# LAW, JUSTICE, AND FEMALE REVENGE IN "KERFOL", BY EDITH WHARTON, AND *TRIFLES* AND "A JURY OF HER PEERS", BY SUSAN GLASPELL

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In 1916, Edith Wharton and Susan Glaspell coincided in each telling the story of a different fictional murderess. Although both works are written within different genres, there are striking similarities between the situations of these women who murdered their husbands. Even more arresting is the choice of the plot device of judicial examination of the facts to give textual representation to the reality of these women's experience. Both writers explore the relation between official, legal narratives and suppressed, illegitimate stories, in which male and female versions conflict to such an extent, that the ascendancy of one over the other determines the fate of the women on trial.

## I.

It may only be an interesting coincidence that the publication of Edith Wharton's short story, "Kerfol", and the performance of Susan Glaspell's one-act play, *Trifles*, both occurred in 1916, but the coincidence develops beyond the mere fact of the year. This can be observed by referring to the title of the short story version of Glaspell's play, "A Jury of Her Peers", published a year later, which encapsulates Glaspell's criticism of a legal system that denied women the chance of a fair trial by an all-male jury. At the same time, Edith Wharton was also writing about the injustices of a legal system which was unsympathetic to the social and domestic situation of the married woman. In both plots a wife stands accused of the socially repulsive crime of murdering her husband, and parallel to these legal plots lies a complex story of female revenge in the absence of justice.

In "Kerfol", a ghostly experience prompts the narrator to delve into the past and into the court archives of the trial of Anne de Barrigan in search of an explanation for the crime. Edith Wharton constructs a complex narrative which combines the unreal and the impossible with the intrinsically real and objective narrative space of the criminal trial, in which fiction and reality compete. While the

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law in "Kerfol" is incapable of explaining the facts in the murder case brought before the court, in *Trifles* the law is side-stepped and a female context replaces the male context of the law. Although there is no formal representation of a trial on stage, the subjective truth behind the objective facts of a crime is pieced together to provide the accused with a defence story.

In Candace Waid's discussion of Edith Wharton's ghost stories, she draws a comparison between "Kerfol" and *Trifles* in which she emphasises the isolation and confinement of women who are denied a voice within marriage and later before the law. I wish to develop the comparison of the two texts and look at the way that the trial represents a traditional way of telling stories, aimed at providing an official narrative, which, however, is an inadequate expression of the truth, if the point of view is female. I aim to show how Wharton and Glaspell in these texts not only denounce the social and cultural isolation of women in marriage, but also take us into a realm in which fiction and truth, the subjective and the objective, the spoken and unspeakable, the visible and the invisible, are all woven into a narrative about seeing and reading, and telling and narrating.

The legal theme of trial forms an integral part of both plots. In *Trifles*, the action follows the development of a detective investigation and the trial is present on a dynamic gender-determined level, with the male protagonists acting and speaking as the prosecution, and the women taking on the role of members of a jury. This trial is based on the adversary process, by which the truth will out through the opposition and conflict of the prosecution and defence counsel, and it is the jury who decide if the defendant is guilty, or not. Yon Maley notes how the adversarial system of common-law trial proceedings has been compared to "a trial of strength like a joust or a battle", which is "fought not with swords but with words", and in which there is a winner (1994: 33). One of the differences between the adversarial system and the inquisitorial system that Maley quotes in "The language of the law" is that " 'the one is a trial of strength and the other is an inquiry.... In the second the question is: what is the truth of the matter'" (Devlin 1979: 54, quoted in Maley 1994:33).

Michel Foucault has described the investigation and examination of evidence within real trial proceedings in similar terms to those above. In a series of conferences given in May 1973, published as *Truth and Juridical Forms*, he claims that this 'inquiry' is a form of re-enacting a past crime in the present, as if witnessing the original crime, in order to treat it as a *flagrante delicto.* Foucault considers this 'inquiry' as a political form of exercising power, and that it functions in judicial institutions as a way of establishing and authenticating truths, and ultimately as a way of extending social discipline (Third Conference). His description applies to the European 'inquisitorial' system, in which the judge directs, and is responsible for, the 'inquiry', as well as judgement. The trial in "Kerfol" is based on this inquisitorial system, and, although not describing literary trials, Foucault provides a perspective from which to consider the trial of Anne de Cournault, who is made to re enact the crime in her own words, as a witness. On the other hand, the re-enactment of the crime also provides the opportunity for an empathetic view of the motives and circumstances of the accused, as Paul Gewirtz explains in his analysis of victim representation in murder trials:

> By providing the public with a close-up view of individuals on trial, by embedding the deviant act in circumstances that are not themselves deviant, by allowing the full consideration of all the excuses offered up by

> defendants, the public also comes to experience the ways it is like, not simply different from the criminal. (1996: 883).

From a literary point of view, this idea of understanding is suggested by Lynn Franken in her article "Poor Terrestrial Justice: Bakhtin and Criminal Trial in the Novel", in which she examines the narrative resonance of trial scenes in literature. Franken applies Bakhtin's theory of the medieval dream vision as a narrative form that challenges the essential linear structure of narrative, "where truth is context fraught and horizontally dependent on both past and future" (1997: 113). Franken claims that the same can be said of the trial in narrative, which she considers to be an "everyday expression of the dream vision" (1997: 113). As such, the trial creates a vacuum in the narrative where time is excluded and the narrative is reordered vertically rather than horizontally. Franken describes this dramatic space in the following terms, which I think are of particular relevance when we consider the importance of the trial in "Kerfol": "Trial purges and distils experience, concatenates past with present, surface with depth.... It is this presentness of the past that trial is designed to force out, to make visible.... Each case involves a re-seeing of experience which triggers a new understanding" (1997: 122).

This "new understanding" occurs on a receptive level, with the reader supplying judgement, because, on a textual level, on the level of story-telling, the female defence story in "Kerfol" and *Trifles* is unutterable or incoherent. *Trifles* depicts an unequal trial of strength between the male prosecution story and the female defence story, in which the female protagonists hide the emerging defence story to avoid incriminating the accused. This is because, as Candace Waid points out in her comparison, " it is suggested that although the men are incapable of reading signs that are legible only to women, the men would probably convict the wife on the evidence of this strangled canary" (1991: 187). In "Kerfol" the legal world fails to find a rational motive for murder, as neither the possible real facts of the case or the impossible unreal facts stand up in court. As a result, the narratives of these accused women fall outside the given paradigm, and are subsequently trivialised, as in "A Jury of Her Peers", or there is a clash in the narrative realms of genre and gender – the female gothic story which cannot coexist with the male realistic story of witchcraft or madness, as occurs in "Kerfol".

Yon Maley explains how "the essentially discoursal nature of proceedings has led to the rise of another perhaps more powerful metaphor of trial as story-telling" (1994: 34), and I consider that the trials in "Kerfol" and in *Trifles* are used as this metaphor of story-telling to bring to light the difficulties of legitimating female stories:

> Through the operation of various rules, law attempts to regulate what is able to be narrated; that is, it attempts to discipline both the form and substance of narrative in order to produce particular kinds of stories. Formal legal rules, in other words, produce conditions of possibility for some kinds of narratives while undercutting others. (Umphrey 1999: 403)

Candace Waid makes a comparison between the unsympathetic jury and the unsympathetic reader who "rejects a story because he identifies with the values of a masculine culture in which the female world is foreign or invisible" (Waid 1991: 187), but I consider that these stories by Wharton and Glaspell are more specifically

about women's stories, and their repression in courtrooms, where laws restrict and control what is narrated, is representative of what happens to women's stories with respect to the literary canon. This interpretation is echoed in some critics' appraisals of Susan Glaspell's "A Jury of Her Peers". Annette Kolodny discusses the different realms of male and female meaning represented in "A Jury of Her Peers" and claims that this short story is "a fictive rendering of the dilemma of the woman writer" (1989: 58). Veronica Makowsky, in "Susan Glaspell and Modernism", indicates the potential play on words between the Wright, of Minnie's married surname, and 'write' and 'right', and she states that Minnie Wright: "has been compelled by her circumstances to regain authorship of her life by murdering her husband" (1999: 53).

This idea of "gaining authorship" by murdering a husband suggests insurrection or rebellion ––an aspect of this particular crime that is reflected in legal history. Until 1828, murder of a superior by an inferior, as, for example, the case of a servant killing a master, or a wife murdering a husband, was a special classification of murder termed "petty treason". Frances Dolan has written about this crime as depicted in seventeenth century texts in the following terms, which are also relevant to the critical impulse of "Kerfol" and *Trifles*:

> The murderous wife calls into question the legal conception of a wife as subsumed by her husband and largely incapable of legal or moral agency. She also violates the vigorous and persistent, if not necessarily descriptive, cultural constructions of women as incapable of initiative or autonomous action ... through violent action, the contradictions of wives' social and legal status erupt as uncontainable. (1992: 3)

The similarities between the murders in both stories, the same act of killing a husband with unwomanly strength and violence, coupled with the impossibility of justifying this same death, makes this theme of murder a suggestive one for protest against the status quo, especially when combined with the sub-text of the way women are excluded from, or written out of, legal and literary history. Françoise Lionnet has studied the theme of murder in the work of several black women writers and she suggests that instead of the traditional concept of murder as a "crime of the individual against society", murder "is present as a symptom of society's crime against the female individual" (1997: 209).

As literary crimes, there is a satisfying poetic justice in the way the men are murdered: in *Trifles*, John Wright is strangled, just as he strangled his wife's canary (the only thing that Minnie's husband could not possess); while in "Kerfol", Yves de Cornault is savaged to death, either by the ghosts of Anne's dogs, perhaps in revenge or defence of their mistress, or by the mistress herself. In both cases the murders require a strength that would seem to exceed the suspects' (although this is never used in their defence), and the violence of the murders is at odds not only with the supposed motive, but also with society's image of women. Neither woman has an alibi, and what is more, Anne was a highly suspicious witness to the killing (although she claims only to have heard her husband being killed). Minnie Wright, even more suspiciously, claims to have slept while her husband was strangled in bed lying right by her side.

Richard Posner has indicated that the world of law is rich in metaphors for literary use, and that the trial provides "a ready-made dramatic technique ... for the literary depiction of conflict" (1988: 78). I think that Wharton and Glaspell's critique

goes beyond the legal system, as represented by the trial, to the wider significance of laws and legislation, to parliament itself, and I consider that the courtroom setting and the use of trial is a metaphor of the legal situation of women in society, who do not have a private (within the home), or a public (legal) voice, but who become speaking subjects within the male dominated public realm of the courtroom:

> Concepts such as 'justice', 'equality before the law', 'impartiality of judgement', legal rights and obligation' are fundamental not only to the effective working of the legal system but to the perception and maintenance of Western political democracy as we know and experience it. These are also highly ideological concepts, and courtroom interaction becomes an interesting and potential source of ideological conflict and confrontation which is made visible through the process of linguistic negotiation. (Harris 1994: 157).

The conflict in "Kerfol" and *Trifles* is more fundamental than the apparent final straw that prompts the murders, as the story behind these crimes is a denouncement of the situation of married women. Anne de Cornault and Minnie Wright share similar experiences of marriage: Anne's husband holds her prisoner; is pathologically jealous, and is capable of sadistic acts of cruelty, while John Wright is known to be domineering and mean, and is equally cruel. Both women are isolated, childless and powerless, denied even a circumscribed maternal power, and both women project their suppressed and repressed desire on to their pets, which their husbands kill. Anne's dogs can be considered as surrogate children or projections of another self and, in *Trifles*, Mrs. Hale makes an explicit identification of Minnie with the canary: "She used to sing real pretty herself ... she was kind of like a bird herself" (Glaspell 1985: 1395-96).[1] Candace Waid suggests that Minnie Wright's strangled canary is "an emblem of the woman's loss of voice and her isolated and childless life" (1991:188). She extends this symbolic meaning to Anne de Cornault's "childlike dogs" (188), when she claims that each woman shares "a bond of inarticulateness" (188) with their pets. So the motive for the murders begins to take on the form of a defence story —that of provocation, mitigation or even self-defence, and it is fitting to the revenge story that the husbands are murdered within the same confining and isolating walls of the male-owned home.

In "Kerfol", the house is an important protagonist, it is even endowed with certain human characteristics. When we take stock of these characteristics we have a powerful presence: it is great, ancient and proud with a "robust beauty" (Wharton 1971: 284). On the other hand, it is blind and dumb with a penetrating heavy silence, but paradoxically it looks down on the narrator and the ghosts: "that great blind house looking down on me" (283). This seeming contradiction is explained by the following description: "And the ancient house looked down on them indifferently" (285). It is a deliberate blindness —a looking without seeing or caring. The house is a prison of silence, whose walls keep secret the stories and events to which it is an indifferent witness. To this extent it is a symbol of history and, above all, it is a symbol of male suppression of woman and woman's history within the social trap of marriage. However, the narrative region that the house in "Kerfol" occupies firmly

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[1] All references to the play, first performed in 1916, are to the version in Gilbert and Gubar 1985.

locates the story in the tradition of the gothic, and the presence of ghosts, even disconcertingly canine ones, roots the story in the literature of fantasy.

In *Trifles*, the domestic domain has a male and female dimension, which is highlighted by the occupation of space on stage and the scenic grouping of the men and the women. The kitchen is evidently the most female space in the house, but even this is dominated by the presence of the men —the women stop talking or change the subject when they hear the men about to enter. The male imposition on female space or refuge is grudgingly tolerated by the women, but the scenes in the kitchen demonstrate the clear difference in point of view and ways of understanding between the male and female characters, which reaches its crisis in conflicting male and female concepts of law and justice. *Trifles* may have a "gothic plot in which the woman takes a desperate revenge" (Showalter 1991: 145), and it certainly shares with "Kerfol" gothic elements such as imprisonment, isolation and transgression, but it is more overtly critical of the social context in which it is set, especially with reference to the legal system it undermines. For this reason I consider that Susan Glaspell's version of female revenge properly belongs to the realist tradition.

## II.

"Kerfol" by Edith Wharton is structured in three parts: two main scenes separated in time and space, and linked by a very short bridging episode. The first and last sections of the story are juxtaposed with respect to time, form and expression. The first is steeped in Breton legend and folklore, and the second part is the version narrated by history and collected in the court archives. The house dominates the first part, closing round its secrets, while the second part is dominated by the courtroom, which is a theatre-like, public arena. The density of semantic features of 'enclosure', 'silence', 'isolation', 'inertia', and the 'indefinable' almost chokes the linear narrative of the first part. This sub-text creates a psychic or psychological dimension to the narrative, which is liberated in the trial scene.

The story begins with the narrator's visit to Kerfol as a prospective purchaser.[2] The narrator is never identified, either by name, gender, physical appearance, or determining detail. Candace Waid writes that the narrator is "to all appearances male", but she emphasises that he is a "sympathetic reader" to Anne's story (1991: 188). Although I agree that the reader of "Kerfol" probably pictures a sympathetic, male narrator, I feel that on a textual level the clues respecting identity embedded in the text are of a deliberately ambiguous nature and ones which, to a certain extent, challenge our assumptions: the narrator walks around unknown countryside unaccompanied, smokes, and spends time alone with his host. These would generally be considered masculine traits, but equally, they could signify a woman

[2] The title of the story, also the name of the house, sounds like a Breton name, but it also sounds 'uncannily' like the English word 'careful'. It sounds familiar, it seems to be the same language, but if it does have meaning, this is not explained. Helen Killoran, in her article about "Kerfol", provides a completely different reading of the story based on the allusion at the end of the story to Pascal. By a series of linguistic manoeuvres she interprets the title as "*querelle folle*, 'foolish quarrel' " (1993: 13), which substantiates her case that Edith Wharton used a historical quarrel between the Jesuits and Jansenists in the year 1702 (the year in which the short story is set), in order to criticise "the murderous atrocities people can commit on neighbours and relatives in the name of religion or property, or on the basis of a foolish quarrel over the contents of a book none of them has read" (Killoran 1993: 17). Killoran examines the clues she finds in the text, to provide a solution to the murder based on religious differences, and she suggests two possible murderers –Anne's father or Hervé de Lanrivain. This reading of the story, however, does not give account of the ghost dogs.

who breaks with tradition (the narrator also spends time alone with the hostess, and Edith Wharton herself smoked, for example). Perhaps it is the tone of detachment that seeps through the narrator's description of the house and events, betraying little sense of implication with the fate of the 'heroine' of the legend of Kerfol, which most weighs the balance in favour of a male narrator. Indeed, there is a constant attempt on the part of the narrator to make light of both his unnerving encounter with the dogs at Kerfol and his dramatisation of the trial scene (in which he provides an 'eye-witness' view of the legal proceedings, and, using asides and exaggeration, he emphasises the comic or grotesque elements of the trial). At the end of the story, the narrator dismisses Anne to her fate with the briefest of comments and shows more interest in the progress of the minor character in the story —Hervé Lanrivain, his host's ancestor, who is also a suspect, but who is released without punishment.[3]

I feel that the narrator's role in the story is intended to be as objective as possible, because this impartiality is especially relevant to the legal theme of the story. The narrator himself sees the ghost dogs which Anne declares killed her husband, and this shared vision validates the fantastic elements of Anne's story, thus permitting two possible versions of the truth: Yves de Cornault was either killed by ghosts or savaged to death by his wife, both unthinkable within the male context of the court. The twist in the tale at the end of part one re-writes the story as a ghost story, and we are surprised with a story within a story, which integrates and confounds the fantastic with the real.

Of "Kerfol" Waid comments: "the narrator's sympathy with the main character in his story leads him beyond the boundaries of the courtroom document into the realm of fiction" (1991: 186). First he reads an "account" of the trial in a history of the court sessions, which he believes was "transcribed pretty literally from the judicial records" (Wharton: 287), from one hundred years before. The account, then, has already received the gloss of time before it reaches the narrator, who tries to follow the story embedded in the legal maze of the records. The narrator finds that his original idea of "translating" the transcribed court records has to be abandoned and he tries instead to "disentangle" the story. He acts as an interpreter, but, where necessary, he has "reverted to the text", and at other times he has edited the tendency of the document to stray off into "side issues" (Wharton: 288). The narrator gives the reader his own narrated version of the section of the trial, just from the point when the judge encourages Anne to tell her story in her own words. At this point in the story, the narrator summarises Anne's statement in the mode of reported speech: from the "you" and "I", of the preceding section, we are plunged into the "she", "he" and "they" of the court scene. Anne does not speak directly to the reader at this point, she speaks through the narrator, who, to this extent, takes on the creative role of writer.

It is clear that the discourse of the legal proceedings is an obstacle to comprehension; it is long, repetitious and detracts from the narrative line of events. This image of the legal text as a maze in which you can get lost or side tracked, is

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[3] In the seventeenth century one Hervé de Lanrivain tried to save Anne from her isolation, and was subsequently arrested for complicity in the murder of Yves de Cornault. Now another Hervé de Lanrivain is instrumental in breaking her silence. Indeed, if he had not insisted and seduced the narrator into visiting "Kerfol", and on the one day in the year when the ghosts appear, then Anne's story would have remained locked up in history.

anticipated in the directions that Hervé, the narrator's host, gives him in order to reach the house. He is warned against asking the native Breton peasants the way, because they would not understand French, but would not admit to this and would therefore send the narrator "astray" (Wharton: 282). It is interesting to note this confrontation between the official, and therefore legal, French language, and the native and unofficial Breton language, which is outlawed by the authorities. This parallel existence of two languages in a community, where the respective speakers are unable to communicate, literally because they do not speak the same language, reflects or parallels both the court's incapacity to comprehend Anne's oral testimony, and the inadequacy of the 'official' language as a mode of expressing married women's social experience. Candace Waid observes "the constant juxtaposition of the narrator's view of Anne de Cornault's speech and thoughts with the way that her words are apprehended by the listening authorities" (1991:187). Anne's listeners read and interpret her story from her husband's point of view, thus denying her experience, and then, years later it is written down in the court archives and becomes history. That, we hear Edith Wharton criticising, is what history does –only the male line of history persists as the official version.

As an agent of repression, the house represents the silencing power that Yves de Cornault exercised over Anne as her husband.[4] Yves de Cornault was prone to "fits of brooding silence which his household had learned to dread" (Wharton: 292). The narrator notices this repressive power of the house when observing the passivity and silence of the dogs (ghosts):

> I had a feeling that they must be horribly cowed to be so silent and inert. Yet they did not look hungry or ill-treated. Their coats were smooth and they were not thin, except the shivering greyhound. It was more as if they had lived a long time with people who never spoke to them or looked at them: as though the silence of the place had gradually benumbed their busy inquisitive natures.... The dogs knew better: *they* knew what the house would tolerate and what it would not. (Wharton: 286)

The dogs remind us of Anne – not physically maltreated, but psychologically intimidated. This identification with the dogs is further consolidated by the description of her portrait, where her eyebrows are like those "in a Chinese painting" (Wharton: 289), and by the origin of the Chinese Sleeve dog that Yves de Cornault purchased from a sailor who had "bought it of a pilgrim in a bazaar at Jaffa, who had stolen it from a nobleman's wife in China" (Wharton: 290). Taken together these details suggest a colonisation or expropriation of the exotic. In fact, all of Yves' gifts to Anne reveal either an appropriation of the exotic or a fetishisation of the religious, pointing to a dichotomy in the male image of the woman as angel or whore, especially as these gifts appear after his business trips to Rennes, where he "led a life different from the one he was known to lead at Kerfol" (Wharton: 288).

Judging from Anne's testimony in court, it is clear Yves considered her his most prized possession, and when away on business, he would order the servants to

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[4] When Yves de Cornault married Anne de Barrigan, he was in his sixty-second year and she was still a young woman. In this sense he is representative two, or even three, generations of male authority over women, given that he was old enough to be her father, or even grand-father when they married. This adds to the gravity of the charges against Anne. Murder of a father-husband would seem to be the ultimate female crime against society.

guard her, so that she was not allowed to even walk alone in the garden (Wharton: 292). When Anne challenges her husband on this issue, he replies: " a man who has a treasure does not leave the key in the lock when he goes out" (Wharton: 293). This sense of proprietorship surfaces earlier in the text: "No one was found to say that Yves de Cornault had been unkind to his wife, and it was plain to all that he was content with his bargain" (Wharton: 289).[5] Anne de Cornault's marriage is a purely social and economical arrangement. As Yves de Cornault's wife she has been purchased; she is an object of value —like the necklet of precious stones which "struck the Judges and the public as a curious and valuable jewel" (Wharton: 290). The court upholds Yves de Cornault's property rights over his wife, and for this reason the bench fails to value the basis of Anne's defence case —her claim that she feared for her life. When Yves de Cornault strangles her first dog and wraps the 'lost' necklet (symbol of her bondage) round its neck, Anne knows this to be a chilling warning for her to remain faithful to her 'master'. Anne describes to the court, in her own words (filtered through the narrator's version in reported speech), a conversation with her husband in which he likened her sleeping figure, with her dog at her feet, to that of his great-grandmother's reclining effigy in the family chapel with her feet resting on a dog, and Anne requests that her grave be identical. Her husband's response is a thinly veiled threat: " 'Oho—we'll wait and see,' he said, laughing also, but with his black brows close together. 'The dog is the emblem of fidelity'. 'And do you doubt my right to lie with mine at my feet?' 'When I'm in doubt I find out,' he answered" (Wharton: 294). The court, however, is impervious to the real fear this awakens in Anne and probably approves of the steps Yves de Cornault took to ensure his wife's chastity. The narrator reveals this bias in his summary of Anne's testimony:

> This curious narrative was not told in one sitting of the court, or received without impatience and incredulous comment. It was plain that the Judges were surprised by its puerility, and that it did not help the accused in the eyes of the public. It was an odd tale, certainly; but what did it prove? That Yves de Cornault disliked dogs, and that his wife, to gratify her own fancy, persistently ignored this dislike. (Wharton: 296)

In the last section of "Kerfol", in the public space of the courtroom, the dynamics of the trial proceedings are aimed at finding the truth of the matter that the house in the first section is designed to conceal. In this way the trial scene rescues a woman's story from narrative oblivion, though the presentation of this past in the form of a trial is a literary space that is generically more dramatic than narrative. This is borne out in the use of dialogue, monologue and eyewitness accounts of the reaction of the court and the judges, presented almost as stage directions: " At length the Judge who had previously shown a certain kindness to her said (leaning forward a little, one may suppose, from his row of dozing colleagues)" (Wharton: 296). Or, for example, the following quotation, which imitates the abbreviated style of stage directions: "(Visible discouragement of the bench, boredom of the public, and exasperation of the lawyer for the defense)" (Wharton: 298).

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[5] Helen Killoran, in her article on "Kerfol", suggests that there is a play on the words "bargain" and Anne's maiden name: "Barrigan" (1993: 13).

Richard Posner has suggested that the dramatic aspect of trials offers a type of catharsis such as is present in the performance of plays, and he draws a parallel between the literary use of the trial and the dramatic use of the play within the play (as occurs in *Hamlet*). Posner claims that both techniques introduce a fictional audience "to play off against the audience for the work itself" (1988:78). In this way Anne's trial returns to the past, but from a new perspective, determined by the narrator's experience at the house in the first part. This means that the reader gives significance to elements of Anne's story that are disregarded by the court. For 'house', we read prison, marriage, appropriation, possession, property, isolation, patriarchy, and silence. For 'dogs' we read repressed fulfilment, sexuality, independence, freedom, maternity and voice. According to this interpretation, Anne is guilty of a desperately violent and revoltingly bloody attack, carried out with surprising strength, which could signify a tremendous psychic rage and repressed female power. In this version of the case, Anne's statement as witness takes on a new and horrifying significance:

> 'I heard dogs snarling and panting.' … ' Then I heard a sound like the noise of a pack when the wolf is thrown to them—gulping and lapping.' (There was a groan of disgust and repulsion through the court) ... She straightened herself to her full height, threw her arms above her head, and fell down on the stone floor with a long scream. (Wharton: 298-99)

The only rational explanation possible is a psychological one: Anne's repressed suffering and trauma breaks loose and wreaks a terrible vengeance upon her husband. The subconscious and unconscious find expression in her revelations, and the cathartic effect of her declaration-confession is felt in her falling to the floor.

In "The Houses of Fiction: Toward a Definition Of the Uncanny", Maria M. Tatar explores the way in which haunted houses in their uncanniness are fictional expressions of something that has been repressed, but that once the secret has been discovered, then the house becomes safe and homely.[6] In her analysis of Nathaniel Hawthorne's story *The House of the Seven Gables*, she makes her theory explicit:

> The supernatural draws its strength from the absence or repression of knowledge, for what is shut out from consciousness can return with a vengeance as a physical presence. Once knowledge comes to light, this external power is revealed to be no more than a psychic reality. The mysterious and eerie give way to the familiar and well known. (Tatar 1981: 178)

This is an apt description of the role of the house and its ghosts in "Kerfol". The trial is responsible for bringing repressed knowledge to light, but on the level of plot, the court is unable to explain away the uncanny, and cannot bring judgement. Despite the trial, there is no recognition or resolution of the truth, and the dogs, symbolising Anne's repression, continue to haunt the house in their strange, silent and impassive way. However, the "psychic reality" that Tatar refers to in the

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[6] Maria M. Tatar refers to Freud's analysis of the etymology of the German *heimlich* or *heimisch*, in which he points to a double meaning: both *familiar* and something that is hidden and which could then be considered *sinister*. This would explain why the German word for secret, *Geheimnis*, derives from the German for home— *Heim* (Tatar 1981: 259). For Tatar, "one obvious point of departure for a study of the uncanny is the home" (1981: 171).

quotation above is revealed on the level of the reader's interpretation of Anne's legally untenable story.

The uncanny can be normalised by a rational explanation, but in this story the narrator's impression of the ghosts as real takes the story beyond a rational explanation, and lodges it in the fantastic. In her book*, Fantasy: The Literature of Subversion*, Rosemary Jackson's analysis of the theme of problems of vision in literature of the fantastic bears close relation to one of the main motifs in "Kerfol":

> An emphasis upon invisibility points to one of the central thematic concerns of the fantastic: problems of vision. In a culture which equates the 'real' with the 'visible' and gives the eye dominance over other sense organs, the un-real is that which is in-visible. That which is not seen, or which threatens to be un-seeable, can only have a subversive function in relation to an epistemological and metaphysical system which makes 'I see' synonymous with 'I understand'. Knowledge, comprehension, reason, are established through the power of the *look*, through the *'eye'* and the 'I' of the human subject whose relation to objects is structured through his field of vision. (1995: 45)

The narrator is the medium through which the invisible unreal becomes visible and real in this story. In much the same way as the ghost dogs are echoes of the past which haunt the present, the narrator in this story is a present utterance which gives voice to the buried (female) past. The narrator (of ambiguous gender) recognises the need to reach beyond the "field of vision" (Jackson 1995: 45), in order to rescue the silenced subversive story hidden at the heart of the ghost story:

> 'It's the very place for you!' Lanrivain had said; and I was overcome by the almost blasphemous frivolity of suggesting to any living being that Kerfol was the place for him. 'Is it possible that anyone could *not* see -?' I wondered. I did not finish the thought: what I meant was undefinable.... I was beginning to want to know more; not to *see* more—I was by now so sure it was not a question of seeing—but to feel more: feel all the place had to communicate. (Wharton 283)

This story is, above all, a ghost story; a story that invites the reader to reach beyond the visible and real (legal) version, to the invisible, unreal (subversive) story of Anne de Cornault, and expose the secret of Kerfol. Edith Wharton considered the ghost story as a common ground between the writer and the reader, in which the reader penetrates the "primeval shadows" of the text and enters the mind of the writer to complete that which is unwritten:

> 'When I first began to read, and then to write ghost-stories, I was conscious of a common medium between myself and my readers ... of their meeting me half way among the primeval shadows, and filling in the gaps in my narrative with sensations and adivinations akin to my own'. (viii Preface to *Ghosts*, quoted in Waid 1991: 176)

I feel that "Kerfol" is, in many ways, a story about story telling which demonstrates how the truth can be both covered, re-covered, discovered, and uncovered, because of, or by, the narrative act, that is, the act of telling a story. That

may be a true story or pure fiction; it may become history, legend, superstition, or may be hidden by any of the aforementioned past 'truths'. This is because 'truth', which is the basis of 'history', has many different narratives. However, each version is exclusive in its linearity, and there is only room for one official version; the other versions become invisible or unreal. In this short story Edith Wharton uses the trial as a dramatic and narrative moment in which the 'official' narrative is passed through a prism to fracture linearity and reveal alternative, diverging narrative paths. Interestingly, it is the truth-finding spirit of the legal proceedings, described in this introduction, which causes Anne's narrative to splinter, and draws out the voices that are usually silenced in narrative, while, at the same time, the trial in this short story draws attention to the perspective that history and official narrative sources usually prefer – that is, one which is coherent with the legal system as a whole.

## III.

The problem of visibility and invisibility is one of the central themes of the play *Trifles*, by Susan Glaspell, and of her own adaptation of the play as a short story "A Jury of Her Peers". Through the interplay of visibility and invisibility, silence and commentary, at least three different stories emerge. The central focus is on the hidden truth, the story behind the story. This is the interpretation that the women "married to the law" uncover (Glaspell 1985: 1399). The men are impeded from discovering the motive by the women's collusion, which means that the outcome of the investigation is yet another version of what happened, in which no picture is ever satisfactorily put together. When the women discover a possible motive for the murder, they uncover another possible interpretation of the facts. This would be the court room version, and the investigation that the women unconsciously set in motion reveals a legal vision of the story, which would result in Minnie's conviction. These three versions gradually appear, with clues becoming visible as Mrs. Hale and Mrs. Peters join forces in the investigation.

The question of visibility and invisibility is, therefore, vital to the concurrence of various story-lines, and it is *Trifles*, with the advantage of a dramatic stage present and an audience, which shows greater use of this opposition. This is most clearly represented in the opposition between the men and women on stage: the male characters are off-stage, an invisible presence, when the female characters make visible previously invisible clues.

The very nature of the stage presentation emphasises this aspect of seeing and registering, and the covering over of the truth. Several of the objects on stage would be visible from the start of the play, but they only take on meaning when brought to light in the dialogue. The rocking chair is part of the stage set and is present all through the opening moments of the play in which the men break in on the scene and take control of the kitchen, while the women hover on the threshold. It is part of the general scene with no special relevance until Mr. Hale calls attention to it in his reconstruction of the discovery of Mr. Wright's death. "And there in that rocker [*Pointing to it.*] sat Mrs. Wright.[*They all look at the rocker*]" (Glaspell 1985: 1390).The description of Mrs. Wright rocking back and forth, pleating her apron in an attitude of nervous distraction, then haunts the stage, and draws attention to the absence of the accused, which makes her unfairly vulnerable to the charges that the County Attorney and sheriff are drumming up.

The prose version, "A Jury of Her Peers", does not have direct access to this dramatic presentation, so the visible/invisible opposition is conveyed through the more complex psychological technique of point of view. Leonard Mustazza's comparison of the two different literary forms of this work by Glaspell suggests that, in the opening of the play, similarities between the women on stage are emphasised, while in the short story, the psychological distance between them is underlined: "If Mrs. Peters is, as the county attorney has suggested, one of 'them', then Mrs. Hale certainly is not, and she distances herself from her male-approved peer in word and deed" (1989: 493). Mustazza continues: "unlike the play, the story posits a different set of polarities, with Mrs. Peters presumably occupying a place within the official party and Mrs. Hale taking the side of the accused" (1989: 494). Only as a picture emerges of the way in which Minnie Foster has been changed by her marriage to John Wright, is a process of identification between the two women initiated.

If we look again at the example of the rocker, as a way of illustrating the importance of visibility and invisibility, this time in the "A Jury of Her Peers", we can see the different perspectives referred to in Mustazza's analysis, more clearly. The rocker is brought into the picture first through the eyes of Mr. Peters: "Peters looked from cupboard to sink; from that to a worn rocker a little to one side of the kitchen table"(Glaspell 1997: 437). Hale's description of how he found Mrs. Wright sitting in the rocker is expressed the same in both pieces, but the dramatic possibilities of this vision are not the same. In the short story the visible/invisible dichotomy of the play is replaced by absence and presence —the rocker does not exist until its first mention in Peters' aseptic glance around the kitchen, and the potentially dramatic impact of the pointing to the rocker is diluted with narrative commentary: "Everyone in the kitchen looked at the rocker". (Glaspell 1997: 438). Only when the rocker is seen through Mrs. Hale's eyes, does it become significant (visible): "It came into Mrs. Hale's mind that that rocker didn't look in the least like Minnie Foster—the Minnie Foster of twenty years before" (Glaspell 1997: 438). As the story progresses, Mrs. Peters learns from Mrs. Hale how to see and read significance from a peer's point of view.

Whether considering the prose version or its dramatic predecessor, Mrs. Wright is an imaginative presence, which the women relate to constantly while they inhabit, in their imaginations, Minnie Wright's desolate living space. To the men, the state of the kitchen means that Mrs. Wright was not much of a housekeeper. To the women, who know about being a housewife in this isolated rural community, it indicates interrupted work and a distressed state of mind. The men see trifles where the women read the story of Minnie Wright's unhappiness or "psychic distress" (Waid 1991: 187). What is clear from these two ways of seeing is that the narrated account of what happened, as represented by Mr. Hale's witness testimony, does not tell the whole truth. He narrates what he saw, but, in order to judge Mrs. Wright on the basis of the circumstantial evidence, a motive is needed to make all the pieces fall into place. The women, on the other hand, have an imaginative capacity to see beyond what is visible; this is what makes the women a more favourable and possibly fairer jury.

The process of seeing but not really seeing the rocker until it is given a significant place in the action mirrors the way in which the women and men approach the task of looking for evidence —empty signs which will hold various

meanings —and this text demonstrates how those meanings change depending on the way of looking. Present in the kitchen are clues which will provide this evidence, but they blend so totally into the background of the woman's domain of the kitchen that they go unnoticed by the men, who refer to these domestic trappings as 'trifles'. While the men are busy looking for clues which will tie in with a possible reconstruction of the crime, the women fall into their routine and pick up the pieces of Minnie Wright's unfinished work. Although they use their eyes, as instructed by the men, it is their hands which unconsciously lead them to the clues. It is this shared experience of their environment and situation which enables them to decode the badly sewn block of the log cabin quilt she was knotting or quilting, her interrupted chores, and the piece of silk wrapped around the strangled canary's body, and placed in the pretty box that Mrs. Hale finds in Minnie Wright's sewing basket. The women instinctively know their way around Mrs. Wright's kitchen and intuit her movements and intentions: "MRS. HALE. [*Eyes fixed on a loaf of bread beside the breadbox, which is in a low shelf at the other side of the room. Moves slowly toward it.]* She was going to put this in there. [*Picks up loaf, then abruptly drops it. In a manner of returning to familiar things.*]" (Glaspell 1985: 1393). It is their condition of rural farmhouse wives, inhabiting the same vital space, which leads them to empathise with Minnie Wright, and this identification seems to unnerve or inhibit the women, until, that is, they form a tacit pact to conceal certain objects from the sight of the men.

As commented on before, it is possible to read *Trifles* as a form of trial with the male protagonists representing the prosecution and the women the jury. The counsel for the defense is noticeable by its absence, and it is this that pushes the women to look further than the facts. The sense that Minnie Wright will not receive a fair trial is expressed by the women once the men leave the kitchen:

> MRS. PETERS. [*Starts to speak, glances up, where footsteps are heard in the room above. In a low voice.*] Mr. Peters says it looks bad for her. Mr. Henderson is awful sarcastic in a speech and he'll make fun of her sayin' she didn't wake up....
>
> MRS. HALE. You know, it seems kind of sneaking. Locking her up in town and then coming out here and trying to get her own house to turn against her!
>
> MRS. PETERS. But Mrs. Hale, the law is the law. (Glaspell 1985: 1394)

The women only discuss the case between them when the men are off stage, and even then they do not state their position with respect to Mrs. Wright's fate, which they hold literally in their hands. They never speak their agreement to hide the evidence of the motive, again it is their hands which make that decision for them. It is ironic that one of the so-called trifles, a square of quilt, is used to cover the dead canary. If Minnie is judged solely on the facts of the case she will be convicted, and the possibility that she was provoked by her husband killing her canary, and that this caused a loss of control, will most surely hang her. Mrs. Hale understands the full implications of John Wright's cruel and violent act. "If there'd been years and years of nothing, then a bird to sing to you, it would be awful—still, after the bird was still" (Glaspell 1985: 1398) Mrs. Hale has previously identified Minnie Foster, when single, with a bird and the canary represents her lost freedom and potential. Later,

Mrs. Hale suggests that Wright effectively killed Minnie's spirit: "She used to sing. He killed that too" (Glaspell 1985: 1397).

Through their action, Mrs. Hale and Mrs. Peters side with Mrs. Wright in her defence. They do not maintain their impartiality but reject the value of objectivity when passing a verdict. By the end of the play they know that Minnie Wright killed her husband, and they know why. However, they decide on a different type of justice, which compensates the imbalance inherent in the contemporary legal system. Sherri Hallgren, in her article on "A Jury of Her Peers", calls this type of "parallel system of justice" subversive, a "vigilante form of justice" (1995: 204), which operates on an extra-linguistic level. It is true to say that the women take justice into their own hands and contravene the established law in a way that is never expressed verbally. They act rather than talk; their hands move of their own accord elaborating a defence for Mrs. Wright and subverting the path of justice. Karen Alkalay Gut has described the women's behaviour as duplicitous: "calculated deceits that are only perpetrated upon those who have proven themselves blind to the clues, insensitive to the trivia that delineate the lives of all the women in the play, including Minnie Foster" (1995:78). I do not feel that the emphasis in the play and short story is on a vigilante form of justice, rather it expresses what would otherwise go untold. It makes the case for the defence of an otherwise incomprehensible crime. It gives a voice to what the women are unable to utter: that the male interpretation of the law does not give women their lawful right to a fair trial and that this forces them into silence. It denounces the fact that the only language permitted in court is that of the men and that they hold the power to give an interpretation which goes against women's legal interests. The County Attorney reveals this when he explains his theory of the case: "No Peters, it's all perfectly clear except a reason for doing it. But you know juries when it comes to women. If there was some definite thing. Something to show—something to make a story about—a thing that would connect up with this strange way of doing it—" (Glaspell 1985: 1398). The men have already decided that Mrs. Wright is guilty, and now they have to make this objectively viable. The women are only asserting their right to hear all the truth and they then act to avenge the outlawing of the woman's defence. They provide the twist to the tale when they manage to find that all important narrative link between the crime and the motive. Mrs. Wright's fate remains unknown at the close of the play, but without a motive there is only circumstantial evidence to convince a jury.

A basic comparison of *Trifles,* or "A Jury of Her Peers", and "Kerfol" would perhaps reveal more differences than similarities in terms of setting, genre, and especially in the resolution of the stories. There is, after all, a secret triumph in *Trifles* —if the prosecution cannot find a motive for the killing, Millie Wright might just side-step male justice— whereas, in contrast, there is a depressing sense of nothing having changed at the end of "Kerfol", despite a second hearing of Anne de Barrigan's case. I would argue, nevertheless, that both writers coincide in their criticism of the male complicity which outlaws women's experience of a male dominated society and that denies women a voice with which to speak out against tyranny, and even to tell their own stories. Marijane Camilleri makes this point about Glaspell's "A Jury of Her Peers", in an article about law and literature:

> This story was a daring socio-political statement at the time it was written, before women enjoyed a political voice. Three years later, the

> nineteenth amendment was passed, granting women nation-wide the right to vote and thus allowing the feminine perspective to impact more significantly the law. "A Jury of Her Peers" provided a non-violent and articulate register of women's cry for inclusion. (1990: 589)

In many ways, Glaspell and Wharton were challenging a system which feminist jurisprudence today is still trying to change, as can be seen in this observation below made by Nadine Taub and Elizabeth M. Schneider, several decades after women won the right to vote, and, supposedly, a legitimate public voice. Their comments echo the essential arguments of "Kerfol" and *Trifles*, written at the beginning of the century:

> Men dominate both the public sphere and the private sphere. Male control in the public sphere has often been consolidated explicitly by legal means. The law, however, is in large part absent from the private sphere, and that absence itself has contributed to male dominance and female subservience. (1993: 10)

Wharton and Glaspell give fictional form to a harsh female reality, and it is the legal world which provides them with the ultimate male dominated institution which enforces this reality. Both look to the psychic rage of the oppressed woman to expose the injustice inherent in this legal system, and the satisfaction of these stories lies in the discovery of a female revenge story which remains hidden from the male concept of the law. These stories are coded confessions of crimes by women against men, but they remain hidden from the male narrative impulse imposed by the legal plot device. This, for me, is the real point of convergence between "Kerfol" and *Trifles*, because a real story emerges which explains the crimes, but it only convinces if accepted as a defence, and, as such defence stories are doomed to fail in the male context of the law, these narratives of confession remain repressed. Susan David Bernstein discusses the problem of confession with respect to repression in *Confessional Subjects*, in which she studies literary works by several nineteenth century writers:

> For nineteenth-century repression not only functions as a psychological condition or an English middle-class manner of feeling and rhetorical style, but also constitutes a habitual silencing that safeguards patriarchal privilege. In this cultural sense, confession might be regarded as the spectacle of the repressed, the textuality of the silenced; in the context of Victorian culture, women's confessions are inevitably sensational narrative events, even if the content of the confession remains inscrutable. (1997: 7)

Although referring to Victorian literature, I propose that Bernstein's comments are still valid for "Kerfol" and *Trifles*, written early in the twentieth century. In "Kerfol" we have a ghost story in which the role the ghost dogs play in the development of Anne de Barrigan's trial is a good example of the above mentioned "spectacle of the repressed", and in *Trifles* the "textuality of the silenced" takes form as the women 'feel' their way round the accused's kitchen and life. However, in both works, the content of the confession only really remains inscrutable within the male context of the law, because Glaspell and Wharton, given the impossibility of justice within the text, elevate the content of the confession beyond the legitimate male

narrative and present the women's defence case to the reader for a verdict. They achieve this through the use of the trial as a narrative prism to reveal a spectrum of stories which would otherwise be absorbed into the single narrative line of the law.

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