first meeting on Gausse's, Rosemary and Dick meet on the set of her latest film, *The Grandeur that was Rome*. Dick finds her "young and magnetic," but qualifies this judgment: "so was [his daughter] Topsy" (207). Rosemary's sexuality is not present to Dick in the way the actor is present to the theatrical audience, but is mediated by the productive process of film:

"Watch this," she whispered to Dick. "I want your opinion. Everybody that's seen the rushes says—"
"What are the rushes?"
"When they run off what they took the day before. They say it's the first thing I've had sex appeal in."
"I don't notice it." (212)

His rudeness aside, Dick fails to notice Rosemary's sex appeal because she has not actually shown it to him yet; it resides in the latest captures of her acting, not her "live" self. "Rushes" are the mere snippets of a film that does not yet exist, played for the actors and the crew only. They are consumed *as part of the production process* rather than as *a product*, and they are consumed by the producers rather than a mass audience. Their name importantly connotes their ephemerality and their tenuous relationship to any kind of finished product: most unlike the finished film, they are watched with the kind of impatience usually associated with rapidly

obsolescent media like the newspaper. The rushes are absorbed within a context that is looking simply for what will be produced next, regardless of narrative order, and with no end in sight. As Rosemary tells Dick, “we’re making *The Grandeur that was Rome*—at least we think we are; we may quit any day” (207). Rosemary’s desirability is thus a function of a production that turns its contingency into an operating principle.

Fitzgerald turns the relationship that obtains in Hollywood between process and product on its head, prioritizing the material production over the ideality of the final product. As a result, there is a redistribution of desiring from the hegemonic gaze of the director throughout the elements of the set that remain hidden in the film-as-commodity. Fitzgerald performs a double critical gesture, which unravels the object-centric focus of both consumer capitalism and psychoanalytic accounts of desire.

Rather than being generated by a pre-existent lack that a film would then aim to satisfy, desire functions in Fitzgerald’s handling as the energy that drives film production itself, such that filmmaking becomes an autotelic or self-satisfying machine. When the focus shifts from Rosemary to the set of the film and its crew, this inattention to the *product* and desirous investment in the *process* becomes clear. As Fitzgerald painstakingly delineates in this scene, desire does not begin as a lack in the audience that the production crew strives to satisfy, but is a productive force that holds together the unique sociality of the latter. Rosemary’s role, for instance, seems to be one of a number of female “Christian prisoners” in Rome, but rather than being objects of a male scopophilia, it is their gaze that makes an object of the male lead, Nicotera, who “strut[s] and pose[s] before a dozen female ‘captives.’” Desire is distributed around the set. The director, who for Kaja Silverman occupies the privileged position of the male gaze, is repeatedly said to be “on the hop,” a now archaic phrase for “busy,” meaning he is

literally diffusing energy into the rest of the company rather than concentrating it on actually producing the film. As Dick looks on, “Nicotera in his leopard skin talked attentively to Rosemary while the electrician discussed something with the director, meanwhile leaning on him.” The narrator’s interest in the scene becomes more ethnographic than cinematic; the apparatus of filmmaking fades into the background, and in its place emergent social attachments come into focus. But these defy any known social organization, cross non-adjacent historical periods, and erase any clear distinction between the production apparatus and the product. Nicotera, in leopard skin, seems to be a kind of primitive man talking to Rosemary as Christian slave with an electric technician and film director nearby. Yet the narrator finds an energetic unity holding these disparities together: “It was like visiting a great turbulent family” (210).

Only “like” a family, though, since this kinship group could not be identified according to any existing social conventions, but depends for its formation on micro-negotiations between individual bodies, which the narrator gleans from details like Nicotera’s costume and the electrician “leaning” on the director. The group constitutes an emergent collection of unexpected and unaccountable interactions, which differs starkly from the tightly-governed social world of the Divers on the Riviera. Most important, we witness in this scene the source of Rosemary’s appeal—her on-screen *duration* amid the intensity of affects—extended to the filmmaking industry itself, so that the value of a film has quite literally nothing to do with the film as commodity, but comes from the way its production *endures*, that is, the way it opens itself to the creative force of time itself. Put otherwise, it is the pure happening of a sequence of unplanned encounters, registered in passing, that serves as the “content” of the film. A solemn sentence concluding the scene, referring to the members of the film company as “people of bravery and industry; [...] risen to a position of prominence in a nation that for a decade had wanted only to

be entertained” (213), models this paradoxical capture of passage as a triumph over what Adorno and Horkheimer would deride as the mindless entertainment churned out by the “culture industry.” It would seem that Fitzgerald develops an esteem for the film industry once he turns his focus away from the mass audience for which its products are intended and toward the production itself.

If the production of Rosemary’s image is its own goal, then in a crucial sense her sexual appeal is *not intended for any audience*, or at least, not for anyone outside the kinship created by the process of filmmaking. Rosemary’s arrival at sexual maturity via the feedback of the “rushes” is a consummation, but not of the usual kind: it affirms the internal consistency of the productive scene of film production, and the consequent lack of a ready-made place for the desiring spectator. As Benjamin observes, “it is impossible to assign the spectator a viewpoint” like that of the theater-goer (232). The dependence of Rosemary’s desirability on the productivity of the set rather than on the presence of an audience affirms and embraces the scenic contingency of the former, and even offers it as the basis for a sexuality liberated from the male gaze. As a process-without-product, filmmaking derails the narrative in which Dick, hopelessly unhappy with his wife-patient Nicole, seeks to move on to Rosemary, since this process interposes Rosemary’s attachments to the film company between Dick’s hopes of exclusively possessing her. When, just hours after visiting the set, Dick and Rosemary sleep together for the first and only time, Dick makes the crucial mistake of treating the occasion as a consummation or solemnization of a bond and the achievement of a narrative goal, when its true enabling condition is the undetermined sociality of the movie set, where no dominant regime—especially not the scopophilic prerogatives of masculinity—can prevail. Dick and Rosemary’s only liaison

comes as an offshoot of the temporality of cinematic production, which holds itself open to novel social configurations. Rosemary's attachments to the company are precisely what block Dick's attempt, after their sexual encounter, to lay claim to her. It is not that Rosemary has any commitment to Nicotera, either, but that she must "go to Livorno with the company to-morrow." She closes the (open) circle: desire is reinvested in production. It becomes apparent to Dick that Rosemary can no longer exist for him as a desired object. In a startlingly ironic conclusion to their affair, the very apparatus that produces objects of fantasy for a mass audience becomes the mechanism that subverts such a model of desire. For Dick, "Rome was the end of his dream of Rosemary" (220).

IV. Recorded Music and the Representation-Compulsion of Psychoanalysis

If the productive apparatus of film is what mediates Dick's relationship to Rosemary, it is the continuous productive process of recorded music, in which the consumer places a key role, that holds Dick and Nicole together. Ironically, this relationship only becomes possible when Nicole overcomes a pathology at the heart of psychoanalysis, which we might call a *representation-compulsion*. During the flashback in the novel's second book to the early days of their relationship, we learn that Nicole's task as mental patient is less the overcoming of the original traumatic incident that precipitated her illness than the overcoming of psychoanalysis's constant drive to recall it and force her to relive it. The therapist dictates at the time of the novel's setting emphasize the need for the *representation* of the original traumatic incident in order to relieve the patient of its *repetition*, but end up enforcing a *repetition of representation*, which amounts to the delirious return of the same event. Recorded music models a countervailing repetition that enables Nicole to move past the representation of her trauma. When she and Dick interact with each other on Dohmler's grounds, their behavior loses the

foregrounded quality of narrative action, and is instead negotiated as part of the scenery. By virtue of this movement into what we ordinarily consider the repetitive backdrop, the couple is liberated from the requirements of representation that essentially repeat the original trauma.

As Fitzgerald frames the case, the fixation on the notion of an original cause—about which the patient can do nothing—becomes in itself a pathological repetition of its own, in the form of a perpetual return to the moment of victimization. Psychoanalysis privileges the traumatic incident as an “original” event, which has a determining value for all of the patient’s subsequent behavior. It is no coincidence, therefore, that Fitzgerald will make of the clinic a space for recurring live musical performances, which likewise depend on reenactments that are faithful to their originals. As Jacques Attali has shown, the live performance before the advent of recording consists in the coordination of multiple players toward the production of a unified composition for an audience. The performance served as the audience’s sole means of access to the pleasure of music. Just as important, the coordinated effort that produces the performance serves as a “total spectacle” in which “each element [] fulfills a precise social and symbolic function: to convince people of the rationality of the world and the necessity of its organization” (Attali 65). Fitzgerald will draw an explicit analogy between live performance and the psychoanalytic cure: both function under the aegis of representation, in which any part derives its significance from a whole. Underwritten by the same drive toward the “necessity” of an organized social order, musical performance refuses the solitary player any significance outside the whole orchestra, just as psychoanalysis presses the patient to understand her part within the familial whole.

We find in both instances a usage of the scene as *representative*, which is not necessarily

the same as *narrative*, and offers a window into the relationship between scenography and power. Whereas in narrative the scene functions as a part that does not resemble the whole, but serves as a crucial building block, in its representational function the scene precisely reflects the structure and order of the whole; it contains the whole in microcosmic form. For Kenneth Burke, this relationship constitutes “the ideal synecdoche, since microcosm is related to macrocosm as part to whole, and either the whole can represent the part or the part can represent the whole” (508). For Freud the unit of the patriarchal family serves as a representative microcosm of social life, with the father’s expectations working as the law would in the polity. The musical performances that take place within Dohmler’s clinic cannot be seen as distractions; they are spectacles that model social harmony, and therefore mirror the representational assumptions of the therapy. If the entertainments and the therapy mirror each other, then we see how easily scenography can become an instrument of power: it replicates in the immediacy of the physical environment the worldview of the clinic, turning the patient’s everyday movements into a never-ending analytic session.

It is with all the more urgency, then, that Nicole turns to recorded music. As Attali shows, recording is not simply a competing mode of consumption, but a subversion of the logic of representation itself: “Reproduction, in a certain sense, is the death of the original, the triumph of the copy, and the forgetting of the represented foundation: in mass production, the mold has almost no importance or value in itself; it is no longer anything more than one of the factors in production” (89). Recording amounts to “a rupture in the laws of classical economy” because what was once treated as the *only* labor involved in producing music—that of the musicians—is now distributed much more widely, and includes the nebulous category of “consumer labor,” which is nearly impossible to locate and quantify (100). We find in recorded music the same

productivity as in film, which we first witnessed in the screening of *Daddy's Girl*: thanks to the technology of reproduction, the productive process breaks out of containment in any one place. While every consumer knows that her own labor is not privileged in the manner of the original, and is likely part of a multiplicity of copies, the point is that this multiplicity can never be enumerated, and can therefore never be coordinated like the division of labor in a single industrial process. We encounter a sociality built on the indeterminate *more than one*, which remains constitutively open to new additions.

If the consumer's productive role is not coordinated in the manner of an orchestra, then her replay of music cannot serve to represent a harmonious social order. Each iteration of recorded music creates *its own sociality*. Recorded music thus supplies Nicole with *the power to make a scene* that is freed from the requirement of mirroring a particular vision of social order. For Attali, this makes recorded music "a strategic consumption," for two reasons. It becomes "an essential mode of sociality for all those who feel themselves powerless before the monologue of the great institutions." And as a result, it enables "an extremely effective exploration of the past" because that exploration need not reinforce the mandate of an institution (100). Nicole's phonograph collection will provide her with both an effective means to resist the traumatic remembering enforced by psychoanalysis, and a therapeutic contribution of its own. Most important, it is the mechanism of her connection with Dick, which is strictly proscribed by the mores of the psychoanalytic establishment.

The way in which the consumption of recorded music enables a scenography opposed to the representational commitments of psychoanalysis becomes clear in Dick's first private meeting with her on the clinic grounds. The sheer presence of the phonograph is sufficient to construct a scene that is autonomous from its surroundings *and* from any representational

function:

Her hair drawn back of her ears brushed her shoulders in such a way that the face seemed to have just emerged from it, as if this were the exact moment when she was coming from a wood into clear moonlight. The unknown yielded her up; Dick wished she had no background, that she was just a girl lost with no address save the night from which she had come. They went to a cache where she had left the phonograph, turned a corner by the workshop, climbed a rock, and sat down behind a low wall, facing miles and miles of rolling night. (135)

Most noteworthy about this passage is the way in which Nicole's "consumer labor" in replaying music is characterized as only loosely connected to any larger context, to the extent that she seems to be an autochthonous being, a face that had "just emerged" from the night. Her capacity to replay music at will brings with it the power to create a scene *sui generis*, in which the characters can meet as if for the very first time. As Attali leads us to expect, the capacity to create this emergent sociality also frees Nicole, in Dick's eyes, from the burden of her past, not in the sense that this past never happened, but in the sense that the present does not depend on it for its significance in the manner in which a copy depends on an original. Once Nicole begins playing her music, this alternative temporality, in which, Bergson writes, "the invisible progress of the past gnaws into the future," is rendered explicit: "The thin tunes, holding lost times and future hopes in liaison, twisted upon the Valais night" (136).

Not only does the spontaneity of Nicole's scenic creation resist the psychoanalytic orientation to the past; it actually *models* the very encounter with Dick that leads to unintended therapeutic benefits. Psychoanalysis itself seems to function effectively only when its interventions are as portable and aleatory as replays of recorded music. Of course, Nicole's doctor, Franz Gregorovius, is all too happy to take credit for the outcome. Once we fill in the context of the second book, which offers a disjointed flashback to the early days of Dick and Nicole's relationship, the unique function of recording technology becomes clear. The second

book opens with Dick's return, after a two-year hiatus, to the clinic in Zurich where he had begun his medical career, and where he had met the patient who would become his wife. Unlike an orthodox flashback, which seeks an explanation in the past for some conflict or problem in the present, Book Two returns to Dick's *return* to the clinic, where he hopes to see Nicole once again. However, we quickly learn that the first meeting with Nicole two years earlier had hardly laid a foundation on which the two could now build. Dick pleads with Gregorovius: "'Let me explain about that girl [...] I only saw her one time, that's a fact. When I came out to say good-bye to you just before I went over to France. It was the first time I put on my uniform and I felt very bogus in it'" (119). Immediately, the notion of an original or, as Attali puts it, a "represented foundation," is troubled; the "flashback" is in fact a return to an instance where Nicole is drawn to Dick because of his "bogus" costume.

But as it turns out, the lack of any represented foundation *is* the foundation of their relationship, and the source of its therapeutic benefits for Nicole. Dick and Nicole are brought together by virtue of an accidental encounter in which the particulars of the scene—the clinical backdrop, Dick's uniform—prove all important, while Dick's professional training proves irrelevant. Until its end, their relationship is sustained *by a repetition of the unrepeatable contingency of their first meeting*. The scene, as a temporary coalescence, is thus a structural feature of their relationship, which functions as a countermeasure to the representational, narrative assumptions of psychoanalysis that only seem to inflict harm on Nicole.

While psychoanalysis will attempt to re-present the past, Nicole's relationship with Dick requires a repetition in which each iteration is an affirmation of the unrepresentable uniqueness of what is repeated. As Deleuze puts it, "repetition is a necessary and justified conduct only in relation to that which cannot be replaced" (*DR* 1). Gregorovius's own clinical successes with

Nicole, he fully admits, are built upon this chance encounter. As he puts it to Dick: ““It was the best thing that could have happened to her, [...] a transference of the most fortuitous kind.”” He further boasts: ““I’m intensely proud of this case, which I handled, with your accidental assistance”” (120). By Freud’s standard for transference, however, Gregorovius deserves about as much credit for Nicole’s improvement as does Dick. This conversation is set just five years after Freud’s 1914 “Remembering, Repeating, and Working-Through,” where Freud recommends that the compulsion to repeat be given “the right to assert itself in a definite field” (154). Freud does recommend that the analyst treat the session as a “playground” for the repetition, but with the crucial proviso that “the patient shows compliance enough to respect the necessary conditions of the analysis.” The goal, after all, is to replace the “ordinary neurosis” with a “transference-neurosis,” which plays out in a space “between illness and real life” (154). Nicole’s transference falls short of Freud’s criteria in two ways: it takes place in real life rather than the “definite field” of therapy, where she is under the impression that Dick is a soldier, not a therapist; and it is sustained for just a moment, hardly long enough for the patient to achieve the disciplined “compliance” Freud recommends. But as Dr. Gregorovius is forced to concede, it may very well be the accidental nature of Nicole’s repetition, combined with its lack of relevance to any actual traumatic content, that renders it beneficial.

Nicole’s case appears to invert the therapeutic hierarchy Freud establishes between repetition and remembrance, such that unguided repetition—the kind Freud warns against—is therapeutic, while actual remembering, of the kind Freud recommends, is a mechanism of harm. It is not Nicole but her father who ultimately divulges the incestuous event to Dr. Dohmler, a disclosure that short-circuits the therapeutic benefits of the transference. As Nicole herself astutely recognizes in one of her letters to Dick, the doctors then use this information to inhibit

her recovery, “with [their] harping constantly in the things I was here to get over” (122). There’s a double inversion of Freud’s clinical pedagogy: it is remembering rather than repeating that has become pathological; and the pathological behavior has become a characteristic of the analyst rather than the patient. In fact, as we proceed further into Nicole’s past, we discover that Dr. Dohmler’s conversations with Nicole’s father evoke difficult memories for the doctor himself, taking him through his own kind of acting-out in the presence of the august Devereaux Warren: “All the time Warren was talking to the dried old package of Doctor Dohmler, one section of the latter’s mind kept thinking intermittently of Chicago. Once in his youth he could have gone to Chicago as fellow and docent at the university, and perhaps become rich there and owned his own clinic” (127). Remembrance is here subordinated to representation, which returns the past in fixed, unalterable form. The inevitable results for Dohmler are regret and the sense that the past has determined his present. Nicole suffers under this regime. Sensing that the doctors are taking content from her letters to use on her, Nicole begins mailing them to Dick from town, and when Gregorovius inquires about their contents, Dick sums them up with the sentiment: “‘Sometimes she speaks of ‘the past’ as people speak who have been in prison’” (131). Freudian remembering, which is supposed to be the way out of acting-out, enforces a strict re-presentation of the past in its same form, causing Nicole to re-live it rather than relieve herself of it.

Recording, exemplified in an array of forms throughout the novel, including both technical and biological, offers an alternative relation to the past that comes without the mandate of representation. Unlike the Freudian drive to re-present the past, recording allows one to choose—or to echo Nietzsche, to *will*—one’s relation to the past, so that the past hinges on present needs and concerns. At a critical moment for Nicole, Dick’s decision to use his memory to *suspend* his therapeutic impulses breaks the grip Dohmler’s techniques have exerted on her.

Dick, we already know, prides himself on his memory. When forced to burn his medical textbooks for warmth during his early days in Zurich, he does so “with an assurance chuckling inside him that he was himself a digest of what was within the book, that he could brief it five years from now, if it deserved to be briefed” (116). The persistence of the physical book through time preserves its content even when its ideas are superseded. But its storage in Dick’s memory exposes the body of scientific knowledge to a different kind of contingency, signaled by “if it deserved”: rather than persisting as authority until it is outdated, the books’ content subsists in a state of virtual suspension, to be called forth only when it has some bearing on present action. Instead of being valid until proven otherwise, it is suspended until proven useful. This vignette of Dick’s book-burning, which at first seems nothing but an odd excrescence of his student years, thus signals a crucial paradigm shift from recording in service of exact re-presentation (recording as recollection) to recording subordinated to remembrance. This shift has profound epistemological implications. Knowledge does not exist as a timeless body or on a chronological continuum, but is exposed to the creative movement of time. When knowledge is subject to the logic of memory, it must be actively called into existence from the perspective of some present need. Its authority does not persist, untouched, but must be renegotiated anew.

Dohmler’s therapy attempts to return the past in identical form, neutralizing what is unique and different about each present moment. Dick reverses this order, prioritizing the singularity of the scene, and allowing it to determine the relevance of the past: “It occurred to Dick suddenly [...] that Nicole had been ‘re-educated’ by Dohmler and the ghostly generations behind him; it occurred to him also that there would be so much she would have to be told. But having recorded this wisdom within himself, he yielded to the insistent face-value of the situation” (153-4). This attention to “the insistent face-value of the situation” blasts the scene

out of the continuum of a deterministic psychiatric history. Dohmler claims as his ancestors a “pantheon of heroes” that include Lavater and Heinrich Pestalozzi (132), while Gregorovius’s grandfather “had instructed Krapaelin when psychiatry was just emerging from the darkness of all time” (119). At this crucial moment, Dick pivots away from the psychoanalytic diagnosis that would identify Nicole as constitutively lacking and would, as therapy, prescribe her reinscription in the tradition of Western scientific rationality represented by Dohmler’s “ghostly” ancestors. Dohmler’s methods and Enlightenment rationality begin to look alike in an important sense: the way in which they treat the past. The clinic’s treatments haunt Nicole with the constant return of her own past, while the forefathers of European thought appear, likewise, as authoritative revenants that plague the living. Nietzsche, as Deleuze shows, diagnoses this pathological memory as *ressentiment*, which is, in Deleuze’s words, the “formula which defines sickness in general” (*Nietzsche and Philosophy* 114). Time simply returns the past in its same form, which makes this past essentially time-less. Pathological repetition, of the kind Freud meant to exorcise, reappears not only as the unthought basis of the techniques he inspires, but also as a feature of the Western scientific tradition on which medical practice is built. Following Deleuze’s reading of Nietzsche, it would be fair to say that this medical practice induces sickness by guaranteeing one’s powerlessness with respect to the past. Dick’s “recording” of the psychiatric tradition breaks its grip on the present, and crucially renegotiates its value, freeing him to see the “face-value” of his encounter with Nicole rather than its interest as a moment in a developing therapeutic narrative.

Nicole’s playback of recorded American hits affirms the detachment of the scene of listening from the continuum of any personal or therapeutic narrative, and so becomes the mechanism of her attachment to Dick. Nicole’s sustained remembrance of popular music thus

serves a much more profound function than critics have claimed, such as Kristin Henson's view that song lyrics enforce a "blind optimism" that constitutes "a particularly American type of illusion" (60-1). During their first visit together after Dick's return, Nicole announces, "'I have some phonograph records my sister sent me from America,'" and proceeds to catalog her holdings, among them "Hindustan," "Why Do They Call Them Babies?" and "I'm Glad I Can Make You Cry." In the same breath, she assures Dick, "'I'm not under any restraint at all'" (135). Her freedom, it becomes clear, is brokered not by the work of the clinic, but by her capacity to replay the hits from America. Returning to the scene in which Nicole first introduces Dick to her phonograph collection, we find a curious passage that seems to blend lyrics from popular songs into a narrative:

They were in America now, even Franz with his conception of Dick as an irresistible Lothario would never have guessed that they had gone so far away. They were so sorry, dear; they went down to meet each other in a taxi, honey; they had preferences in smiles and had met in Hindustan, and shortly afterward they must have quarrelled, for nobody knew and nobody seemed to care—yet finally one of them had gone and left the other crying, only to feel blue, to feel sad. (135-6)

This passage constitutes an important shift in the way *Tender* represents music. Lyrics from popular music and shows appear frequently in the novel, usually blocked off separately from the narrative. When lyrics are separated from the rest of the text, not only their generic difference but also their metrical difference becomes apparent. It is clear to the reader that the text represents a musical "object" that the characters of the novel are listening to. Here, however, the narrative absorbs both the lyrics and the listening subjects. We progress through a number of songs, but their outlines are not as sharp as when their titles or lyrics are quoted. Separate songs only emerge once enough identifiers have been accumulated to allow the reader to distinguish them.

As Dick and Nicole absorb each song, the repetitive capacity that lyrics gain from their memorability, the capacity of popular songs to be hummed wherever or whenever, lends them a combinatorial power. The resulting narrative has no claim to be art, as it is held together with forced signposts like “shortly afterward.” What it accomplishes, however, is to reveal the singular difference that lurks in lyrics. Whereas the refrain is usually identified with a repeated lyric and tune within a single song, and is therefore subsumed under identity, here it is repetition itself that is repeated. In other words, we have a string of repetitions, but none is identical. Repetition in its productive capacity as the power of difference is let loose. The repetition characteristic of the refrain is now linked to the generic pronoun, the site of pure difference, rather than to the identity of a particular phrase, freeing it from the confines of the individual song. The refrain has become narrative-like in that it provides continuity among parts that were themselves refrains from popular songs. This continuity, however, is not the narratological kind, but is instead an affirmation of the pure difference of the lyrical. In other words, a narrative is generated simply by virtue of the productive repetition that resides in music.

There is a further dimension to this productive repetition. Each of the lyrics quoted establishes the minimum elements needed to establish a *scene*: “they had met in Hindustan,” for example, sketches a liaison in an exoticized East. The lyrics’ memorability is due not to the sound of the words, their meter, or the melody, but to the discreteness of the scene they depict. The scene becomes the fundamental rhythmic unit, and accordingly takes on the characteristics of rhythm we have explored, where each unit simply *differs* without *differing from*. With each “beat,” Dick and Nicole are transported to a different scene. These beats form a series in which the first beat is not privileged, in the exact same way that the “original” of a recorded song is no longer the privileged event in the production process. In this way, the lyrics themselves repeat

the uncoordinated productivity of recorded music: their whimsical transport of a “they” across times and places reflects the anytime-anywhere coalescence of consumers enabled by the portability of music, which in turn repeats the “accidental” transference by which Dick and Nicole were first brought into contact. Like the pseudo-narrative constructed out of music lyrics, the novel itself is a chain of scenes in which Dick and Nicole are simply together in a place—the minimum possible to count as a “scene”—none of which is the “original” in which the agency of one or the other precipitates narrative action that links them together. Scenes, like reproduced lyrics, function as copies of copies liberated from the tyranny of the original. They proliferate without foundation.

As Dick and Nicole experience the playback of Nicole’s musical selections, we witness the becoming-music of narrative, in which two previously distinct layers of the text, foreground—inhabited by agents and their actions—and background—where narratively non-essential adornments like music are relegated—become indistinguishable, so that events important to the narrative *are conducted among scenic elements*. Dick and Nicole, as clearly delineated characters in narrative, become lyrics—an indeterminate multiplicity, a “they”—and in their pure difference (difference not subsumed under and therefore diluted by identity), obtain a crucial freedom from the roles of patient and doctor that had heretofore defined their relationship. Characters formerly defined by the outcomes of their actions and the trajectories these take have become a “they” that changes simply by virtue of its repetition. Dick and Nicole do not have to exert any effort to have “met in Hindustan” and to “have quarrelled,” but are propelled through this whimsical narrative simply by the difference of the “they.” The narrative of their courtship takes place embedded within the scene’s sonic landscape, which enables it to escape the proscriptions to which foregrounded actions are subject.

V. Making Scenes, Scenes of Making

That scenic repetition becomes the engine of narrative explains both structural dimensions of the novel and the curious lack of psychological motivation for the precipitous deterioration of its protagonist. If Dick and Nicole's relationship is produced by a rhythmic scenic repetition, both what characters do and what they may want within those scenes takes a backseat to the sheer occurrence of the scene itself. As Dick will put it to Rosemary, "Nicole and I have got to go on together. In a way that's more important than just wanting to go on" (75). This necessity is paradoxically a function of repetition, which has curious consequences. Dick and Nicole need to hang together, but their togetherness does not continue *through* scenes; it is a product of their repetition, which means every new scene repeats the contingency of the very first, in which Nicole is drawn to Dick based purely on a mistaken impression about his military uniform. It is the contingency that returns. So when we see how "they had met in Hindustan" repeats something essential about the couple's first real meeting, we grasp the improbable, whimsical nature of the latter that Gregorovius notices as an "accidental" transference. Moreover, if scenic repetition functions just like rhythm, there is no expectation about the internal coherence or meaning—narrative or otherwise—of the scene, so long as it continues the repetition.

The whimsy and frequent frivolity of the Divers and their social group, not to mention their failure to take tragic events seriously, is therefore structural rather than cultural or psychological, a function of the scenic contingency that brought them into contact in the first place. Much of the novel is spent attempting to sustain this contingency, which, as we have seen, cuts against the deepening and complexification of interpersonal relations we expect in narrative. One of the conversations Rosemary first overhears on the beach at Gausse's concerns

Abe North's attempt on the previous evening to halve a waiter with a musical saw. Abe himself observes that "the fact of *The Divers*" entails "a certain sacrifice—sometimes they seem just rather charming figures in a ballet, and worth just the attention you give a ballet" (43). After Violet McKisco stumbles on Nicole enduring an episode of her illness, and Tommy Barban intercedes to end conversation about it, Barban and Violet's husband participate in a duel. We discover, much later in the novel, that Dick himself had helped arrange the duel, and yet it serves absolutely no narrative purpose; there are no terms to the duel that would be helpful to Barban, Dick, or Nicole, such as a promise of silence about Nicole. While the incident does certainly distract the characters from Nicole's episode, its more important function is to affirm the role of the aleatory at the heart of the novel's scenes, perhaps in the most fitting way possible: the characters fire antiquated weapons, and depend largely on luck for the outcome.

The existential need for the contingency of scenes leads the characters to welcome what are in fact violent events like the duel, which produces a bivalent attitude toward these shocking incidents. Because they need these events in order to repeat the contingency that binds them, they attempt to minimize whatever toll they take. Nevertheless, that toll is real. Seeing Abe North back to America at the Gare Saint Lazare in Paris, the Divers and company witness a shooting, and the perpetrator turns out to be an American known to them, Maria Wallis. Immediately, Dick leaps into action: "I found out what poste de police they're taking her to so I'll go there—." Nicole, suddenly pragmatic, insists instead on phoning the shooter's sister, insisting "she can do more than we can" (84). Only moments before, Wallis had ignored Nicole's greeting on the train platform, and yet the need to become part of the scene is so great that Nicole uses the shooting to explain away the snubbing: Wallis had no time to talk, Nicole insists, because "she was getting ready to open fire" (85). Thanks to Nicole's reasoning, the

shooting ironically becomes the premise by which the American expatriate circle is preserved from the *social* violence of rudeness. Nicole and Dick then more than make up for their exclusion from the attempted murder by leaping into action to help the perpetrator and by rushing to be the first to notify Wallis's sister.

Like the duel, the shooting manages to pair the shock of violence with an aesthetic disinterestedness. This bivalence actually inverts the agency responsible for the scene: because the group needs the spontaneity to hold together, it becomes as if the violence were expected, and therefore takes on the characteristics of a deliberate aesthetic creation. Nicole is almost relieved to discover that Wallis's sister "knew something was going to happen this morning." And as the group makes their way out of the station, the narrator observes that they behaved "as if nothing had happened," but quickly corrects this view: "However, everything had happened" (85). A final touch holds open these competing approaches to the scene. Two porters "held a post-mortem" next to the Divers and their friends:

"Tu as vu le revolver? Il était très petit, vraie perle—un jouet."

"Mais, assez puissant!" said the other porter sagely. "Tu as vu sa chemise? Assez de sang pour se croire à la guerre." (86)

["Did you see the revolver? It was so small, a gem—a toy."

"Yes, but powerful!" said the other porter sagely. "Did you see his shirt? So much blood you'd think it was a war."]

The incident demonstrates the lengths to which the Divers will go, including sympathizing with a violent assailant, in order to perpetuate the scene making that holds them together. Dick wryly observes, "Maria ought to be with Diaghileff [...] She has a nice sense of decor—not to say rhythm. Will any of us ever see a train pulling out without hearing a few shots?" (85). We have already seen how the repetition characteristic of rhythm holds multiple scenes together; Dick's commentary suggests that rhythm is also the internal principle that holds the elements *within* a

scene together. But significantly, this principle has chance at its core. It is only thanks to the rapidity of Maria Wallis's firing that the scene manages to cohere. So as much as Dick and Nicole leap into action in order to coopt the event, the seed that precipitates it comes from outside the control of their social circle. This external contingency lies at the very heart of the scene.

Music comes to play a major role in holding Dick and Nicole together because, of all the arts, it is most susceptible to unexpected intrusions from the surrounding environment.

Returning to the nook on Dohmmler's grounds where Dick and Nicole sample the hits from America, we find the recorded songs punctuated by an animal contribution: "In the lulls of the phonograph a cricket held the scene together with a single note" (136). Fitzgerald here explicitly displaces responsibility for the establishment of the minimum conditions for a scene to a non-human agent, confirming our hunch about the function of the aleatory in holding scenes together. This dependence on the unexpected therefore repurposes the function of the scene, which is no longer a container in which the characters act toward one another. Nicole had initially sought "the beat of a response, the assurance of a complimentary [*sic*] vibration" from Dick (136), but receives this beat from what otherwise would have been the backdrop to their interaction. A scenic element, which might have served a purely decorative function, takes the place of a character. The Kantian aesthetic disinterestedness we might have exercised toward a scenic detail is then recuperated to serve an agential role; its seeming lack of narrative purposiveness supplies the contingency that has become a necessity for Dick and Nicole.

By hinging the coherence of the scene of listening on improvisational elements, the novel affirms the role of the aleatory in holding together both scenes themselves *and* the human relationships negotiated within them. The scene as an entity in Fitzgerald is no longer the closed

entity of the theater, which strictly delimits its boundaries; it is fundamentally open to unexpected contributions from its outside. As Eugene Holland puts it, musical improvisation invites what Deleuze and Guattari call “free action,” which is “not programmed in advance, not devoted to any other ulterior aim other than maximizing creative difference in repetition” (201). Rather than merely *representing* improvisation, which would neutralize the advent of the new it enables, Fitzgerald makes it the principle by which scenes are organized.

The contingency at the heart of scenes very clearly displaces the role of deliberation and the appeal to principle in the way characters act. After his musical rendezvous with Nicole, Dick is subjected to a frank discussion of his situation with Gregorovius and Dohmler, who are confident Dick will act according to the ethics of his profession. Dohmler appeals to principle in order to influence Dick’s next move, insisting that Dick’s is a “professional situation,” and that he must not see Nicole again. Gregorovius launches on an almost metafictional discourse on the necessary relationship between character and action: “‘Doctor Diver is a man of fine character,’ he said. ‘I feel he only has to appreciate the situation in order to deal correctly with it’” (140). Ultimately, Dick half-heartedly follows their advice by telling Nicole she should return to America, make her debut, and fall in love. But it is precisely the deliberateness and rectitude of this course of action that leaves Dick cold: the “mechanistic defeat of the affair left a flat and metallic taste” (145). Likewise, when Dick unexpectedly rekindles his relationship with Nicole, her sister, Baby, objects to its continuation: “‘I think it’s ill advised,’ she said, ‘I’m not sure I truly understand your motives’” (158). Like Gregorovius, Baby appeals to Dick’s character as the basis for her concerns, and reinforces the orthodox connection between character and action made by the old psychoanalyst. For Gregorovius, letting Nicole be would reinforce Dick’s professional character; for Baby, continuing in a relationship would erode it. Judgments positive

and negative have been prepared for Dick *before* he acts. What Baby Warren and Gregorovius fail to recognize is that the openness to an undetermined future has enabled the very abeyance of illness Gregorovius celebrates and Baby aims to protect.

The creative repetition by which Dick and Nicole hang together also displaces the bad repetition that psychoanalysis appears to enforce in the novel. It is as the creative repetition of musical improvisation that Nicole comes to affirm what might otherwise be seen as the traumatic withdrawal of men in her life. Her father has perpetrated what amounts to a double abandonment. Early in the history provided by the second book, we learn that he drops her at Dohmler's clinic, and fails to return as promised the next day. When he finally does, his account of his incestuous relationship with Nicole prompts the doctors to initiate a five-year separation. The doctors essentially repeat the initial abandonment. In her letters to Dick, Nicole also cites a French officer at the clinic who "understood": "He gave me a flower and said it was '*plus petite et moins entendue.*' We were friends. Then he took it away" (122). Once again, the clinic, and not Warren himself, perpetrates the repetition that appears to be far more harmful to Nicole than the original trauma. Gregorovius's diagnosis, that Nicole "slid[] into a phantom world where all men, the more you liked them and trusted them, the more evil—" (131), fulfills its own prophecy. Dohmler and Gregorovius not only subscribe to the notion Freud would articulate in "The Uncanny," published the very same year in which the clinic scenes are set, of a repetition compulsion that defies the workings of the pleasure-principle by reenacting traumatic events from childhood; they enable that very repetition in the theater of the clinic ("The Uncanny" 238). Indeed, the "phantom world" to which Gregorovius refers implicates his own practice, as the analysts themselves unconsciously repeat for Nicole the traumatic incident they set out to treat. Gregorovius himself is one of the "phantom" bystanders in his diagnostic portrait, an unwitting

actor in the theater of Nicole's unconscious.

The antidote to the closed repetition enforced at the clinic is found elsewhere. At the moment it is clear to Nicole that Dick will leave again, possibly for the last time, she returns to her phonograph collection: "I have some new records,' she said. 'I can hardly wait to play them. Do you know——'" (144). While Dohmler and Gregorovius have overdetermined Dick's departure as both part of Nicole's repetition compulsion *and* professional necessity, Nicole fundamentally reframes her anticipation of the next move in the narrative in terms of her abundant reserve of new musical options. In strong contrast to the either-or logic of the Freudian diagnosis, which offers only the alternation between a man's presence and absence, the musical archive over which Nicole presides provides a genuinely undetermined opening in the text, appropriately signalled by a "——" mark where the object of "know" would be. This diacritical incision marks both the fact that Nicole's sentence is cut off by Dick's departure *and* the potential entry point for any number of new songs. The departure, in this sense, enables the advent of the new, and therefore ceases to function as the identical repetition of an originary traumatic event. At the very moment that narrative could be subsumed under a pathological repetition—a clear danger to Dick and Nicole's relationship—the uncoordinated "consumer labor" of musical playback intervenes, and revalues what psychoanalysis had determined to be the traumatic, instantaneous movement from presence to absence as a continuous, productive passage.² Nicole has learned to affirm Dick's imminent exit as she would the ending of one song: it is part-and-parcel of the movement by which the next arrives, which may or may not take the form of Dick's return.

² For this way of contrasting absence in Freud and passage in music, I am indebted to Greg Seigworth's excellent treatment of the *fort/da* episode in Freud's *Beyond the Pleasure Principle*.

By providing the means by which Nicole can affirm a truly open, undetermined future, music breaks the cycle that would turn Dick's departure into a traumatic repetition. This explains why, to Dohmler and Gregorovius's surprise, Nicole appears only "a little abstracted" after Dick's departure, but not at all upset. Similar departures in the past caused her to relapse into illness, as when she tells Dick of a French officer who gave her a flower, but "took it away. I grew sicker and there was no one to explain to me" (145). Even more remarkable is her lack of surprise when she literally bumps into Dick on the Glion funicular. She immediately lapses into familiarity with him, and displays no embarrassment that Dick has found her with an apparent suitor, the Conte de Marmora.

Nicole, it becomes clear, apprehends Dick's sudden reappearance on her horizon in musical terms. Her first words to Dick, far from expressing any hint of surprise, harness the full musicality of speech: "Hello," she says, followed by a "Plunk!" as she sits, a "Whoo-oo" to bemoan the strictness of the Swiss guards, finished off with a "Gee-imminy!" as she introduces Dick to her traveling companion (148). The nearly percussive function of her speech wrests from the narrative the work of registering their accidental meeting; rather than using language to *represent* surprise, Nicole's onomatopoeic speech *repeats* it and relays it back to Dick and whomever else is in the vicinity. This repetition affirms Dick's appearance by perpetuating and assimilating, in vocals, its suddenness. Instead of having his part overdetermined by a repetition compulsion, Dick plays an utterly free part in Nicole's improvisation. Improvised music comes to define for the couple a future that is charged with potential interactions, but is still undetermined. Elizabeth Grosz helpfully distinguishes this kind of future-as-potentiality from the explicit vision of a determinate future that is the terrain of politics: "Unlike politics, sensation does not promise or enact a future different than the present [...] The body is opened up now to

other forces and becomings that it might also affirm in and as the future” (80). In other words, sensation, as we find in music, does not *image* a future that will one day come into being; such an understanding denies its impact in the present. Sensation occurs in the present, and *opens the present* to forces that it does not control through representation. As Grosz puts it, the body then affirms “these unrepresented and unknowable forces” that impinge in the present “as the future.” While it is a present performance, Nicole’s musical speech makes of her body a vessel that resonates, and thereby opens it to the future defined not as the predictable next steps in a chronology but as the unknowable and unpredictable. In the very next scene, Dick, “watching Nicole’s shoulders as she chattered to the elder Marmora, whose hair was dashed with white like a piano keyboard, [] thought of the shoulders of a violin” (152). Nicole’s “chatter,” once again, makes her a resonating musical instrument. Novelistic dialogue, too, undergoes a transformation, a becoming-music: instead of being representable speech, the clear attribution of signifying sounds to a person, it becomes the blended sound of instruments, where two voices combine to make a sound that is not reducible to either.

Accordingly, as the funicular descends into the resort at Glion, music becomes the concrete manifestation, in the present, of narrative potentiality: “Something new was in the air; freshness—freshness embodying itself in music as the car slid into Glion and they heard the orchestra in the hotel garden.” Initially, it would seem, the music that lies in the couple’s immediate future is the very least improvisational of musical genres. The orchestra, with its roles rigidly defined in advance, seems closely allied with the kind of narrative action characteristic of Nicole’s sister Baby, who tells Dick in the very next scene that her plan is to use her father’s influence at the University of Chicago to find Nicole “some good doctor” (152). That Baby would lay out plans to find the very kind of person seated in front of her suggests that

her aversion to Dick has little to do with his personal qualities but to the spontaneity by which he has appeared in the scene. She objects, in other words, to Dick's scenic existence. In the very next line, Baby complains, "Now where is Nicole—she's gone off somewhere. [...] I never know whether it's something innocent or whether I ought to go find her" (153). Nicole, quite simply, is not playing the part assigned to her. Baby stands against improvisation on principle, because its outcome cannot be known. The text therefore associates her with orchestral music.

But the predictable order associated with orchestral music—what Attali calls its representational function—is neutralized when the novel meticulously attends to the way it enters into scenes. If the orchestral music at the hotel is the ordered narrative machine to which Dick and Nicole will be subjected, the most powerful antidote to it is, paradoxically, an affirmation of the very singularity of the performance occurring that very moment in the hotel garden, its temporal and environmental specificity. Fitzgerald accomplishes this affirmation by meticulously narrating their encounter with the sound itself, where ordered orchestral music is brought into the scene thanks to another movement, and so functions more like the cricket in the scene at Dohmler's. The funicular serves as the mechanism by which the couple is brought into contact with the music, but as the text will underscore, its *own* rhythm, the climbing and descent of the mountain, guarantees the evanescence of the orchestra's sound. The couple only hears the music "as the car slid into Glion." That moment at which they hear the first faint sound is nothing like the moment an orchestra first strikes up for an audience; at that moment, it is the fiat of the conductor that determines timing. Here, instead, it is the collision of two temporalities, the movement of the funicular *and* the movement of the conductor and musicians, which brings the sound into being. And just as the funicular's motion brings the music into existence, it soon takes it away, confirming orchestral music's dependence on an antinarrative alternation. As the

narrator takes care to observe, “When they changed to the mountain train the music was drowned by the rushing water released from the hydraulic chamber” (149).

Orderly music comes and goes once again only moments later, when Dick and Nicole escape the hotel ballroom, with its “fabled acoustics” (150) that can amplify speech without distortion from one side of the room to the other. There, under Baby Warren’s watchful eye, Dick and Nicole listen as “the orchestra played ‘Poor Butterfly,’” a song adapted from Puccini’s opera about an American naval officer who marries but abandons a Japanese woman (152). They escape this oppressive musical regime outside, where Nicole admits, “‘Tonight that music was too much. It made me want to cry—’” (153). The song had reminded Dick, too, of “the dishonor, the secret” (152), precisely because it repeats the theme of a woman’s abandonment by men, and reinforces the psychoanalytic orientation to “poor Nicole,” the precarious object of sympathy. Outside, however, the two distance themselves from the ballroom so that they only hear “a faint sound of dance music.” But the regularity of the music is quickly obscured by “a booming” from “cannons [] shooting at hail-bearing clouds in order to break them” (155). The percussions of distant cannons serve the same function as the gunshots that reverberate through the novel’s first book: they provide the accidental event that enables Dick and Nicole to repeat and affirm the contingency of their first meeting. On this occasion, it is thanks to the aleatory beat of the cannons that Dick and Nicole manage to escape the pathological repetition of “Poor Butterfly,” and share their first kiss. Then, just like their first session listening to Nicole’s phonograph, the world itself appears to collapse around the scene that has been created:

Then the storm came swiftly, first falling from the heavens, then doubly falling in torrents from the mountains and washing loud down the roads and stone ditches; with it came a dark, frightening sky and savage filaments of lightning and world-splitting thunder, while ragged, destroying clouds fled along past the hotel. Mountains and lake disappeared—the hotel crouched amid tumult, chaos and darkness. (155-6)

Dick and Nicole come together in a scene seemingly sedimented out of the cosmos, with no ties to previous moments and no clear future. This evocation of chaos is much more than a Romantic investment in the power or divinity of nature. It reflects the fact that the conditions of Dick and Nicole's togetherness are, as we have been arguing, a repeated affirmation of contingency. What this really means now becomes graphically evident: it is the virtual disappearance of any wider spatiotemporal context for what is happening in a particular scene, such that it becomes as if detached from its immediate surroundings and from the wider narrative, in which their relationship is subject to professional and familial proscriptions. The meteorological event thus ceases to serve as merely a reflective backdrop for the events in the foreground, and quite literally displays the *conditions* under which Dick and Nicole merge.

Because these conditions emerge in and through a repetition that affirms contingency, even the narrator appears to miss them. As Dick drops Nicole back at the hotel with Baby, the narrator intercedes, "... For Doctor Diver to marry a mental patient? How did it happen? Where did it begin?" (156). The ellipsis with which the question begins suggests a witness caught off guard, and the form of the question explains why: looking for an ordinary event misses the true origins of the relationship as a repetition of difference in which what gets repeated is the purely "accidental" meeting on Dohmler's grounds. The narrator does recognize that *something* has happened, and struggles with a chemical metaphor to elaborate what: "There were now no more plans than if Dick had arbitrarily made some indissoluble mixture, with atoms joined and inseparable" (155). What the narrator gets right in this metaphor is the way rational deliberation and future projection play no part in the coming together of the couple. Its error lies in the way it reintroduces Dick's agency through the back door. Fitzgerald has constructed for his narrator an

unusual predicament: repetition of contingency via scenic alternation is really the agency that brings Dick and Nicole together. Their relationship is produced behind the narrator's back, as it were, which grants scenic alternation the highest formal priority, over even the narrator.

Just as it brings them together, recorded music finally heralds the dissolution of Dick and Nicole's marriage and the impending replacement of Dick with Tommy Barban. The couple find themselves in the Lausanne hotel where Nicole's father, Devereaux Warren, had lay on his deathbed. At this point, in the novel's third book, the narrative is driven almost entirely by chance encounters. Dick only discovers Warren's whereabouts by accident; he had originally visited the hotel to treat the homosexual son of a wealthy Spaniard. When Nicole makes her way to the hotel in the hopes of finding her father, he has already fled. As they talk in the hotel lobby, they come to acknowledge not only the contingent events that bring them to the place, but the way their relationship as such seems built on the same contingency: "I don't see why you have to—come in contact with all this," she burst forth. "Oh, don't you? Sometimes I don't either." She put her hand on his. "Oh, I'm sorry I said that, Dick." At that very moment, a phonograph appears, as if autonomously: "Some one had brought a phonograph into the bar and they sat listening to *The Wedding of the Painted Doll*" (252). The scene is set in the spring of 1928, but "*The Wedding of the Painted Doll*" first appears in the MGM movie *The Broadway Melody*, which was not released until February 1, 1929. Does the text play back music that is before its time? Or does the untimeliness of the song reveal something about the scene? That the song functions as a superadded soundtrack to a film encourages the latter view: the song's later date reflects a practice only possible in film production, in which a song can be synchronized with a scene shot months or even years earlier. Whether the anachronism is intentional or not, it suggests the abeyance of the scene as a unit, its suspension as a recorded

element alongside other recorded media. The song's untimeliness reveals the untimeliness of both scene and soundtrack, which are only combined in post-production.

In other words, this untimeliness reveals the *combinability* of scenic elements, which is not limited to the materials currently available. Even a scene already photographed has the potential to be combined with sound *from the future*, which means it is never fixed once and for all in its relations. Recorded music enters the scene via the same external, mechanical intervention that brings the couple into contact with the orchestra at Glion and the cannon fire in the mountains, only this time its source is not only outside the scene but outside the spatiotemporal setting of the text itself. This anachronistic soundtrack thus situates the relationality between scenes within the much broader context of American film production and cultural productivity in general. *The Broadway Melody* proves to be a powerful allusion because it was offered as both a "talkie" and as a silent film for theaters not equipped to play synchronized dialogue. "The Wedding of the Painted Doll" was part of the non-synchronized soundtrack to the silent film, which essentially means that it was a contingent soundtrack held in reserve in the event that technological advancement at the site of consumption had not caught up to innovation at the site of production. The connection between the song and the film scene to which it is attached is mediated by the technology available at a particular theater rather than by any essential contribution it might make to plot or characterization. Of all films, Fitzgerald selected one of the few in cinematic history, produced during the transitional period between silent film and the talkies, in which the materials available at the scene of viewing play a crucial role in producing the scenes viewed. Synchronized dialogue enables the illusion of narrative and spatiotemporal continuity to a far greater degree than silent film, which might ask the spectator to linger on a shot before an intertitle explains its narrative import. Silent film's soundtrack, in

contrast, matches songs and scenes, and so the audio component is locally attached to its scene rather than to the narrative. Since *The Broadway Melody* existed in both forms, its place on the spectrum of scenic autonomy and narrative continuity depended on the technological capacity of the place in which it was exhibited. The narrative continuity that holds between scenes is therefore a function of the material capacity of the specific scene in which it is consumed.

In essence, the playback of “The Wedding of the Painted Doll” within the confines of the novel draws attention to the material specificity of the site in which it is played, and turns the scene itself into an essential productive node that is the arbiter of narrative continuity. On one hand, the playback of “The Wedding of the Painted Doll” signals the unavailability of synchronized sound technology at the moment; on the other hand, it heralds the presence of such technology in other screenings of the same film. So while the song functions for the novel as a scenically-specific part of the soundtrack, it is also a placeholder for the promise of greater narrative continuity in the future. This continuity, however, will be the product of a technological advance. The scene, then, is firmly embedded within the horizon of developing film technology. Scenic autonomy is now affirmed from a completely different angle: the material specificity of the scene of consumption, and not any human agency, determines the degree to which scenes hang together in a narrative. A phonograph’s sudden appearance, pushed by an anonymous “Some one,” insistently manifests the material capabilities of the hotel scene and claims an agency for the scenic materials we might otherwise dismiss as “background” elements. In other words, the seemingly autonomous intrusion of the apparatus works to dispel any illusion that the scene with which we are presented is somehow “natural” and not itself dependent on the configurations that are technologically available at any given time. Scenes are now contingent in a more profound sense: their position and significance depend not only on

their placement within a narrative, but on the technological developments that offer new *ways* of placing them. Scenic contingency thus radically historicizes the text, opening it to technological developments both anticipated *and* unforeseeable.

During the climactic scene in which Tommy and Nicole inform Dick of their coupling—already an accomplished fact—the text signals the advent of the very recording technology that will enable the improved synchronization of dialogue, and with it, greater narrative continuity between scenes. Tommy is blunt: “‘Your wife does not love you,’ said Tommy suddenly. ‘She loves me’” (308). We might think of Tommy’s claim on Nicole as at least more passionate than Dick’s, that is, until we realize that Tommy’s words are an almost verbatim reproduction of Gatsby’s to Tom Buchanan: “‘Your wife doesn’t love you,’ said Gatsby. ‘She’s never loved you. She loves me’” (137). At that same moment, Fitzgerald adds the only song lyrics in the novel that are his own creation:

“She’s—not—wired for sound
but on the quiet
you ought to try it—” (308)

These lyrics herald another technology, close-miking, that would also be in its nascent stages at the time this scene is set. Taking a step further than “The Wedding of the Painted Doll,” which marked the absence of sound-synchronizing technology, Fitzgerald’s lyric now overtly recommends it. As James Lastra demonstrates, close-miking enabled the clear capture of spoken dialogue, which was essential to the continuity between shots because it eliminated the “background” contributions of a particular scene. Its practice therefore enforced the “priority of the edited scene” over the “naturalness” provided by unexpected background sounds (205). This scene, an essential step in Nicole’s “nascent transference to another man” (301), is, just like her

“accidental transference” to Dick, a thoroughly technical feat. Tommy’s declaration of love reproduces one from an entirely different novel. And as he speaks, the soundtrack welcomes the advent of technology that will be able to wrest narrative continuity out of pretty much *any* recorded material. Tommy’s borrowed lines, coupled with the advent of synchronized dialogue, suggests that his future with Nicole will be thoroughly constituted by the technical operations of narrative cinema.

But the fact that this announcement is made by the soundtrack, by what narrative continuity relegates to the “background,” reasserts the priority and productivity of scenic materials. Close-miking may capture diegetically significant sound, but it is only permitted to enter the text through an adventitious lyric that has no identified source in the text. Appearing out of nowhere, this soundtrack without origin seems to be the very kind of unplanned sonic intervention that close-miking would be designed to exclude. It is, in other words, the kind of sound that *belongs to the scene* rather than to the narrative. Extending T. Austin Graham’s claim that Fitzgerald’s soundtrack underscores the “ineffability of musical meaning” (525), the *sui generis* nature of the lyric constitutes the expressivity of the scene, its obdurate specificity apart from its role in the narrative. In keeping with its origin, the lyric loudly calls attention to the very apparatus that narrative cinema will rely on, but which it will need to conceal in order to be effective. Tommy’s profession of Nicole’s love for him would seem to be embedded within the narrative of *Tender*, but, of all agents, it is the *scene* that calls him out, and reveals their affair to be nothing but a carry-over from an earlier text. The lyric coincides with Tommy’s reproduced assertion because the affair is inserted within the text as part of the very same productive process to which the lyric calls attention. Continuity editing attempts to hide the seams that reveal the otherness of scenes, their production at different times and places; here it becomes the job of the

soundtrack to call attention to the transposition that brings distinct productions into contact with one another. As its parting shot, *the scene speaks*, but only to insist on the presence and opacity of the apparatus that would fade into the background with the advent of synchronized dialogue.

Paradoxically, the scene in *Tender* gains its agential character by remaining opaque to the demands of narrative and meaning. Scenery therefore speaks intelligibly only at the moment it reveals and unravels the operations of narrative continuity. Fitzgerald's lyric works as an audible anamorphosis, which, from the perspective of the story, can only appear distorted and non-sensical; to comprehend it, we must shift out of our attention to the narrative and attend to the productive process in which the novel is embedded. As readers, we no longer inhabit the position of spectators to an unfolding theatrical performance, the production apparatus hidden carefully out of our sight. We inhabit the non-place of the visitor to a film set, conscious of a productive spectacle in which we are not privileged, and which we cannot assimilate. If Fitzgerald practices a variety of literary realism, the "real" he attempts to grasp is not a verisimilar backdrop produced for the delight of the spectator or for the movement of the narrative, but the "real" that is actively produced by the interaction of many different kinds of agents: phonographs, gunshots, cannon-fire, human beings—not necessarily in any order of priority.

Conclusion: The American Scene

The articulate opacity of the scene ultimately serves as Fitzgerald's model for the relationship between citizen and nation. On Dick's return to Virginia to bury his father, his identification with America becomes possible only through the unassimilable heterogeneity of its scenic components. *Tender* will thus replace the analogy encouraged by *Gatsby* in which America, or the American Dream, functions as a fetishistic image that piques desire only because

it is unattainable. Dick's return stateside to bury his father leads him to a dramatically Oedipal farewell: "Good-by, my father—good-by, all my fathers" (205). The real impact of Dick's trip to see his father "laid among a hundred Divers, Dorseys, and Hunters" is that Dick's attachment to America is literalized to such a degree that it fluctuates as the scenery changes. At this crucial moment, America as a desired image—as oedipalized object of desire—is replaced by the specifics of the particular scene in which Dick finds himself. Fitzgerald recognizes, in other words, that the persistence of the subject-object model of desire depends in large part on the passivity of objects, images, and landscapes—their status as inert backdrop. Dick's view of New York harbor is the stereotypical image of America as promised land, but as image, it is unobtainable: "the magnificent facade of the homeland, the harbor of New York, seemed all sad and glorious to Dick, but once ashore the feeling vanished, nor did he find it again in the streets or hotels or the trains that bore him first to Buffalo, and then south to Virginia with his father's body" (204). The image of New York cleaves to the psychoanalytic model of desire, which locates the attraction of a scene in the way that it fulfills a fully-formed expectation. As he arrives in New York harbor, Dick very likely sees the same vista that signals the yearned-for destination of generations of immigrants, including that famous beacon, the Statue of Liberty.

But this "facade" quickly dissipates, in the same manner that Gatsby's image of Daisy does. When he finally "feel[s] once more identified with his surroundings," it is not because he looks for and finds a familiar scene, but because of the temporary coalescence of a group of sensations: "he saw a star he knew, and a cold moon bright over Chesapeake Bay; he heard the rasping wheels of buckboards turning, the lovely fatuous voices, the sound of sluggish primeval rivers flowing softly under Indian names" (204). In stark contrast to the picturesque facade of New York harbor, the condition of Dick's identification with his home country is *movement*,

which both creates its own sounds in the “buckboards turning,” renders voices into an overheard din, and brings into relief the slow motion of rivers. Dick’s home is only produced by virtue of the mechanized movement of the train, which makes it as much a mechanical production as a film; there is no stable position for a spectator. The text therefore problematizes America as place, image, or destination.

To conceive of America as a stable place or thing is to attend to nationhood as product or commodity and to ignore its processual, productive dimension. Dick’s investment in the scene of America is a function of the scene’s accumulation of heterogeneous elements through time; there is no single, organizing sense under which they cohere. The very notion of America and home as delimited objects or regions becomes untenable. Nationhood is a multiplicity of sensations that is only accessible thanks to his motion—thanks to the fact that he does not remain in any one place. Dick’s access to America depends on his *loss* of the privileged position of spectator.

Dick’s attachments to both nation and family become, by the novel’s end, fundamentally nomadic. He becomes attached only to discrete scenes, and *by virtue of the contingency of his place in them*. As Dick boards the ship that will return him to Europe, he enters the unusual situation of being “in a country that is no longer here and not yet there.” This “country” only exists insofar as it is open to the passage of time. For such a different organization of peoples to be possible, time is no longer subordinated to space, but vice-versa: in terms of space, Dick can still reach out and touch America. But for him it actually resides *in the past*, as *lost*, and therefore frees the present from the determining obligations of citizenship while preserving a residue of organization from it. The ship accelerates him toward the future, charging each moment with the potential to be his next home. Past, present, and future are no longer

differentiated by being the same kind of points on a line; they all co-exist but function differently: Dick “hurries through, even though there’s time; the past, the continent, is behind; the future is the glowing mouth in the side of the ship; the dim, turbulent alley is too confusedly the present.” The past works *as past*, meaning it is present as what is no longer, while the future functions for the present as the open and undetermined. In this uniquely temporal state, Dick is “a citizen of a commonwealth smaller than Andorra,” while the discrete scene on the ship functions as “the human idea [...] in motion” (205). We have already witnessed how Dick’s access to Rosemary, and Tommy’s to Nicole, is predicated on the contingent unfolding of the scene. Now the same movement through time is the mechanism of producing genuinely new forms of social organization.

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