THE LAW AND ITS ENFORCERS IN FAULKNER’S TRILOGY

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This thesis evaluates how effectively the trilogy’s laws and law enforcers further the ends of the fictional laws. The study examines the trilogy’s law enforcers’ responses to Snopes violations and bendings of the laws to evaluate the laws and their enforcers. The enforcers’ responses to Snopes wrongs make clear how well the laws are written. These responses also reveal how well the enforcers themselves are able to achieve the objectives of the laws.

It is argued in the thesis that although the laws are effectively written, the law enforcers fail to enforce the laws and, consequently, fail to achieve the laws’ ends. It is also shown that the enforcers invariably harm innocent persons when they fail to enforce the law.
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CHAPTER I

WILLIAM FAULKNER AND THE LAW

William Faulkner includes in his novels and short stories set in Yoknapatawpha County many activities that human beings pursue. The author provides details about such differing endeavors as farming, banking, military service, horse-racing, whiskey-making, and managing a feudal-type estate. If Michael Millgate is correct in claiming that Faulkner's Yoknapatawpha County is "a microcosmos, a distillation of the human world and its whole experience" (41-42), Faulkner could hardly omit the law as a major human activity in his "mythical kingdom" (Malcolm Cowley, 63). Indeed, the law seems to garner more attention in the works than many other activities. One can find, for example, procedural rules, property, tort, constitutional, criminal, and commercial paper law, and wills and guardianships. Faulkner's demonstrated knowledge of the law, his inclusion of much law in his fiction, and the challenges the law must face from those who violate and bend it indicate that the author may provide criticisms of and insights into not only his
fictional law but actual law as well. The possibility Faulkner has something worthwhile to say about it justifies an examination of the law in his fiction.

Morris Wolff provides several suggestions as to the sources of Faulkner's vast legal knowledge. Wolff points out that Faulkner "came from a family of lawyers" (245). The author's nephew Jimmy Falkner, according to Wolff, said in an interview that Faulkner "'came to know the law through listening to law stories told during family discussions. He had a photographic mind and an excellent memory. Whatever he heard he remembered'" (245).

Faulkner's "great-grandfather W.C. Falkner; his grandfather John Wesley Thompson Falkner; his uncle John Wesley Thompson Falkner, II; and his first cousin John Wesley Thompson Falkner, IV, were all practicing lawyers" (245) writes Wolff. With so many lawyers in the family, it is quite likely that the young Faulkner heard many "law stories."

William Faulkner also gained some knowledge about the law in his visits to the law office of his friend Phil Stone. Wolff discovered in an interview with Phil Stone's law partner, T.H. Freeland, III, that, on at least one occasion, Faulkner asked Freeland a question about the law. Freeland told Wolff in the interview that Faulkner
"wanted to know the legal procedure involved in a congressional election" (Wolff, 245). Freeland said he told the author "'exactly what was involved and he listened carefully’" (246). Freeland also told Wolff that Faulkner "'on several occasions . . . discussed the law with Mr. Phil’" (246). It is possible, too, that Faulkner read some court decisions on his visits to Stone's office. Wolff writes that "Stone routinely kept Faulkner waiting in the lobby near the bookcases for ten to fifteen minutes each time he came, even when Stone had nothing else to do" (246). While waiting for Stone, Wolff concludes, Faulkner "might have pulled volumes from the bookcases and actually read some of the cases" (246).

A few examples will suffice to illustrate the depth and accuracy of the author's knowledge of the law. In Requiem for a Nun, Faulkner provides some of the history of the settlement of Habersham, later to become the town of Jefferson. The area's original Ratcliffe is the Chickasaw Indian post-trader. Ratcliffe provides the Indians and their slaves the stores they need: "calico and gunpowder, whiskey and salt and snuff and denim pants and osseous candy" (189). It is revealed in Requiem that Ratcliffe charges the price of items he distributes among the Indians to the United States. The federal government,
presumably, then requires the Indians to pay their debts by ceding land if they cannot pay cash. Historian Frank McNitt, in his book *The Indian Traders*, writes that Congress did pass a bill on April 18, 1796, authorizing the President "to establish trading houses at such points and places on the western and southern frontiers, or in the Indian country, as he shall judge most convenient for the purpose of carrying on a liberal trade with the several Indian nations." (44)

Thomas Jefferson’s administration established trading posts in Mississippi, for this President desperately wanted the Chickasaw to cede their lands to the United States. Jefferson planned to achieve his desire by setting up

A factory or factories for furnishing them with all the necessaries and comforts they may wish . . . and encouraging these and especially their leading men, to run in debt beyond their individual means of paying; and whenever in that situation, they will have to cede land to rid themselves of debt. (8:374)

Faulkner’s inclusion of an Indian trading post in *Requiem* and even the fictional trading post’s bookkeeping resemble the actual trading posts established by federal law in
Mississippi.

Examples of constitutional laws abound in Faulkner's fiction. In *Sanctuary*, the constitutional rule that an accused is innocent until proven guilty is shown to exist in Jefferson. Lee Goodwin is arrested by the sheriff for the murder of the "'half-wit'" (62) Tommy. Goodwin, Tommy, and Popeye Vitelli are engaged in the manufacture and transport of bootleg liquor. Popeye murders Tommy and kidnaps Temple Drake, a young coed who witnesses the murder, "to hold her until he would need his alibi" (*Requiem*, 248), as Gavin Stevens reports in the later play *Requiem for a Nun*. Goodwin refuses to tell the court that Popeye killed Tommy because he believes that Popeye will kill him if he does so. "'Just let it get to Memphis that I said he [Popeye] was anywhere around there, what chance do you think I'd have to get back to this cell after I testified?'" (*Sanctuary*, 74). Goodwin says he has a "'chance in court'" (74) because "'I don't have to clear myself; it's up to them to hang it on me'" (65). In the *Palko v. Connecticut* case, 302 U.S. 319 (1937), United States Supreme Court Justice Cardozo wrote: "Fundamental too in the concept of due process, and so in that of liberty, is the thought that condemnation shall be rendered only after trial" (327). Just as in the actual
United States, then, the fictional Yoknapatawpha County courts presume an accused person to be innocent until his guilt is proven beyond a reasonable doubt.

The thirteenth and fifteenth amendments to the Constitution, though never mentioned, must also serve as legal standards in the two novels *Light in August* and *The Unvanquished*. These amendments were passed by the states immediately after the Civil War. The thirteenth amendment prohibits slavery and involuntary servitude in the United States "except as a punishment for crime," and the fifteenth amendment provides that: "The right of citizens to vote shall not be denied or abridged . . . on account of race, color, or previous condition of servitude." The Yoknapatawpha County slaves, just as actual slaves were, are freed after the Civil War and given the right to vote. Calvin Burden, the elder, in *Light in August*, says about the negroes and their white owners "'We done freed them both now, both black and white alike'" (234). John Sartoris kills the elder Calvin and his grandson, also named Calvin Burden, when they return from Washington D.C. "with a patent to organise the niggers into Republicans" (*The Unvanquished*, 229). The Burdens plan to elect Uncle Cash Benbow, "'a nigger'" (229), marshal of Jefferson. John Sartoris's reaction to the Burden's efforts is to
kill them and then use the members of his old troop to prevent the freed blacks from voting. Although the whites ignore the law and even seem to invite anarchy when they elect no one marshal, the laws freeing the slaves and granting them suffrage clearly exist in the novels.

The rules of evidence operating in the works also show that Faulkner is more than just passing familiar with legal procedure. Questions asked in court attempting to draw out irrelevant information, for example, are inadmissible. In Sanctuary, Eustace Graham, in order to impeach her testimony, asks Goodwin’s mistress, Ruby Lamar, "'What was the date of your marriage to Mr. Goodwin?'" (Sanctuary, 152). Horace Benbow, Goodwin’s lawyer, objects. The court asks Graham, "'Can the prosecution show this question is relevant?'" (152). Graham’s withdrawing the question shows that the court would sustain the objection and rule the question inadmissible were Graham not able to show its relevance. Another rule of evidence seen in Goodwin’s trial prohibits the asking of leading questions. A leading question is "one which instructs witness how to answer or puts into his mouth words to be echoed back" (Black’s Law Dictionary, 800). Graham first asks Temple Drake her whereabouts since the murder. She answers that she
has been in Memphis. Then he asks her a question that attempts to explain why she has been in Memphis: "'You were in hiding, then, because something had happened to you and you dared not--'" (162). At this point Horace objects because the question is leading, and the court sustains the objection. Graham clearly puts words into Drake's mouth in asking the question. In fact, his question has in it so many conclusions not yet supported by evidence that he does not even have time to change it from a statement to a question before Benbow cuts him off.

One rule of evidence in "The Fire and the Hearth" chapter of Go Down, Moses differs from the rule followed in actual courts. Lucas Beauchamp in this story informs Carothers Edmonds that George Wilkins has a still on Edmonds' farm. Lucas wants Wilkins out of the way, in part, so that he can make his own liquor on the land and not be disturbed by revenue agents. According to Lucas, Wilkins is "a fool innocent of discretion, who sooner or later would be caught, whereupon for the next ten years every bush on the Edmonds place would have a deputy sheriff squatting behind it from sundown to sunup every night" (35). Lucas's unmarried daughter, Nat, is in love with Wilkins, however, and on overhearing Lucas tell Edmonds about Wilkins' still, she and Wilkins come up with
a plan of their own. When revenue agents, in accordance with the tip from Edmonds, search the land, she and Wilkins put Wilkins' still on Lucas's porch. The agents then discover both Lucas's hidden still and Wilkins' still on Lucas's porch and so arrest both men. The commissioner at the federal courthouse charges both men with violations of the prohibition law.

One of the federal commissioner's statements after the arrest and the dismissal of the prosecution of the case by the federal judge, Judge Gowan, reveal a fictional rule of evidence in "The Fire and the Hearth." The commissioner commits both Lucas and Wilkins because he believes the court can convict both. "'George can testify against Lucas, and that girl [Nat] can testify against George. She aint any kin to George either'" (Go Down, Moses, 66), says the commissioner. This statement indicates that, as Lucas puts it, "'A man's kinfolks cant tell on him in court'" (67). After Edmonds pays the defendants' appearance bonds, Lucas, Wilkins, and Nat agree that Wilkins and Nat will marry and falsify the date on the marriage certificate to show that they got married before Lucas's and Wilkins' arrest. Judge Gowan's dismissing the case for lack of evidence when the defendants present him with Nat's and Wilkins' newly
acquired marriage certificate proves that the fictional court cannot make people testify against each other when they are related at the time of a defendant's alleged offense. Nat and Wilkins marry and falsify the date on the certificate so that the court will believe the three were related at the time of the arrest and not compel them to testify against each other. Without the two defendants' and Nat's testimony, the state has no evidence to prove Lucas's and Wilkins' guilt.

The fictional privilege not to be compelled by the state to testify against one's relatives is broader than the actual, corresponding privilege. Only spouses cannot be compelled to testify against each other by the government in actual courts. Actual law does not allow people to escape testifying just because they are related. A child can be made to testify against its parent, and the parent can be made to testify against its child. Nat would have to testify against Lucas, Lucas against Wilkins, and Wilkins against Lucas, then, following this rule.

It might be argued that the divergence between the actual and fictional rules of evidence in "The Fire and the Hearth" indicates that Faulkner's knowledge of the law was faulty. Yet the purely fictional rules of evidence
and, for that matter, all the other fictional laws in Faulkner's works that have no basis in reality do not prove Faulkner did not know the law. Artistic sensibility may have required that he deviate from actual law on occasion. The fact that the majority of rules in the works are indeed based on actual ones is good evidence that Faulkner knew much law.

Faulkner does not describe a utopia in his fiction. Many of his characters fail to obey the rules, providing opportunities for the reader to discover if the law enforcers and the fictional laws are effective. One of the more memorable criminals in Yoknapatawpha County is Popeye Vitelli. Popeye violates the law against murder in Sanctuary when he kills Tommy, but Popeye goes unpunished for his crime by the law. Many of those in authority are to blame for Popeye's evasion of punishment. Eustace Graham places political ambition above the performance of his official duties as district attorney when he not only helps to convict Goodwin, but also encourages the citizens of Jefferson to kill him. Judge Drake, Temple's father, learns of Temple's whereabouts from Clarence Snopes and the circumstances of the murder from Popeye's lawyer, and yet allows his daughter to commit perjury when she testifies that Goodwin committed the murder and raped her.
Horace Benbow seems too weak to discover a method to bring the truth to light in the trial.

In *Light In August*, Joe Christmas kills Joanna Burden. Christmas gives himself up and agrees to "plead guilty and take a life sentence" (433). Although the sheriff, Watt Kennedy, does not encourage or allow a mob to kill "'that nigger, Christmas'" (418), he is still partly responsible for the accused's death. He allows Christmas to cross "'the square with one deputy and not even handcuffed to him'" (433), allowing Christmas to escape.

In *Intruder in the Dust*, those with legal authority to discover the truth about the murder of Vinson Gowrie, Gavin Stevens and Hope Hampton, refuse at first to investigate the murder. They presume that Lucas Beauchamp, the accused, is guilty of the crime. Only after Chick Mallison, Aleck Sander, and Miss Eunice Habersham dig up the grave and discover Jake Montgomery to be in it, not Vinson Gowrie, do Stevens and Hampton act.

This study does not attempt to extract any suggestions Faulkner might make about the law in any of the author's works except the Snopes trilogy. The officials' mistakes and misdeeds described above at least indicate that Noel Polk may be mistaken in asserting that
most enforcers of the law in the works "are competent, honorable, sensible and even courageous men who take their jobs seriously" (174). The challenge the Snopeses provide when they violate and bend the law will be used to evaluate the law and its enforcers in this thesis. Whether the laws and their enforcers in each novel effectively further the purposes behind the laws is the question that I will attempt to answer. Only Snopes' wrongs will be used to test the laws and their enforcers because the Snopeses, I believe, violate and bend the law enough times to allow for valid evaluations to be made. An examination of the law enforcers' responses to Snopes' wrongs in the trilogy should reveal how well the laws are written, that is, how well they would achieve their objectives if they were enforced. Such an examination should also make clear how well the law enforcers achieve the laws' objectives.

Several decisions will be made in the succeeding chapters. One is that the laws are generally well conceived. If they were always followed, they would most often effectively further the purposes they were made to achieve. Another conclusion the evidence that will be cited supports is that law enforcers more often than not fail to enforce the laws. When they fail in their duties,
the officials usually fail, as well, to achieve the objectives of the laws they ignore. Finally, when they fail to live up to their duties, the officials invariably harm innocent persons.
Works Cited


Wolff, Morris. "Faulkner's Knowledge of the Law."

CHAPTER II

LEGAL SUCCESSES AND FAILURES IN THE HAMLET

The laws in The Hamlet are created and enforced by the fictional federal, state, and local governments. The federal government has only one visible set of laws in the area, prohibition rules. These federal laws will be discussed in greater detail in the next chapter, for they play a larger role in The Town than they do in the first novel of the trilogy. It is clear, at least, that rules prohibiting the manufacture and sale of liquor do exist in The Hamlet. Federal revenue agents who have attempted to enforce the prohibition laws in Frenchman's Bend in the past are said to have "vanished" (4).

Although no legislative history and no written court decisions appear in The Hamlet to evidence the lawmakers' objectives in making laws, and the laws themselves are often merely implied to exist, I believe it is possible to discover the ends of the laws. By merely examining what the fictional rules prohibit, one may discover what purposes they are made to further. The rules prohibiting murder, for example, are
made to protect life. The rules prohibiting theft are made to protect ownership rights in property. And the rules prohibiting the manufacture and sale of liquor are probably intended to protect people's morals and health.

The state government is another source of laws in The Hamlet. The fact that Mink Snopes is tried by the "State" (339) for Jack Houston's murder shows that state laws prohibit murder. The state seems to place murders into two categories: those that it considers the most serious the state calls murders of the first degree; those it considers not as serious are called murders of the second degree. If convicted of first degree murder, a defendant is hanged. If convicted of second degree murder, a defendant is given life imprisonment. Ratliff makes this distinction clear when he tells Bookwright that Mink will not be hanged for his crime. "'Jack Houston was shot in front, and everybody knows he never went anywhere without that pistol, and they found it laying there in the road where they found the marks where the horse had whirled and run'" (270). According to Ratliff, because Mink may have acted in self-defense, he will only be imprisoned, not hanged. "'It aint going to go that far'" (270), he says. Ratliff's prediction proves true because Mink is convicted of "murder in the second degree" (339) and sentenced to life imprisonment. Had Mink not been judged to
have acted in self-defense by the jury, presumably, he would have been convicted of first degree murder.

It is interesting to note that most actual states also categorize murders. Those that are premeditated or that are committed "in the perpetration of . . . arson, rape, robbery, or burglary . . . are commonly deemed murders of the first degree" (Black's, 919), while "all other kinds of murder are deemed murder of the second degree" (919). Yoknapatawpha County's murder laws, then, closely resemble actual murder laws.

Another state law that is implied in the novel grants suffrage to the county's inhabitants. That the sheriff is an elected official, for example, is proven by Lump Snopes' statement of his plans to shift the suspicion for Houston's murder from Mink to a black man in Frenchman's Bend, so that the sheriff, Hampton, will arrest the man: "'There's too many votes out here for Hampton to do nothing else but take him on in and send him to the penitentiary'" (237), Lump says. Other county officers are elected officials, as well. Indeed, they only visit Frenchman's Bend "in the heel of election years" (4-5).

Many laws that apply in Frenchman's Bend seem to be made by Will Varner. Varner is "the chief man" (5) of the area as well as its justice of the peace, and is the area's sole
indigenous law-maker. He makes only one law in the novel, when he resolves Mink Snopes' and Jack Houston's dispute over Mink's bull. At the time of the decision, Mink has let Houston feed the animal for at least a year and then "'decided to go and get it'" (160). When Houston refuses to relinquish the bull, Mink sues him in the local justice of the peace court. Varner rules that Houston has provided a benefit to Mink by feeding the animal and that therefore, Mink must pay him "'three dollars pasturage fee'" (163) before he can get his bull back.

The liability Varner imposes on Mink would be considered quasi-contractual by actual law. A quasi-contract is "an obligation which law creates in absence of agreement . . . where there is an unjust enrichment" (Black's, 1120). Although Mink and Houston never agree that Mink will pay a pasturage fee for the feed given the bull, it would be unjust for him not to compensate Houston. Essentially a kind man, Houston has no choice but to feed the animal when Mink will not take it off his land. He refuses to shoot it, as Mink tells him to do earlier in the novel: "'Try a shotgun'" (92) he tells Houston. Varner, in his decision, recognizes Mink's ownership rights to the animal but also sees that fairness requires Mink to pay Houston's expenditures.

The existence of the pound fee rule is implied by the
discussion of Mink's and Houston's debate above. When Houston refuses to give up Mink's cow, he impounds it. The pound fee is a fee an owner of an animal must pay a land-holder to get his animal back when the animal trespasses on the land-holder's property. Houston tells Mink he has waited too long to remove the bull from his land earlier in the novel, and that he will therefore charge him a pound fee: "'You know the law in this country. A man must keep his stock up after the ground is planted or accept the consequences'" (91).

Morris Wolff points out in his article "Faulkner's Knowledge of the Law" that the pound fee rule is an actual law. "Under Mississippi law, a landowner who takes in a lost or stray cow, mule, horse or other animal is entitled to a daily fee for providing feed and care for the animal during the period of its impoundment on his property" (257).

A law providing for the guardianship of certain people is revealed in the novel. Flem Snopes is guardian to his retarded cousin, Isaac Snopes. "'Do you want to see the papers?'" (88), he asks Ratliff. Like actual guardians, Flem may be "lawfully invested with the power, and charged with the duty, of taking care of the person and managing the property and rights of another person, who for defect of age, understanding, or self-control, is considered incapable of
administering his own affairs" (Black's, 635).

In the lawsuit Tull versus Eckrum Snopes, a tort law is revealed in the novel. A tort is "A private or civil wrong or injury, other than breach of contract, for which the court will give a remedy" (Black's, 1335). In the Tull vs. Eckrum Snopes case, the horse Eck is given by the Texas man harms Tull and his wagon when it escapes from Mrs. Littlejohn's horse-lot. The case is tried at Whiteleaf Bridge, "eight miles away" (The Hamlet, 327) from Frenchman's Bend, by another justice of the peace, not Will Varner. This judge provides the tort law in the case. If an animal harms a person and the owner of the animal knows the animal is dangerous and the animal "ceases to be restrained by suitable pen or enclosure, either by accident or design and either with or without the owner's knowledge, then that owner is liable" (334) for the damages it causes others. The particular harm in the Tull case would be considered a tort by actual law because the fictional law gives a remedy to the victim for the damages he has suffered.

Ratliff's acceptance of promissory notes makes it clear that laws governing such notes exist. If the notes were not enforceable, after all, Ratliff would surely require a cash payment on the spot for his sewing machines. A promissory note is a "two party instrument made by the maker and payable
to payee" (Black's, 956). (The payee is "the person in whose favor a . . . promissory note . . . is . . . drawn." (1016)). When Mink signs Flem's name in the place where the maker is to sign and Ratliff refuses to accept it, another rule governing promissory notes is implied. Only if one signs a note is he liable for it. Forgeries of one's signature do not make a person liable on a note in Yoknapatawpha County. Mink's response to Ratliff proves this rule's existence: "'I see. You want my name on it too, so one of us anyway cant deny it has been signed'" (76).

John Locke claims that people form governments and laws in order to protect their "Lives, Liberties, and Property" (396). The laws in The Hamlet, and, as will become clear, those in the other two novels of the trilogy, are made to further these same ends. The rules prohibiting murder and allowing for recovery of money for damages caused by a dangerous animal, for example, are clearly meant to protect life by deterring the inhabitants of Yoknapatawpha County from harming others. The prohibition laws, as has already been stated, probably protect people from harming themselves. They uphold the moral and physical health of the community.

Many of the laws are meant to protect property rights. The pound fee rule deters the owners of animals from letting them run free and destroy others' crops. The decision in the
Snopes versus Houston case protects Houston's property by making Snopes reimburse Houston's expenditures. In like manner, the guardianship rules allow one person to protect another person's property from the rapacity of others, so that the money can be spent in the ward's best interests. The laws governing promissory notes allow a payee to get compensation for goods or services he has given the note's maker.

Finally, the laws allowing for elections provide people a certain degree of liberty. If elected officials exploit their positions and appropriate others' property or endanger their lives or freedoms, the voters can vote them out of office.

The first Snopes action that is a probable violation or at least a bending of the law occurs when Ratliff sells a sewing machine to Mink. Mink gives Ratliff two notes for the machine. The first note promises that the maker will pay it in "'six months'" (76). Mink signs Flem's name on the note, and then when Ratliff refuses it, he signs his own name. Flem pays the note when Ratliff presents it to him, even though he is not obligated to, probably because he fears Mink will harm him or his property if he does not pay it. The message Mink tells Ratliff to give Flem supports the proposition that Mink somehow frightens Flem into paying the
note. He tells Ratliff to hand the two notes to Flem and say "'From one cousin that's still scratching dirt to keep alive, to another cousin that's risen from scratching dirt to owning a herd of cattle and a hay barn'" (77). Mink's statement, in light of his vengeful response to those, like Houston, who do not give him something for nothing, is probably an implied warning to his cousin Flem to pay the note or else. Mink has probably, then, committed a form of theft, extortion, in this incident. Extortion is "the obtaining of property from another induced by wrongful use of actual or threatened force, violence, or fear" (Black's, 525).

No laws prohibiting theft are ever revealed in The Hamlet. It is possible, then, that a defect in the laws exists. One of the purposes of the laws, after all, is to protect property. If no law proscribes theft, then the law fails to uphold one of its purposes.

When Ratliff presents the second note to Flem, we see another Snopes' theft that goes unpunished. Mink tells Ratliff that Flem borrowed ten dollars from their cousin Isaac and then wrote the promissory note making Isaac the payee. Then, according to Mink, Isaac "'needed some cash a while back and I bought Flem's note from him'" (77). When he borrows the ten dollars from Isaac and uses it for personal reasons, Flem commits embezzlement, a type of theft.
To embezzle is "to take, or convert to one's own use, another's property, of which the wrongdoer acquired possession lawfully, by reason of some office or employment or position of trust" (Black's, 468).

Either the laws or their enforcers or both are shown to be at fault in Ratliff's confrontation with Flem. Flem is made Isaac's guardian to protect Isaac's property and use it to supply his basic needs. Flem not only steals from Isaac, but he also does not take care of him. It is common knowledge in Frenchman's Bend that Mrs. Littlejohn shelters, feeds, and looks after Isaac, not Flem. Those who have made Flem Isaac's guardian, although they may not have been able to prevent the theft of Isaac's ten dollars, still should revoke Flem's guardianship once it becomes clear he is not providing for Isaac's care. Whether the guardianship laws do not give the enforcers the power to revoke Flem's guardianship or the enforcers are simply not diligent in carrying out their duties is not clear. At least it can be said, however, that either the laws or their enforcers fail to achieve two of the laws' purposes, the protection of lives and property.

One Snopes act that at least bends the law that Varner, as justice of the peace, responds correctly to is seen in the Mink Snopes verses Jack Houston dispute. Mink, as has been
shown, forces Houston to feed his cow. Then he tries to use the law to get the cow back without paying compensation to Houston. Varner makes one of the few good responses by a law enforcer to a Snopes wrong when he requires Mink to pay the three-dollar pasturage fee. Varner upholds the laws' purpose to protect property in this case by both preserving Mink's ownership rights in the bull and Houston's right to be compensated for feeding the animal.

Another law enforcer, the Whiteleaf Bridge justice of the peace, however, fails to further one of the laws' purposes in the Armstid versus Snopes case. In this case, Henry Armstid has given five dollars to the Texas man, Buck Hipps, for a Texas pony. Hipps tries to return the money to Mrs. Armstid, from whom Henry got the money. Henry refuses to let Hipps out of his promise to turn over the horse and gives it to Flem when Hipps refuses to take it back. "'You got something to do with these horses. I bought one. Here's the money'" (301), he tells Flem. At that point, Hipps says "'Mr. Snopes will have your money for you tomorrow'" (301). All of the horses escape so that the Armstids receive nothing for their money, but not before Hipps leaves Frenchman's Bend, leaving Flem as the only person the Armstids can look to for the return of their money. Yet Flem tells Mrs. Armstid that Hipps "'took all the money away with him when he
left" (320). Mrs. Armstid has no other recourse than court to retrieve her money.

The evidence indicates that Flem lies to Mrs. Armstid when he denies he has the money. Before he and Hipps enter Frenchmen's Bend, they probably agree that Flem will provide Hipps a buggy in exchange for Hipps' selling the horses and giving to Flem some or all of the money he receives for them. Several facts indicate a prior arrangement between Flem and Hipps. When the Texas man has only three more horses to sell and says he will "'Swap all three of them for a buggy or a--'" (302), Flem interrupts him with the statement that "'It's out in the road'" (302). That Flem could have foreseen Hipps would offer to trade the horses for a buggy is difficult to believe. The fact that the Texas man does not even look at the buggy before gathering his gear together also indicates a prior arrangement. If he really were making an offer of the horses for the buggy, surely he would have inspected the buggy before agreeing to relinquish the horses. The Texas man's response when he sees the buggy indicates he has been expecting to get one, as well. "'So this is it'" (302), he says, as if he has heard of it before. The fact that, at the end of the novel, Flem uses the same wagon and mules to leave Frenchman's Bend for Jefferson that he and Hipps use to reach the village with the Texas horses (368)
also indicates a prior arrangement between the two, especially in light of the fact that Hipps uses those same mules to pull him and his new buggy out of the village. (302). Hipps must return the mules to Flem sometime after the auction.

If the two men do make a bargain before entering Frenchman's Bend, Flem must get something for his supplying the buggy besides the three worthless horses. Flem is too astute a businessman not to try to get the better end of any bargain. The fact that he is, in effect, able to dismiss Hipps from the auction, shows that Flem probably got the better end of his bargain with Hipps and so, almost certainly, gets some money from the sale of the horses. It is also clear that Hipps is determined not to take the Armstids' money. He shows mercy on Mrs. Armstid when he tries to give the money back. Flem, on the other hand, shows no desire to return the money. "'What's that for?'" (300), he asks when Hipps hands the money to Mrs. Armstid. Flem grows so disgusted with Hipps' charity that he drops a clue that the two have an agreement, when, as has been shown, he tells Hipps his buggy is "'in the road'" (302) without somehow concealing from the onlookers how it happens to be there. The evidence indicates, then, that Flem not only receives some money from the sale of the Texas horses, he
retains the Armstid's five dollars, and therefore lies when he tells Mrs. Armstid that Hipps took it with him.

Flem's keeping of the money may not be a violation of actual law. If he did indeed own the horses, he arguably gives something of value in exchange for the five dollars. It is not Flem's fault that Lon Quick, one of the buyers, leaves the horse-lot gate open when he and the other buyers attempt to capture their purchases (335). The fictional court, however, seems to assume that Mrs. Armstid could make Flem pay if only she were able to prove he owned the horses, indicating the fictional law is on her side in the dispute.

The justice of the peace, then, fails to uphold the law when he rules in Flem's favor. But is he at fault for the miscarriage of justice? After all, the facts adduced above, showing that Flem owned the horses, are not provided at the trial. Nevertheless, the judge still makes a decision he should know does not carry out the law. He commits two mistakes in rendering his decision, mistakes that cause the wrong party to win. First, he decides to hear the case and not rule against Flem for not appearing at trial. Then he accepts testimony that he should suspect is perjured. He should know that Lump is probably lying when he testifies that Flem gave the five dollars back to Hipps because the justice himself informs Lump that he will accept perjured
testimony. "I want the truth... If I can't find that, I got to have sworn evidence of what I will have to accept as truth'" (332), the justice says. This statement reveals to Lump that if he lies under oath, Flem will win. Although the justice does not know that Lump has lied to the authorities before, earlier in the novel, when he tells the sheriff that although the shotgun the sheriff presents Lump belongs to Mink, "He's been hunting for it ever since last fall'" (236), the justice, in light of his statement to Lump, should at least suspect him of lying. The questions Lump asks the judge should also raise some doubt in the justice's mind as to whether Lump's testimony is truthful. Lump asks, for example, "Suppose there was somebody seen Flem give that money back to that Texas fellow?" (332). This question indicates that Lump is trying to discover a method to relieve his kinsman of liability.

Morris Wolff proposes that the justice rules as he does because he is afraid of the Snopeses. He points out that "The justice of the peace, as evidenced by his trembling hands and later by his quick adjournment of the court, is portrayed as too cowardly to try to bring Flem within the law's power" (254). The justice's actions indicate Wolff's assessment is correct. In actual courts when a party does not appear for a scheduled court appointment, that party
automatically loses on the issue before the court. Although the novel does not reveal whether the fictional court typically rules against non-appearing parties like Flem as well, the justice says he "'can find against him for that reason'" (330). The justice decides to hear the case apparently in the hope that someone else will take the blame for any decision he must make. He asks, "'Does anybody here know for sho who them horses belonged to? Anybody?'" (330). When no one provides evidence one way or the other and the justice sees the blame for the ruling will fall on him no matter which way he decides the case, he then decides to rule against the weaker party, Mrs. Armstid. He justifies his decision by accepting Lump's testimony.

When a judge does not know that testimony is perjured and accepts it, he may still be doing all that is humanly possible to reach a fair result. Under such circumstances a bad decision would not be the judge's fault. But when a judge knows evidence is false and accepts it so that he can protect himself from one of the parties, a fair decision will not often be achieved. In the Armstid case, the justice's failure to enforce the law prevents Mrs. Armstid from getting back money the law requires she get back. The justice, in failing to protect her property, fails, therefore, to achieve one of the law's purposes, the protection of property rights.
It is clear now that only once in *The Hamlet* does the law fail to uphold one of its purposes effectively. The novel does not reveal a law proscribing theft and therefore, possibly, the laws protecting private property are defective. The enforcers of the law fail on fewer occasions than they do in the subsequent two novels and, perhaps accordingly, the consequences of their failures are not as serious as those in *The Town* and *The Mansion*. Nevertheless, some failures on the part of enforcers have been revealed. For example, Flem is allowed to embezzle money from his ward, Isaac, and keep five dollars that legally belongs to Mrs. Armstid.
Works Cited


Locke, John. *Two Treatises of Government*. New York:

Wolff, Morris. "Faulkner's Knowledge of the Law."
CHAPTER III

LEGAL SUCCESSES AND FAILURES IN THE TOWN

Many of the laws in The Town are described in The Hamlet as well. It is not assumed in this study, however, that the laws of any one of the three novels are the same as those described in the other two novels. It is necessary, then, to examine the laws in The Town separately from those in the other two novels and discover those laws' objectives before the laws and their enforcers can be evaluated.

Just as the law in The Hamlet, the law in The Town comes from three sources, the federal, state, and local governments. Jefferson's city government is the only local government that makes any rules in the novel. It includes a mayor, a board of aldermen, and a court system. It is clear that the mayor and city council have charge of municipal affairs; they are independent of the other two governments in the area. Their passage of ordinances that apply in the city proves this independence. For example, at Colonel Sartoris's insistence, they pass "an edict that no gasoline-propelled vehicle should ever operate on the
streets of Jefferson" (The Town, 11). One of Manfred de Spain's first acts as mayor is to have the board of aldermen pass "an ordinance . . . that no cut-out . . . be opened inside the town limits" (58).

These two rules are rarely enforced and are perhaps unenforceable. Some might question whether a rule can be a law if it goes unenforced. As will be shown, however, few rules in the novels would be considered laws if they are only laws when enforced, for at one time or another, almost all of them are ignored by government officials. The common definition of the word "law" is "a body of rules of action or conduct prescribed by controlling authority, and having binding legal force" (Black's, 795). According to this definition, the two ordinances, as well as the other rules in the novels, are laws. Because this definition accords with most people's definition of law, this study will use it to define law.

Other city-made rules and ordinances are implied to exist, as well. Jefferson would be considered a municipal corporation by actual law. A municipal corporation, like private ones, is "an artificial person or legal entity" (Black's, 307). Once a community is incorporated, it is "granted the privilege of self-government from the state" (56 Am. Jur. 2d, 78). Usually states limit the activities
the city can regulate to areas of municipal concern, activities like "supplying water to the inhabitants, the sale and distribution of electrical energy, and the establishment and operation of transportation services" (Black's, 917). Jefferson lives up to the duties imposed on actual cities. It provides water and electricity to its citizens and employs a police department to protect them. The city council must pass ordinances that provide for these services.

The Jefferson city government resembles actual municipal corporations in other ways as well. The city government is limited in its power just as actual city governments are, for example. The fact that Jefferson never makes ordinances that apply outside of the city limits indicates that it can govern only the city, not the rest of the county. Jeffersonians also have the right to vote for candidates for office, just as citizens of actual cities do.

The county government is another source of the area's laws. The ultimate source of the county government's power is probably the state. Counties, after all, are defined to be "subdivisions of the state, established for the more convenient administration of government, and to assure a large measure of local self government" (56 Am. Jur. 2d,
82). The state government is never mentioned in the novel, however. That the county exists as a separate government is clear, at least. Mink Snopes is arrested in Frenchman's Bend, which shows the law prohibiting murder operates throughout the county, not just in Jefferson. The Jefferson city council governs only Jefferson. Therefore, another source must have enacted the law against murder.

There is one other possible source for this law, the other government in the county, the federal one. But the sheriff, not a federal officer, arrests Mink. The sheriff has the power to arrest only when a local law has been violated, not a federal one. This limitation on his power is revealed in the Montgomery Ward Snopes arrest. Hub Hampton, the sheriff, wants to arrest Snopes but cannot because Montgomery Ward has violated only a federal law.

"'Is that right? We've got to have a federal officer?'"(164) he asks Gavin Stevens. Because the sheriff arrests Mink, a local law must give him that power. The county is the only possible source of that law.

One other set of laws that is clearly county-made provides for the election of county officers. The county attorney, for example, is an elected official. The
sheriff is said to be elected in The Hamlet. The city could not provide for these laws, again, because its scope of authority is over the city.

Tracing the source of other laws in the area is often impossible to do. Byron Snopes' theft of money from the Sartoris' bank is a violation of law. The fact that the bank's board of directors wants to send the police after Snopes shows that his act is illegal. Whether that theft is a violation of city, county, or federal law, or any combination of the three is never revealed, however. The law requiring a search warrant before law enforcement agents search and seize a building could also be a city, county, or federal law. It at least applies to the city police. Grover Cleveland Winbush, the night marshal of Jefferson, tells Stevens that he looked around inside the Atelier Monty, Montgomery Ward's photography studio, "even though he had no warrant" (125).

As the third level of government in the area, the United States is represented by agents in the county. Revenue agents seize whiskey and arrest those who make it; federal auditors audit the city's banks; federal drug inspectors regulate the storage of drugs in drugstores; a United States marshal periodically visits the city to enforce federal laws; and the federal court in the area
tries violations of federal laws.

A whole network of laws is implied by the agents' presence in the area. The fact that revenue agents confiscate whiskey and the court prosecutes manufacturers and sellers of whiskey indicates the eighteenth amendment is in effect in the area. Until it was repealed by the twenty-first amendment in 1933, the eighteenth amendment prohibited "the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States . . . for beverage purposes." Laws regulating the storage of drugs must also be in effect in the area, as well as laws prohibiting theft from banks.

One federal law is explicitly described by Montgomery Ward Snopes when Stevens and Hampton arrest him. They catch this Snopes using erotic pictures to make money. He has made erotic photographs into slides and, using a "magic lantern" (163), enlarges them for those who pay for the privilege of looking. No local law prohibits the business, and federal law seemingly prohibits only sending the pictures through the mail and using them to make money. "'Even if they had been sent through the mail, which they haven't, that would just be a federal charge, and I don't see any federal dicks around here. And even if
you tried to cook up a charge that I've been making money out of them, where are your witnesses?" (163) Montgomery Ward says to Stevens and Hampton. This description of the law is probably accurate because Montgomery Ward researched the law before entering the business. "'You don't think I got into this without reading a little law first myself, do you?'" (163) he asks the two men.

The fact that the federal government makes only certain uses of erotic pictures illegal indicates the government has limits on its powers. Its laws, after all, show its disapproval of such pictures. Why would it not, then, outlaw such material completely, unless its powers are limited? If the fictional government is like the actual one, it has no ability to regulate activities unless the Constitution gives it that power. The tenth amendment says: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." That limitation seems to apply to the fictional government as well, for the county and city governments are democratic and so retain some ability to rule over themselves.

The laws in The Town appear broader, regulating more activities than those of The Hamlet. The city government
regulates municipal concerns in Jefferson; the county
government regulates the general concerns of the area's
citizens, as does the federal government.

The laws of The Town, for the most part, further the
same three goals as those of The Hamlet, the protection of
life, liberty, and property. The laws against theft and
those prohibiting the use of automobiles on city streets
and the opening of an automobile's cut-out in the city
limits protect property. The law proscribing murder
protects life, as do those laws regulating the use of
drugs and alcohol. The rule requiring policemen to have a
search warrant protects people's liberty in the novel, as
do those rules that provide for election of candidates to
office and those that limit the three governments' powers.

The first Snopes' wrongs in the novel occur when Flem
becomes superintendent of the town power plant. He does
not stay long in the restaurant which Ratliff trades him
for the old Frenchman's Place. After Mayor de Spain falls
in love with Eula Varner Snopes, Manfred gives Flem the
job as power plant superintendent "not only to pay for the
gratification of his appetite but to cover his reputation"
(273). Mayor de Spain must "create" (15) the job. There
is no real need for it so no one ever thought of creating
it before.
The plant—the boilers and the engines which ran the pump and dynamo—was operated by an old saw-mill engineer named Harker, and the dynamos and the electric wiring which covered the town were cared for by a private electrician who worked on a retainer from the town—a condition which had been completely satisfactory ever since running water and electricity first came to Jefferson.

Flem waits about a year after he receives the job and then begins taking brass parts from the plant. He first removes the safety valves from the boilers. These valves let the steam escape that has built up in the boilers. Tom Tom Bird, the daytime fireman of the boilers, provides the excuse Flem gives for taking the valves off the boilers. "'Mr. Snopes say the shut-off float in the water tank aint heavy enough. Say that tank start leaking some day, so he going to fasten them three safety-valves on the float and weight it heavier'" (17). Harker looks in the water tank but is unable to see the valves. He admits that "'Maybe he [Flem] hadn't aimed for them to be fastened to it where the first feller that looked in could a reached them'" (18), so it is unclear whether Flem took the valves for his own private use.

Flem then begins using the two black firemen to take
brass from the plant. He tricks Tom Tom into removing "discarded fittings" (19) of brass to Tom Tom's house by telling him that the other fireman, Tomey's Turl, is planning to "steal iron from the plant and lay it on Tom Tom and get him fired" (19). Only by removing the excess "iron" (20) (Flem's word for brass) can Flem thwart Turl's plan. He then tells Turl that "Tom Tom had been stealing brass from the plant and laying it on Turl to get him fired" (23) and that Turl must go get the brass and give it to Flem to prevent Tom Tom from using it to frame Turl. Turl and Tom Tom discover Snopes' lies, however, and hide the brass in the town water tank.

It has already been shown that laws against theft exist in the area. Flem's actions certainly subvert the purpose of those laws, to protect ownership rights, for he takes the city's property. Whether he violates the fictional laws themselves, however, is unclear. Under actual law, when Flem has Tom Tom remove the brass from the power plant, he commits larceny, a type of theft. This crime is "The unlawful taking and carrying away of property of another with intent to appropriate it to use inconsistent with latter's rights" (Black's, 792). Henry Best of the board of aldermen states the applicable fictional law: "'Them nigras confessed they stole that
brass . . . Only as soon as we find brass in that tank, they never stole any brass because the brass is not just once more in the possession of the city: it aint never been out of it!” (86). In The Town, then, it appears that only if one does not give back to the city the property he steals from the city has he committed theft. If he returns it he has committed "a attempt at a crime" (86). Flem has only stolen the safety valves, then, and only if they are not in the water tank, for the rest of the brass is in the city's possession. Flem can be prosecuted, then, for the theft of the safety valves, again, assuming he retained possession of them, and perhaps (the law is unclear) for the attempted theft of the other brass he takes in the novel.

Yet not only does Flem go unpunished for his actions, but the city also never recovers its property. Given the purpose of the laws prohibiting theft, to protect ownership rights, it can be safely said that either the laws themselves or the law enforcers fail to achieve the laws' goals. Because he is not censured for his crimes, Flem will have the brass to steal again. And the rightful owner of the property, the city, does not have its property rights vindicated. The fictional laws, although they may fail to prohibit Flem's attempted theft, would
still serve as tools to punish any successful thefts he might have committed. Yet the officials of Jefferson never attempt to discover whether Flem successfully steals any brass by emptying the water tank to find out if any is missing. The ultimate blame for the non-achievement of the laws' objectives in this incident, therefore, must fall on the enforcers of the law. They do not attempt to prosecute Flem.

Gavin Stevens, the city attorney, unlike all the other city officials, does not ignore Flem's actions. Stevens' job is to bring and defend lawsuits on the city's behalf. He is not a criminal prosecutor and so cannot prosecute Flem. Like the others who know of the incident, Stevens can demand such prosecution, however. He does at least bring suit against Manfred de Spain's bonding company, which insures De Spain for any harms he causes in his official capacity. But he brings suit only to hurt De Spain, his rival for Eula Varner's love. When he realizes the suit will not harm De Spain, Stevens drops it, and so does not even subject Flem to civil liability for his actions.

Manfred de Spain, the mayor of Jefferson, according to Stevens, not only condones the theft of the brass, he makes it one of the perquisites of the job (273). De
Spain also does not attempt to rectify the wrong his administration perpetrates on the city by resigning, paying for the brass, or encouraging others to punish Flem. De Spain's response to Judge Stevens' (Gavin's father) question as to whether he wants to resign as mayor shows he does not even consider the theft to be a breach of his duties to the city. He says: "'Certainly sir... I'll be glad to. But not for the city; for Gavin. I want to do it for Gavin. All he's got to do is say Please'" (98). De Spain's statement shows he is not concerned with legality and personal rectitude; he only wants to defeat his rival for Eula's love.

Montgomery Ward Snopes might also commit a crime in the novel. His dirty picture business probably violates the law prohibiting the showing of certain pictures for profit. Whether Snopes violates that law or not depends on whether the fictional court that enforces the law would consider the pictures to be erotic. Gavin Stevens indicates that Judge Long, the judge of the federal court, would consider the pictures to be erotic. "'You know what Judge Long will do to the man that owns just one of these pictures... Think what he'll do to the man that owns a wheelbarrow full of them'" (165).

Hub Hampton, the sheriff, and Gavin Stevens, by now
the county attorney, ignore several laws in responding to this Snopes' crime. First the two fail to follow correct police procedure. They search Atelier Monty's premises and seize materials without a search warrant. Montgomery Ward himself points out that they have no right to take the pictures: "'You can confiscate these--all you'll find here; I don't guess Mister Hampton will let a little thing like law stop him from that--'" (163). Then they arrest him for violation of a law he has not violated and that is never enforced against anyone else who does violate it. Only federal law has been violated, and they have no power to arrest those guilty only of federal crimes. Hampton acknowledges that no local law prohibits the Atelier Monty's business: "'There's nothing on our books to touch him with? Come on, think. Nothing on the city books even?'" (164). Rather than wait on a federal officer, they arrest Snopes, at Stevens' suggestion, for violation of the edict prohibiting the use of automobiles in the city. Although Montgomery Ward may violate this law on occasion, he is not driving when they arrest him and therefore is not in violation of the law at the time of his arrest. In any event, this law is never enforced. No one else is ever arrested for driving in Jefferson. "'You own a car too! So does Hampton'" (164), Montgomery Ward
protests to Stevens. Stevens admits the truth of this accusation, but explains to Montgomery Ward "We're doing this alphabetically . . . We've passed the H's. We're in S now, and S-n comes before S-t" (164). The two officials, of course, never arrest themselves for driving in the city. These facts indicate that Stevens and Hampton fabricate the charge on which they base Montgomery Ward's arrest.

Stevens and Hampton also allow the federal court to convict Montgomery Ward of a crime he does not commit. Flem Snopes, with the sheriff's knowledge and implicit permission, takes the key to the Atelier Monty out of the sheriff's desk drawer. Flem then opens the studio, plants "'raw corn whiskey'" (173) in it, and informs Jack Crenshaw, the Revenue Agency field agent, of the whiskey's whereabouts. Hampton does not relinquish the pictures to Judge Long because, he says, "'the whiskey is enough'" (174). Long will convict Montgomery Ward of violating the liquor laws and the reputation of the viewers of the pictures will be preserved. "'Damn it . . . it's Jefferson. We live here. Jefferson's got to come first, even before the pleasure of crucifying that damned--'" (174), Hampton says to justify his withholding of evidence. Hampton and Stevens, then, sacrifice the civil
rights of an individual in order to protect the moral image of the city.

The laws, it has been shown, further different purposes. By failing to follow the rules, Stevens and Hampton prevent these purposes from being achieved. The goal of the search warrant is to preserve privacy. The two ignore Montgomery Ward Snopes' right to privacy. When they fabricate a charge against Montgomery Ward, driving a car in the city, and then allow Flem Snopes to plant whiskey in his relative's place of business, they also endanger Jeffersonians' right not to be arrested and prosecuted unless they have violated a law. They subvert the purpose of trials, to discover whether the defendant has committed the crime he is charged with and confine only the guilty, when they allow Snopes to be convicted on the basis of false evidence.

One might argue that Montgomery Ward Snopes gets what he deserves and therefore the erotic picture law's purpose is achieved. Even though they ignore some rules in this case, Hampton and Stevens, by sending Montgomery Ward to prison, thereby preventing him from corrupting other Jeffersonians, further the purpose of the federal law prohibiting use of erotic pictures for money: to protect people's morals. They even fail to further this purpose,
however. The community is corrupt before Montgomery Ward starts his business and remains corrupt after he is imprisoned.

The citizens, by and large, seem to have no moral standards, only a pretense to virtue. Jeffersonians do not condemn others because an act is wrong or illegal and they are disgusted by it. No one seems to care that Flem steals brass from the city, for example, or that many citizens, even government officials, consume alcohol. The citizens even condone Eula Varner's and Manfred de Spain's love affair for many years. Jeffersonians only condemn others to deny and conceal their own inadequacies and failures. They hate Eula and Manfred, for example, because they are jealous of them, according to Chick Mallison. By the time Will Varner discovers the affair's existence, the citizens have begun to condemn the two lovers and hope that bad things happen to them because, otherwise, the citizens have no excuse for not being as brave as the two have been in their attempt to find happiness. If no punishment were visited on the two as a consequence of their affair, "we might as well give up, since the very fabric of Baptist and Methodist life is delusion, nothing" (308), Chick says. It is not virtue, then, that keeps most Jeffersonians from acting as Eula
and Manfred do; it is fear, or apathy, or the placing of "the cold stability of currency above the wild glory of the blood" (308).

Were Stevens and Hampton to allow the federal court to try Montgomery Ward for his real crime, the two officials might actually improve citizens' morals. A fair trial of Montgomery Ward would reveal that many Jeffersonians are sinners and hypocrites. The citizens might then be forced to examine themselves and make their actions accord with their words. They would either combat their capacities to do wrong or, like Eula and Manfred, change their definition of wrong. Either way, the two law enforcers would have at least made citizens be honest with themselves.

Stevens' and Hampton's failure to give Judge Long the evidence is, arguably, one of the causes for Eula Varner's death. By not exposing the citizens' wrongs and hypocrisy to the citizens themselves and to the world, they help make Eula's position untenable when Will Varner discovers her affair with Manfred. If the other citizens' wrongs are exposed in Montgomery Ward's trial, the ability of the citizens to condemn Eula and Manfred for being sinners would be significantly lessened. Even if the majority of the citizens refused to be tolerant after a fair trial of
Montgomery Ward, it would be obvious that many in the city commit sins, and therefore, not so easy for the citizens to focus all of their hatred on Eula and Manfred for their adultery, as they actually do in the novel. Some citizens would also be reminded by Montgomery Ward's trial that they also do wrong, and so might not be so harsh in their reaction to Eula's and Manfred's wrongs. They might remember Christ's admonition: "Judge not, that ye be not judged" (St. Matthew, 7:1).

Stevens and Hampton also would have given Eula and her allies a weapon to combat the citizens' condemnation. If Eula and Manfred could remind the citizens of their hypocrisy and past bad acts, perhaps Eula could demand their understanding for her love affair with Manfred, and even continue living in the town. Instead, Eula must commit suicide to protect her daughter, Linda, from the city's petty viciousness.

Stevens and Hampton may not, under any circumstances, be able to prevent the town from considering Eula a whore. No matter what Hampton and Stevens, then, do with the erotic pictures, they might not be able to prevent Eula's death. At least they would be of more help to her later if they had given the federal court authentic evidence in Montgomery Ward's trial, however. Some blame for her
death, albeit it indirect, belongs to them for their willingness to hide the citizens' wrongs in order to preserve the town's good name. The two officials may not have been able to end the other citizens' intolerance by handing over the evidence to Judge Long, but they would at least have made it clear to the citizens and outsiders that hypocrisy, not virtue, is the cause of Eula's predicament and death.

After Montgomery Ward's arrest, Stevens continues serving as Flem's helper in escaping possible prosecution for his acts. When Mrs. Hait's husband and five of I.O. Snopes' mules are killed by a train, Flem acts as her representative in the settlement negotiations with the railroad company. In exchange for his services, Flem receives half the money the railroad provides Mrs. Hait. Mr. Hait only died, however, because he was trying to put I.O. Snopes' mules on the railroad tracks so the train would run over them. Hait somehow got himself killed too. Mr. Hait and I.O. had an agreement in which Hait would get "'fifty dollars a trip, each time he got mules in front of the train in time'" (251), so that I.O. could then collect "'sixty dollars a head for the mules'" (251) from the railroad. When I.O. receives none of the eight thousand five hundred dollars the railroad gives to Mrs. Hait, he
periodically lets mules loose in her yard to remind her of his claims to some of the money. On one of these occasions, a mule knocks over a scuttle of ashes and causes the widow's house to burn down. Flem asks Stevens to accompany him to a meeting between Mrs. Hait and I.O. to act as a witness. At the meeting, Stevens learns of I.O.'s and Flem's defrauding of the railroad company. He does not inform the railroad of the theft against it by I.O. and Flem, however. Stevens probably wants to protect Mrs. Hait from the railroad, which, at the least, would demand its money back once it discovered the fraud committed against it. In so doing, however, Stevens once again helps the Snopeses to escape punishment for their acts and fails to have an owner's property returned to him.

Neither the laws nor their enforcers have an answer to Flem's actions that lead to Eula Varner's death. Flem and Manfred de Spain agree that Flem will divorce Eula and let her flee with Manfred to Texas if Manfred will sell Flem his stock in the bank. Once he gets Manfred's shares, he will have enough stock to elect himself president of the bank. Manfred refuses to relinquish his stock and remain quietly in the city. "'If I dont go with him, he'll have to fight'" (331), Eula says. If she remains in Jefferson,
then, either Manfred or Flem will ruin her reputation. If Manfred does not sell his stock to Flem, Flem will make the affair public. If Manfred sells his stock and Eula does not flee with him, Manfred will fight Flem and the affair will be revealed. Rather than have her reputation ruined, which might harm her daughter, Eula commits suicide. Flem violates no laws in The Town with his threats to make the affair public. The law enforcers can do nothing to him, therefore, for his wife's death. As has already been shown, they had their chance earlier to help Eula and failed. By the time Flem and Manfred make their agreement, the opportunity for the law to prevent the suicide or punish those who bring it about has passed.

Ultimately, the law enforcers in The Town fail to achieve the goals the laws are meant to further. Although they may not be able to prevent Snopes' wrongs and crimes, they usually do not attempt to compensate the victims of the wrongs nor prosecute the Snopeses who perpetrate the acts. Stevens and De Spain and the other city officials allow Flem to steal from the city. Stevens fails to inform the railroad of Flem's and I.O.'s fraud perpetrated on it. Stevens and Hampton do not provide Montgomery Ward Snopes the rights the laws afford inhabitants of
Yoknapatawpha County, the rights to privacy and a fair trial. These two officials also fail to protect the city's morals by not exposing the inhabitants' failings and hypocrisy. Stevens and Hampton, then, share the blame for Eula Varner's death.

Every objective of the law, to provide freedoms and to protect life and property rights is, sooner or later, not achieved in The Town. The laws themselves are not to blame. They seem generally well written. It is the government officials who bring about the legal failures in the novel.
Works Cited


The Constitution of the United States.


CHAPTER IV

LEGAL SUCCESSES AND FAILURES IN THE MANSION

The same federal, state, and local governments provide the laws in the third book of the Snopes trilogy, The Mansion. The federal government is the most fully described in the novel. It is located in Washington D.C. and consists of an executive, congress, judiciary, administrative agencies, and law enforcement officials. The offices of the executive and the congressional branches are elected. Clarence Snopes campaigns for "the election for Congress" (315). Mink is told by Dad that the Rev. Goodyhay and his congregation are "'a passel of mostly non-taxpaying folks that like as not would have voted for Norman Thomas even ahead of Roosevelt, let alone Truman'" (272), showing that the President is an elected official.

The federal government has laws to achieve several goals, one of which is to feed, clothe, and shelter its citizens. The novel begins in 1908 with Mink's trial and ends thirty-eight years later when he is released from prison. By the time he leaves prison in 1946, the novel's federal government has passed the same New Deal laws the
actual Roosevelt administration passed in the great depression. In order to give people jobs, the actual federal government created the C.C.C. (Civilian Conservation Corps), the N.R.A. (National Recovery Administration), the W.P.A. (Works Progress Administration), and the A.A.A. (Agricultural Adjustment Association). All of these agencies exist in The Mansion (306).

Welfare laws are also passed by the fictional government to give relief to paupers. Like the actual one, the federal government in The Mansion will not give money to those who cannot prove they need it. Mink explains the procedure, as he understands it, for getting relief: "You had to swear you didn’t own any property of your own, and even had to prove it by giving your house or land or even your wagon and team to your wife or children or any kinfolks you could count on, depend on, trust" (287-288). Actual welfare laws, although they require an applicant to show a real need for money, do not deny relief "even though he has property of his own, if it is not available for his immediate relief or is insubstantial" (79 Am. Jur. 2d, 122).

The government in The Mansion also provides assistance to veterans. One benefit they receive is
tuition money for an education. Veterans like McKinley Smith can go to school "at government expense" (339). A veterans' administration must exist to disburse funds to beneficiaries.

Although the fictional federal government has passed many new laws by the time Mink is released and become more paternalistic in its treatment of its subjects, it still allows some freedoms. The federal prohibition laws, for example, have been repealed in the novel. Local prohibition laws in the county still exist, but the fact that the bootlegger Jakeleg Wattman, in his fishing store, has a "neat row of United States Internal Revenue Department liquor licenses" (220), proves the federal government allows the manufacture and sale of liquor if one has a license.

By passing no laws prohibiting certain activities, Faulkner's fictional federal government provides other freedoms as well. Many of the rights guaranteed by the Bill of Rights, for example, are allowed. The ability to speak is not hindered in the novel, even when the speech is disliked by the government. Linda Snopes Kohl and her friends discuss communist ideas, for example, "Of the emancipation of man from his tragedy, the liberation at last and forever from pain and hunger and injustice, of
the human condition" (222).

The government does not, however, respect another first amendment right, "the right of the people to peaceably assemble." This clause provides the right of associating with whomever one chooses. The fictional government, through its FBI agents, harasses communists. No laws seem to be violated by one's being a member of the communist party. The FBI man, Gihon, after all, says the government knows Linda Kohl "'holds a communist party card'" (234), yet Gihon has no "'warrant of any sort'" (236) for her arrest or to search her person or property.

The sixth amendment right of an accused to "the Assistance of Counsel for his defense" is also observed by the government. Judge Long appoints Mink a lawyer in his trial. Mink has no money to pay the lawyer; therefore, the government must do so for him.

The court Mink is tried in differs in one respect from actual federal courts. It has jurisdiction to try Mink for murder. As has already been shown, the actual federal government is one of limited powers. Unless the Constitution provides the government with the ability to do something, the ability to do that thing belongs only to the states. Article I Section 8 provides most of the powers congress has to make laws. Article III provides
the jurisdiction of the judicial branch and generally limits its ability to decide cases to those "arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority." Unless a federal law or right is violated, then, federal courts have no power to hear a case. Murder, unless on federal government property or of a federal agent or unless it somehow violates a law congress is empowered to make, cannot be tried by federal courts. Yet the federal court in Jefferson tries Mink for murder.

The novel also reveals some characteristics of the state government. The State of Mississippi has a governor, legislature, and a judiciary. Like the federal government, the officials of the state are elected by the populace. Clarence Snopes is a "successful candidate" (302) for the state legislature and "could have been elected governor" (305) had he run for that office. To become a judge, even, it is revealed by Mink Snopes, a person must win "a election vote-race" (48).

As actual Southern states once did, the fictional State of Mississippi operates separate schools for black and white students. The Brown v. Board of Education case, 347 U.S. 483, in which the actual United States Supreme Court ruled that segregation of children in public schools
on the basis of race deprives "the children of the minority group of equal educational opportunities" (493), was decided in 1954, after the trilogy was written. The Mansion reflects the laws of 1946, and, accordingly, the novel's laws allow segregation of the races. Black students, it is said, have their own "grammar and high school" (222).

The fictional state also has laws prohibiting the manufacture and consumption of liquor, at least in Yoknapatawpha County. Jakeleg Wattman has federal liquor licenses, but must still hide his store "whenever a recurrent new reform-minded sheriff would notify him he had to be raided again" (220).

Finally, the state has rules for the incarceration and release of prisoners. Mink is sent to Parchman, the state prison, for life; but his lawyer tells him "'In twenty or twenty-five years you will be eligible under the law for pardon or parole--if you have responsible friends to support your petition, and your record down there at Parchman don't hold anything against you'" (43). Mink need not even get a pardon to get out after he spends twenty years in prison, however, so long as he does not try to escape or commit any other crimes. Montgomery Ward and he agree that since Mink has already spent fifteen years in
prison, he has to stay in "'just five more years'" (84). A life sentence, then, is twenty years of good behavior. Rules that allow for prisoners to get early release for good behavior must be in effect in the state.

Rules allowing prisoners to get a pardon and so obtain an early release must also exist in the state. Normally a prisoner can get out only after the days of good behavior he spends in jail add up to the amount of time he is sentenced for. But the warden tells Mink he can get out of prison three years before his second sentence, for attempted escape, is completed: "'The petition will have to be got up and sent to the Governor. Then he will ask for my recommendation. Then he will sign the pardon''" (101), he tells Mink.

Other rules relating to prisons and prisoners also are in effect. A parole board operates in the novel, though its exact function is never made clear. Perhaps this board determines whether a prisoner has completed his required days of good behavior or not and adds more years to his sentence if he commits more crimes, such as attempting to escape.

Jefferson's city government seems to operate in this novel in the same way as it does in The Town. It has a mayor, town council, and city courts. It continues to
make ordinances in the third book, one prohibiting "firing
guns inside the city limits" (338), and another
prohibiting owners of livestock from letting their animals
run "'loose inside the city limits’" (342).

It is not clear whether some laws are city- or state-
made in the novel. One Memphis law, for example, requires
shops to have a license in order to sell guns and
customers to have a permit before they can buy guns. The
second amendment provides for "the right of the people to
keep and bear arms." This right "has been held not
applicable to the states" (16A Am. Jur. 2d, 231). Whether
the Tennessee legislature has made the gun control laws or
allowed the Memphis city council to do so is unclear.
Laws providing for the recording of title to land to
preserve the owner's title are state-made laws.
Otherwise, the state could not protect land owners' title.
But the only citizens who record title to land in the
Chancery Clerk's office are residents of Jefferson, Jason
Compson and old man Meadowfill. It is unclear whether the
laws protecting title apply outside the city or not,
though it is likely they do.

Something should be said about Frenchman's Bend's
laws. In The Mansion, as in The Hamlet, Frenchman's Bend
has an undeveloped set of laws. But the laws do try to
protect property and life. Varner's court decision about Mink's cow is explained in great detail in the third novel, and it is clear he makes the decision to protect Houston's property from Mink. For the most part, the only government in the area is still Will Varner in The Mansion, although the county government is represented when the sheriff's arrest of Mink for murder is mentioned in the third novel.

The purposes of the laws of the novel are the same as those of the laws in the other two novels. The federal government appears to be more paternalistic in the third novel than it is in the first two. It passes laws to feed, educate, clothe, and shelter its citizens, all of which indicate that one purpose of the government is to protect life. It also allows certain freedoms, like the right to vote, drink, speak, and even associate.

The state makes laws that further what most modern readers would consider to be evil purposes. It discriminates against its black citizens with its segregation laws. The state also furthers some admirable goals, however. It provides its citizens the right to vote, speak, and choose their religion. The law against murder shows that the state protects life. The laws providing for the incarceration of convicts shows that the
state intends to deter people from committing crimes by punishing those guilty of criminal acts; it also intends to protect society from its dangerous members.

The Jefferson and Frenchman's Bend governments protect life and property. Varner's and the sheriff's responses to Mink's actions against Houston show these two ends to be important considerations in the area. The laws against shooting guns inside the city limits and against letting stray animals run loose in Jefferson show life and property are protected in the city.

The Mansion narrates again some incidents already recounted in the previous two novels, but tells about the occurrences from a different viewpoint. We have already seen the law's reaction to Mink's murder of Houston and to Montgomery Ward's French post-card business in The Hamlet and The Town. The first new Snopes' wrong in the third novel is Montgomery Ward's tricking Mink into attempting to escape from Parchman. Montgomery Ward persuades Mink that Flem wants him to escape, and then he even aids him in the attempt by providing him "a petticoat and a woman's sunbonnet" (85) as a disguise. In order to prevent him from escaping, however, Montgomery Ward informs on his great uncle to a guard.

Aiding a prisoner to escape from prison subverts
three intended effects of the laws that require a convicted person be punished: compensation for the victim and society, the deterrence of future crimes of both the convicted person and other potential criminals, and the separation of dangerous people from society. If aiding and abetting a convict's escape is not outlawed, people will not be deterred from providing such aid. With others' help, convicts may be able to escape more often than they would if they had no help. Once the convicts escape, they evade punishment and so are not as afraid to commit new crimes as they would be if they did not escape punishment. Society is also exposed to dangerous criminals sooner than it would otherwise be. People might also not be afraid to commit crimes if they know they can escape punishment. The result of allowing prisoners to escape, then, is that society will become less safe; the three primary goals of the laws will be hindered, then, rather than furthered.

The fact that Montgomery Ward goes unpunished for his aiding Mink to attempt to escape reveals that a defect in the laws or their enforcement exists. It is possible that no law prohibits a person from helping another to escape from prison. As has already been shown, such a condition would be a defect because it would hinder the purposes of
the laws. If, on the other hand, a law does prohibit aiding an escape, the agents of the state are at fault for failing to prosecute Montgomery Ward. The warden knows the part Montgomery Ward has played in the affair yet closes his eyes to the whole matter: "'Don't tell me anything . . . I wish I didn't even know as much as I already suspect'" (86), he tells Montgomery Ward. The enforcers of the law may be at fault in this incident, then, as well.

Clarence Snopes, I.O.'s son, acts in an unsavory manner on several occasions. Before he becomes a state legislator, he serves as constable in Frenchman's Bend. He commits several batteries as constable on the local residents in order "to prove again, perhaps even reassure himself from day to day, just how far his official power and legal immunity went and just how physically strong . . . . he actually remained" (300). A battery is "the unlawful application of force to the person of another" (Black's, 139). We have seen that one of the purposes of the laws in Frenchman's Bend is to protect life. Clarence's police brutality threatens life and so is a wrong according to the laws of the area.

The source of the laws in Frenchman's Bend and the man with the power to restrain Clarence is Will Varner.
The blame for Clarence's behavior lies with him. In *The Mansion*, Varner not only has the power to order the local justice of the peace "to appoint Clarence his constable" (298), but he even is able to tell the local residents whom to vote for in elections. Yet Varner neither makes any laws prohibiting battery, nor orders the justice of the peace to fire Clarence. He even seems to encourage Clarence's beatings as constable since he knows what kind of person Clarence is when he appoints him. Varner makes him constable only to "take him out of the public domain" (298), in which he and his gang terrorize the neighborhood. Perhaps Varner wants Clarence to be the area's constable so that he can use Clarence's violent nature to his advantage, and not be victimized by it.

Orestes Snopes commits several wrongs in *The Mansion*. This Snopes takes possession of the old Compson carriage house after Wat Snopes converts it into a residence. Orestes begins to harass his neighbor, old man Meadowfill, who owns "a little holding in one corner" (327) of the land, after an oil company offers "to buy the corner where Meadowfill's lot and the old Compson (now Snopes) place joined. . . . to build a filling station on" (333). When Meadowfill refuses to sell his land, Orestes tries to pressure him to sell. He lets one of his pigs trespass on
the old man's property to eat his peaches. Meadowfill merely shoots the pig with bullets "incapable of killing the hog" (337) every time it comes on his property, however. When he sees that Meadowfill is not only not angered by the pig's trespass, but that he even enjoys shooting it, Orestes tries to remove the old man's opposition by removing the old man. He lets it be known that he has given the trespassing pig to McKinley Smith, who is the suitor of Meadowfill's daughter, Essie. Then Orestes rigs a booby trap. When Meadowfill lifts his window to shoot the pig, a wire Orestes connected earlier to a gun pulls the trigger and shoots the old man. Meadowfill believes Smith is responsible, since the pig is his now, and only "'a Pacific veteran would have invented a booby trap'" (347). Gavin Stevens is able to restrain the old man, however, and so foils Orestes' plan to make Meadowfill attack Smith and force Smith to kill the old man.

Orestes commits two wrongs in this incident. He violates the law prohibiting owners from allowing their animals to run loose in the city. Orestes also attempts to murder Meadowfill: if the booby trap failed to kill him, Smith would not. Yet Orestes goes unpunished under the law for these wrongs. Does a defect in the laws or in
their enforcement allow him to evade punishment? Meadowfill is the only one who can bring Orestes' violation of the leash law to law enforcement officials' attention. He would rather shoot the hog than punish Snopes, however. No flaw in the law or the enforcement of it, then, can be blamed for any harm to Meadowfill's property as a result of the pig's trespass.

The other wrong Orestes commits, however, the battery and perhaps attempted murder, is known about by a government agent, Gavin Stevens. That Snopes goes unpunished for this wrong can be blamed on Stevens. It appears that a law in Jefferson prohibits battery, since Stevens threatens to prosecute Orestes for committing the battery on Meadowfill. "'Everybody knows about fingerprints now, just as they do about booby traps'" (347), Stevens warns Orestes to convince him to make a deal. Therefore, the laws are not at fault, but rather a government agent's enforcement of the law is defective. Stevens places himself above the law in this instance, just as he does in The Town. He makes a bargain with Orestes, giving him the gun used in the booby trap, a piece of evidence in a trial of Orestes, in exchange for Orestes' giving "'a deed to Essie Meadowfill for that strip . . . the oil company wants to buy, plus that
thirteen feet that Mr. Meadowfill thought he owned’” (347). Rather than report the crime to the sheriff and district attorney, Stevens takes advantage of Orestes.

Arguably, a good result is brought about by Stevens. Orestes leaves town, and Essie and Smith will get the money they need to start a happy life. But Stevens’ response to the crime does not further the goal of the law he ignores, to preserve life. By not reporting the crime, Stevens fails to allow the government to punish Orestes for his act and so deter him from trying to hurt other people in the future. Stevens also fails to protect others from Orestes, a clearly dangerous man, by having him imprisoned and so separated from society.

Stevens fulfills his own desires in his response to Orestes’ crime, not the laws’. He does not care that Orestes has tried to commit murder, only that Orestes has given him a lever to make him concede certain rights to Stevens. Stevens would have taken advantage of Orestes during a weak moment no matter what the circumstances; the violation of law is merely a tool Stevens uses to achieve what he wants.

Stevens places himself above the law once again after Mink kills Flem. He not only warns Mink to flee from his hiding place because "‘If we knew where you were, dont you
know the sheriff will think of this place too by tomorrow morning'" (432), he even provides Mink two hundred fifty dollars. Again, Stevens would rather further his own goals than those of the law. Why he wants Mink to escape is not clear. Perhaps he considers Mink's victim, Flem, to have deserved to die, and so rewards Mink rather than punishes him. It is probable that Mink will not harm anyone again in his life. Ratliff says: "'He's free now. He won't never have to kill nobody else in all his life'" (432). The possibility that Mink might murder again exists, however, as does the likelihood that potential murderers in the fictional county will not be deterred from murder if Mink goes unpunished for his crime. Stevens, then, fails to help in the governments' achievement of the attempt to preserve life when he lets Mink escape.

We have seen, now, that in *The Mansion*, as in the prior two books, the law enforcers often fail to further the ends of the laws it is their duty to enforce. It is possible that some of the laws in *The Mansion* are defective. More likely than not, for example, no laws prohibiting battery exist in Frenchman's Bend. State laws punishing aiders and abettors of escaping prisoners may also not exist. The most blame, however, for the legal
failures in the third book of the trilogy belongs with the law enforcers. Will Varner allows Clarence Snopes to practice police brutality. Gavin Stevens does not report Orestes' and Mink's harms to others. The warden of Parchman ignores Montgomery Ward's aiding of Mink's escape attempt. The result of these omissions on the part of the law enforcers is a lack of safety for the fictional county's residents' lives and property rights.
Works Cited

The Constitution of the United States.
CHAPTER V

CONCLUSION

In the previous chapters, several conclusions have been drawn. It has been argued that the trilogy’s laws further three primary purposes: the protection of life, liberty, and property. An attempt has been made to prove that the enforcers of the law in the trilogy often ignore the law. It has also been shown, more often implicitly than explicitly, that other, better results could have occurred in the trilogy if enforcers were to abide by the law in dealing with Snopeses. Finally, it has been contended that for the most part the laws are effectively written. They would achieve their objectives if followed. On the basis of these conclusions and other elements in the trilogy, several decisions about the laws and their enforcers can now be made. One is that the three primary purposes of the laws seem to be good ones, according to both Faulkner and, presumably, most readers. Another is that Faulkner rarely either implicitly or explicitly criticizes the fictional laws in the novels. Finally, it may be possible to conclude from the novels that Faulkner’s trilogy presents the argument that some actual
laws on which the fictional ones are based should be enforced by law enforcers.

Some of the different possible results that could have arisen from the meetings of members of governments with Snopeses have already been shown. Mrs. Armstid might get back the five dollars that she so desperately needs if the justice of the peace rules against Flem for not showing up to trial or refuses to accept Lump’s perjured testimony. Eula Varner might not later be pushed to commit suicide if Stevens and Hampton provide Judge Long with Montgomery Ward’s French post-cards.

Other possible results from the enforcement of laws have merely been implied. Flem Snopes’ career of breaking and bending the law, for example, might be cut short or delayed if Gavin Stevens continues in his lawsuit to recover the brass for the city. Mink Snopes also might not be tricked by Montgomery Ward into escaping from prison and therefore might not have had to spend twenty extra years in prison, if Montgomery Ward is tried legally and sent to federal prison for violation of pornography laws instead of to Parchman for violation of prohibition laws.

These possible results, though unforeseeable by the original makers of the fictional laws, provide strong
evidence that the three primary objectives of the laws are good ones. All of the potential results represent the achievement of at least one of the three primary objectives of the laws in the novels, the protection of life, liberty, and property. The potential results, because most people would consider them to be good, provide a strong argument that the objectives of the laws are good. Of course, occasions could arise when the laws themselves are badly written or otherwise fail to achieve their objectives. But few would argue that the purposes of the laws are wrong.

Faulkner does not show these three objectives to be undesirable, either through characters or incidents in the novels. Some characters, like the Snopeses, murder people, steal their property, and violate their liberty; but even they would not want the laws abolished. No Snopes wishes others to steal from, imprison, or murder him. Flem, for example, takes money out of the Sartoris bank in The Town so that it will not be stolen. He also has Montgomery Ward Snopes trick Mink into trying to escape so that more years will be added onto Mink’s sentence and he will not be able to kill Flem for a little longer. Montgomery Ward Snopes, on the other hand, clearly resents the violation of his civil rights by
Stevens and Hampton when they arrest him. The Snopeses value their lives, liberties, and property as highly as other persons do.

The fact that the Snopeses are portrayed as villains for their acts provides evidence that Faulkner considers these acts to be wrong. When Flem takes Henry Armstid's five dollars and refuses to give it back to Mrs. Armstid, he is not shown to be a sound, hard-working businessman; he is portrayed as a scoundrel. Mrs. Armstid's curse on the Texas man almost certainly falls on Flem. She tells Buck Hipps: "'Mister... if you take that five dollars I earned my chaps a-weaving for one of them things [horses], it'll be a curse on you and yours during all the time of man'" (The Hamlet, 297). Montgomery Ward Snopes in The Mansion even admits his family's methods are wrong: "'I dont remember just when it was, I was probably pretty young when I realised that I had come from what you might call a family, a clan, a race, maybe even a species of pure sons of bitches'" (86-87). The Snopeses' ability to make money does not make them villains. Wallstreet Panic Snopes makes money but is a heroic figure. The Snopes' disregard for others' rights makes them evil. They are willing to lessen others' ability to live happy lives in order to make money or gain power and prestige.
Not only does Faulkner not criticize the three primary objectives of the laws, he even seems to vest them with divine significance. In *The Mansion*, the author seems to make violations of the objectives not only a crime against man, but also one against God. Those who commit such acts are judged by some characters, at least, to be punished through divine intervention. Mink says repeatedly: "'Old Moster don't play jokes; He jest punishes'" (*The Mansion*, 398). One cannot help but believe that Mink is right, for the "Old Moster," God, seems to take a hand in man's affairs on several occasions. Mink becomes a believer in God when he comes to believe that God will kill the escaped murderer Stillwell (who has vowed to kill Mink on Mink's departure from Parchman), in exchange for Mink's faith. Mink's faith in God seems justified when Stillwell is killed, fittingly enough, by an abandoned church collapsing on him.

God arguably uses Mink to kill Flem for his wrongs. Stevens points out that Mink's chances of succeeding in his desire to murder are slim. He must "'hitchhike a hundred miles'" to Memphis to buy a ten-dollar gun and then "'hitchhike another hundred and shoot another man with it'" (389). "'God himself is not so busy'" (389)
that Mink could succeed, Stevens argues. But Ratliff’s response to Stevens indicates that he thinks God may be helping Mink, not hindering him: "‘Dont that maybe depend on who God wants shot this time?’" he responds (389).

This statement would hardly be anything more than a quip were it not said by Ratliff, a man who on numerous occasions has been able to see the truth of matters. He is able to point out to Stevens, for example, that Linda Snopes must have gotten Mink pardoned so that he would kill Flem, a fact Stevens eventually admits to himself. Ratliff also is able to see that first Eula and then Linda uses Stevens. Eula uses his love for her to make him swear to take care of Linda for her after Eula dies; Linda uses him to get Mink pardoned. Ratliff’s response to Stevens is obviously not conclusive evidence of God’s intervention. His statement that Flem gets pretty much what he deserves does indicate his belief that God has punished Flem, however:

"So this is what it all come down to. All the ramshacking and foreclosing and grabbling and snatchng, doing it by gentle underhand when he could but by honest hard trompling when he had to . . . . And now all that’s left of it is a bedrode old lady and her retired old-maid schoolteacher daughter that
A reader can be forgiven for believing that Faulkner himself supports Ratliff’s condemnation of Flem. Faulkner does not expressly or implicitly criticize most of the laws in the novels. The prohibition and pornography laws are shown to be unenforced and perhaps even unenforceable. The fictional workers’ relief laws and welfare laws may also receive criticism. If Mink is correct in his belief that the welfare laws are easily manipulated, people who are not truly needy are able to get money from the government. Mink says that if one swears he does not own any property and proves it by transferring it to his "wife or children or any kinfolks you can count on" (The Mansion, 287-288), one can get money from the government.

Faulkner may have disapproved of workers’ relief laws. In The Mansion, again according to Mink, these laws infringe on peoples’ freedom to do what they want to with their skill and property. Mink says that the relief laws provide "that a man couldn’t saw boards and hammer nails unless he paid money to an association that would let him, couldn’t even raise cotton on his own land unless the
government said he could" (285). Mink’s opinion, alone, does not prove that the fictional relief laws operate as he says they do. After all, he has been in prison for almost forty years and so has had no personal contact with the rules. In the short story "The Tall Men," however, the old Jefferson marshal provides a similar view of the relief laws’ procedures. The marshal says that the McCallum family stopped growing cotton when the government began "‘telling them how much they could raise and how much they could sell it for, and where, and when, and then pay them for not doing the work they didn’t do’” (Collected Stories, 57). The marshal, because he is portrayed as wise, may be speaking for Faulkner when he says other people should be self-reliant like the McCallums. Instead of "‘getting along from one WPA relief check to the next’" (60), people must relearn "‘honor and pride and discipline that make a man worth preserving’" (60).

Most of the laws receive no such criticism, however. Indeed, as this study has shown, it is the fictional enforcers of the law who must accept the blame for the often unfortunate results that occur when they deal with the Snopeses. Very rarely are the laws to blame for legal failures.
Generally, the laws in the novels are based on actual ones. Because the novels are set in the United States and seem to have the same kind of governments as the actual United States, it is safe to assume that the United States Constitution and its Bill of Rights are a part of the law in the novels. Faulkner must have known his readers would assume certain rules came from those documents when he used rights they allow in the novels. Other laws in the works, for example tort, property, and criminal law, as demonstrated, also reflect actual laws.

Faulkner's not criticizing the effectiveness of most of the laws in the novels and even praising their primary purposes indicate he may have approved of the actual United States' laws the fictional laws are based on. If Faulkner did indeed approve of certain actual laws, it is possible to read the trilogy as a proof that certain actual laws should be followed. The actual laws of the United States that protect life, liberty, and property, like their fictional counterparts, should be enforced, then, according to the trilogy. These actual laws, just as their corresponding fictional ones, effectively further what Faulkner shows to be good purposes. If these actual laws are disregarded and officials place hypocrisy, fear, greed, hatred, or discrimination above the enforcement of
the laws, Faulkner's trilogy shows, the objectives of actual laws will not be achieved; rather, undesirable results will occur.

If Faulkner's Snopes trilogy can be read to provide philosophical insights to readers, then, one of the insights that emerges is that although most of the laws in the United States are good, people themselves have flaws. If the law enforcement officials do not guard against their own flaws, justice will not be achieved. Whether Faulkner warns his readers that they must guard against their own weaknesses in order to overcome them, or believed that people cannot overcome their own weaknesses, as the fool in King Lear argues (see 3.2. 81-94), is not so clear. Perhaps because he goes to such trouble to vest his "mythical kingdom" (Cowley, 63) with laws and to show the bad results that occur when law enforcement officials follow their own agenda rather than the laws', he believed, or at least hoped, that man can help himself if he only will obey good rules. These novels show, then, that man need not look only to God for justice; he can also look to the government and its laws sometimes to protect himself from himself.


