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Tityrus

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Abstract

In the rather delicate matter of giving a title to this essay on titles, I take my cue from the novel under Paul Auster's name, *Leviathan*: this paper is named after a monster. The tityrus is a mythical beast, a cross between a sheep and a goat (OED), a creature epitomising the tendency of titles to mark the crossing of borderlines in the law and in literature.

tityrus¹

Nicholas Horn

Paul Auster, *Leviathan*

John 19: 19-22

Jacques Derrida, "TITLE: To Be Specified"

Raymond Carver, "Put Yourself In My Shoes"

... [T]he instance of the title ... situates ... one of the essential borderlines

... between writing and law, between so-called literary writing and law.

(Derrida, "TITLE: To Be Specified")

A little bestiary

In the rather delicate matter of giving a title to this essay on titles, I take my cue from the novel under Paul Auster's name, *Leviathan*: this paper is named after a monster. The *tityrus* is a mythical beast, a cross between a sheep and a goat (*OED*), a creature epitomising the tendency of titles to mark the crossing of borderlines in the law and in literature.

In Auster's novel, the narrator (a writer called Peter Aaron) writes about the last 15 or so years of another writer's life (Benjamin Sachs).² Sachs left unfinished the manuscript of a novel to be entitled "*Leviathan*." Aaron tells his readers that this is the title that he has decided to give to his own memoir. To complicate matters, it appears that in the last years of his life Sachs shadowed Aaron, impersonating him in bookshops and forging his autograph on copies of Aaron's other books. In this sense, Aaron and Sachs become substitutable for each other within the fiction. In turn, the author Paul Auster, already sharing Aaron's initials, in adopting the shared title for his novel becomes interchangeable with his narrator. In the end, at least three books in one may be perceived – the unfinished manuscript, the finished memoir and the published novel – each invading the borders of the other.

The text concludes with the words "... I handed him the pages of this book" (245). The recipient of these pages is the police detective, Harris. Harris has been shadowing Aaron while Aaron was 'shadowing' Sachs in writing the memoir. Moreover, the detective has just told Aaron that Sachs was Aaron's shadow in the bookshops. Out of these shades, with those concluding words, Aaron's text creates its own first 'reader,' whom Auster's readers, in turn, shadow; we cross its borders to occupy the position not only of the novel's fictional author, Aaron (the "I" caught by our reading eyes) but also of its fictional first reader, Harris.

There is, of course, a fourth title lurking here. Thomas Hobbes'

Leviathan is named for his allegory of the autocratic State as “[T]he multitude so united in one person” (*OED*). And finally, a fifth book should be acknowledged – the Book of Isaiah. The Leviathan is no ordinary sea monster there: it is a figure for Satan (Isaiah 27: 1). Auster’s book, like Hobbes’ *Leviathan*, unites a multitude of texts, and author figures, imaginary and real, under the one title. In so doing, it pays the devil’s price of putting in question the authorship of all of the various texts making up this demon from the deeps, and the status of that creature’s creating god – the author – itself. Thus the borders marking out the fictional worlds of the novel and the worlds of the novel’s writer and readers are illegally crossed; the title, marking these borders, may also be read as transgressing them.

A title is a monster which is neither one thing nor the other: neither part of the entitled text nor entirely separate from it; at the same time an indication of the debt owed by the text to its origin and an indication of the text’s unique identity. It is simultaneously a creature of the law, of sovereignty, of dominion, and a space where the law is violated in the production of literature. This will be demonstrated first, by a look at a famous biblical title; then by some reflections on the law of property; and finally, by an investigation of the space of the literary title and a reading of a story of Raymond Carver’s in the light of this investigation. It will be seen that title may be read as a law of ownership, and authorship, which legislates for its own breach.

Jesus of Nazareth the King of the Jews

What are the origins of this word “title” which signifies an origin? The first use of “title” in English is in the Bible, in this case the New Testament.³ “Title” is an English translation of the Hellenistic Greek “*titlos*”, itself a transliteration of the Latin “*titulus*” (Barrett 456). The Latin word means a superscription, for example a sign over a house indicating that it is available for lease (Lewis).⁴ In John’s gospel, “title” is used for Pilate’s sign over the cross:

[19] AND Pilate wrote a title, and put it on the cross. And the writing was, JESUS OF NAZARETH THE KING OF THE JEWS. [20] This title then read many of the Jews: for the place where Jesus was crucified was nigh to the city: and it was written in Hebrew, and Greek, and Latin. [21] Then said the chief priests of the Jews to Pilate, Write not, the King of the

Jews; but that he said, I am King of the Jews. [22] Pilate answered, What I have written I have written. (John 19: 19-22)

In this context, the title figures a political struggle about ownership and power. It is on the borderline of a dispute over the temporal authority of the Romans, the Jews and that of the insurgent Messianic movement led by Jesus, and marks the boundary of the conflict between the spiritual authority of the priests and that claimed by Jesus. The priests are arguing with Pilate about just who is entitled to the ownership of this criminal, and by whose authority he is being killed. This argument is driven by a dynamic of writing, naming and truth.

The dispute between Pilate and the priests highlights again for the readers of the gospel Pilate's concern about the priests' request for Jesus' crucifixion, and his philosophical reaction to the interrogation of Jesus ("What is truth?" John 18: 38). Pilate's insistence on "what he has written" puts into question the "truth" value of the title except as a sign of power. Jesus himself has evaded all Pilate's direct questions about whether he is the King, denying in effect Pilate's or the priests' authority to pronounce him King or otherwise (that is, to know the truth). He is beaten and mocked as "the King of the Jews" (John 19:3); however, the sign on the cross itself operates ironically against this, as a title of honour bestowed by a 'jesting' Pilate.

"Title" bears at least four senses here: the title simply as superscription ("What I have written I have written"); the title of the cause of action, in the legal sense (whether the crime was *being* the King of the Jews or *saying* that he was King); the title as honorific (Jesus the *King*); and the title as name ("Jesus of Nazareth"). Moreover, not only the temporal law, but also the spiritual law is implicated here: a Judge with universal jurisdiction, sentencing the sheep to eternal life and the goats to eternal damnation.

The *tityrus*, half-sheep, half-goat, transcends the jurisdiction of both earthly and divine courts. There is a confusion of temporal law: a criminal killed under Jewish law, by the Roman governor, who in any case resists the basis for the cause of action. There is a writing of the title which (apart from being conveyed in 3 different languages) drifts between various meanings. The King of the Jews is mocked and honoured with the same title. The honorific bestowed indeterminately signifies both spiritual and temporal power.

Just as the scene at the crucifixion is on the borderlines of Roman, Jewish and a popular Messianic authority and the title on the cross straddles the borderlines of the different senses of the word, the body of the divine criminal mounted beneath the title is literally stretched over a crucifix in conflicting directions.

This space for rent

As noted above, a "*titulus*" may be a "notice that a thing is to be sold or

let.” This would seem to be the principal foundation for the later legal usage of the word: a document signifying the ownership of a property. In the 15th century, the first compiler of English laws, Littleton, used the Latin “*titulus*” in the modern legal sense of the word “title” – as Sir Edward Coke cites him a hundred or so years later: “[T]*itulus est justa causa possidendi quod nostrum est*” (Coke 345b) (“title is just cause for possessing what is ours”).

The meaning of “title” is thus displaced from the simple Roman advertisement, only incidentally implying ownership, to the deed which constitutes actual proof of “just cause for possession.” This now has been extended to include the abstract sense of “title” as signifying the right to ownership. The interaction of the physical and abstract senses of the word enables the logical, and legal, possibility of having “title” to the title deeds over property (Ames, *Lectures on Legal History* 256, quoted in Bouvier 3282 “title deeds”). Conceivably, one could draw up a deed conveying title in a deed of title (inasmuch as the latter deed is simply a piece of writing). The application of copyright law to letters operates in a similar way, endowing the receiver of the letter with title in the manuscript but preserving the writer’s title in the intellectual property. In this way title may infinitely proliferate, oscillating between its material and abstract manifestations.

Title is also infinitely divisible into “degrees” of title, from that supporting a mere possessory interest, such as a squatter might enjoy, to that King of titles in the English common law, the fee simple absolute in possession. In between, the ownership of real property is able to be split into present and future entitlements (such as leasehold interests), hereditary entitlements (life estates, entailments etc.), and, further, to fragment into complex sequences of legal and equitable title.⁵

I have shown how the title nailed over Jesus on the cross can be read as the emblem of a power struggle. The division of title in English law also grew out of the exigencies of power: the political need for the King and the ruling classes to secure the ownership of land. This gave rise to the principle of the avoidance of titular vacuum: as George Crabb puts it –

[i]n consequence of the feudal principle, which required that there should always be a tenant to the freehold, it became an established maxim that the freehold could never be in suspense, or abeyance. (405)

The common law (and, later, equity) was driven by the importance of ensuring that the responsibilities of tenure to all the property in the realm were duly exercised. This required that title develop a capacity for indefinite divisibility to enable absent owners to retain control over their property from a distance—in the case of entailed estates, from beyond their own graves and even those of their heirs. The paradigm case of the absent owner is, of course, the Crown: all of the feudal incidents of property ownership derive originally from the various forms of tribute owed to absent landlords and,

ultimately, the King.⁶

As the vehicle for relations of legal ownership, title embodies the principle of the absent presence of the owner.⁷ If owners were always in possession, there would be little reason for retaining such a complex law regulating real property. Indeed, there would be no justification at all for the intervention of the equitable jurisdiction into this realm of the law. In the law, the concept of "title" has a double, *tityrus*-like operation enabling property to be owned and controlled at a distance (physical or temporal) while its present possession is relinquished. Moreover, in that partial relinquishment, the *tityrus* reproduces itself. The title articulates between the owner and the possessor, but of its very nature springs up again full grown every time it divides: in delineating the limits of ownership it cannot but help to create the potential for transgression of those limits in a further devolution of title.

Authorial entitlement

The notion of legal title thus marks the divide between an absent owner and a present property – a mark of ownership as well as a deferral of enjoyment of the rights of ownership. In the same way, the title over Jesus' head marks his authority but also signifies its deferral: the advent of Jesus' Kingship is to be put off until later, until the time of the second coming (which is the end of time).

Literary titles, too, can be read as a vehicle for the deferral of signification and power. The title of a literary work is on a borderline between the borders of the text, the author and the reader. The contested space of the modern-day title reflects the rise of the author over the last 200 years.

Until the Renaissance, the title, like the name of the author, had no specific textual location. Gérard Genette dates the first appearance of a "title page" as between 1475 and 1480, but with the sense of the page itself being a "title" (*titulus*), a physical label, rather than a metonym for an abstract notion of "title" in the modern sense (Genette 709-10). With the Enlightenment came the privileging of the position of an author in relation to the text, represented in social terms by the development of the law of copyright (see Foucault). The title of a text came to operate as a sign of authorship—the principal element of the text attributable directly to the desires of the author. As Richard Sawyer notes (citing Stanze), the title of a literary work is distinguishable from the rest of the text by being "not mediated by a narrative voice" (Sawyer 387). Turning this proposition on its head, Paul de Man also reflects on the close relationship between author and title in his observation that "any book with a readable title-page is, to some extent, autobiographical" (de Man 922).

A title is the name of a text. However, as Jacques Derrida points out in "TITLE (to be specified)", the title is a particular sort of name which violates the regular grammatical laws of naming. For example, the Carver story

discussed below is entitled "Put Yourself In My Shoes," a phrase whose naming function is due only to its placement in title position in relation to the text. Not only does a title have the *tityrus*-like quality of being both a name and not a name, it is situated both in and out of the text named. It functions only by topography, suspended on the border, in Derrida's phrase, "heterogeneous to discourse" (10).⁸ This quality, moreover, is always deferred until the text named is read: in this sense, a title is always "to be specified," since the object named must follow, rather than precede, the title.

This equivocal functioning (both spatial and temporal) on the borders of the text is seen by Derrida as a transgression of the law which forms the basis of a law: a title, as he says –

... introduces an anormal referential function and a violence, an illegality which founds the law and the right of its procedure. (7)

While "transgressing" the law in its "anormal" functioning, the title "founds the law . . . of its procedure" first in the sense that it regulates the reading of the text, as noted by Umberto Eco in his comment that "[a] title is already – and unfortunately – a key for interpretation" (quoted in Genette, 719). In a strictly structural sense, too, that law is "founded" by the title's constituting a sign simply of the work's possessing an author (its presence necessarily implies a locutor, or subject). Thus the title founds a law of Authorship itself; the mark of an author is, in a sense, the means by which that author is entitled to assert authorial rights over the text – to be given the title of author. In short, we are faced with the question of whether the author entitles the text or the text entitles its author.

This operation of the title ("the imperium of law legitimized over violence" in Derrida's phrase (11)) is also clearly seen in the case of Carver's "Put Yourself In My Shoes": a title both echoed by and echoing a word or phrase from the entitled text. The doubling of the title and the text precludes a clear answer to the question of whether it is the title or the text which comes first. As Derrida remarks about titles such as these:

This relation is not citational. In the duplicity of this occurrence it is impossible to say which is the original and which repeats the other. This iteration without origin rises or folds into its abyss and this non meaning (ce pas de sens)⁹ oversteps polysemy towards a borderless dissemination, towards the borderless border of the disseminial text. (14)

This is a deferred version of the issue raised a moment earlier, as to whether an author entitles the text or the text entitles the author. When the title is also to be found in the text, there is a double which is no double: the title operates quite differently as a title than those words operate in the text, inevitably affecting the reading of the textual words in the process. The text which is inside the border represented by the title is thus carried onto that border; simultaneously, the title on that border is dragged into the text which

it frames.

In this fashion, Derrida's arguments put the legitimacy of the text as a literary object into question, since the very sign of that legitimacy – the title – is seen to do violence to its "imperium," both to the emperor (the author) and to the empire of the text over which the title is stationed (like Pontius Pilate) as governor. The title is read as neither one thing (regular sheep) nor the other (violating goat), as well as both of those things: a mutant bastard of a *tityrus* which turns on its head any notion of legitimate husbandry of the textual regulation of meaning.

Put Yourself In My Shoes

The *tityrus* will now be turned out to graze along the fenceline of the pastures of Carver's "Put Yourself In My Shoes."

"Put Yourself In My Shoes" is a story whose narrative is focused through a fiction writer unable to write, called Myers: as the text has it, "[h]e was between stories, and he felt despicable" (102). At Christmastime, Myers and his wife Paula visit their former absentee landlord Morgan and his wife, who have taken up residence again in the house they rented to the Myers while the Morgans were overseas. The tenancy was actually arranged through a third party, and so the Morgans had been, in a sense, doubly absent; the theme of absent control of property, heard earlier, here resonates within a story which itself will be seen to highlight the drama of entitlement.

Edgar and Hilda Morgan take turns in telling stories to the Myers, with Edgar Morgan becoming more and more savage, referring through the stories increasingly pointedly to breaches of the lease by the Myers (letting a pet cat into the house, using the Morgans' possessions without authority, stealing their records). Paula is scared by the Morgans' outright hostility, but Myers counters the accusations with giggling hilarity, and Carver's story ends with Myers driving away with Paula in a snowstorm, "at the very end of a story" (114).

Role displacements

The title "Put Yourself In My Shoes" will be seen to reveal an ever-more complex operation as it folds over upon its doubling in the text as a command in an internal narrative system. The expression taken for the title of the story sets the scene for a story one of whose principal themes (or narrative laws) could be said to be role-playing.

The title-phrase is addressed to Myers after the first story told by Edgar Morgan. Morgan tells a story of how a college professor had recently had an affair with a student, after which the professor's son had brained his father with a can of tomato soup. Edgar Morgan speculates on the narrative possibilities of focusing on the different characters in the anecdote, concluding with the comment:

"Put yourself in the shoes of that eighteen-year-old co-ed who

fell in love with a married man. Think about her for a moment, and then you see the possibilities for your story.” (107)

This triggers a series of displacements and reversals. First, the words of the title are displaced (“put yourself in *the shoes of that eighteen-year-old co-ed*”). Next, the object of the command (the co-ed co-respondent) is an off-stage player in this intense little drama: the force of the command appears also to be displaced. Furthermore, the title comes, in at least one sense, from Carver, in the position of the author of the story, while the command in the text is expressed by one of Carver’s characters (Morgan). Moreover, it is an instruction addressed to a character (Myers) who straddles two “author” positions within the narrative: first, his point of view is the focus of the narrative voice; second, he is himself a writer. And this reversal is itself reversed: Myers is a writer *who cannot write*; he is “between stories” – just as the title is located between the preceding story in Carver’s collection and the text of the story it names.

The displacement of characters and narrative subjects develops in complexity as more stories are told, culminating in an hysterical accusation by Morgan against Myers and Paula that they violated the law of the lease. Morgan does this in the form of a “story” with characters named only by “X”, “Y” and “Z” in which, in his rage, he mixes up the labels twice over in an attempt, as Randolph Runyon has it, to “put the listeners [Myers and Paula Myers] in the shoes of the protagonists” (Runyon 45). Runyon goes on to analyse this slip in Freudian terms, but for our purposes, it is not insignificant that the confusion of subjects and narrative positions should culminate in a confusion of labels or titles, since that is where the story begins.

“The imperium of law legitimised over violence”

Role displacement is not a peaceful process in Carver’s story. The rather disconcerting violence we have touched on in two of the internal stories in “Put Yourself In My Shoes” (the professor’s son and Morgan’s aggression) is a feature of all of them. There is also a thread of specifically legal violation: most notably, in addition to the allegations of the Myers’ legal violations, there is a story of the theft of Hilda Morgan’s purse (and the sudden death of the thief before her very eyes).

We have already seen illegality, violence and titles working together in figuring the challenge to authority represented in the context of Jesus’ crucifixion, and in the rhetoric of Derrida’s theoretical account of titulature (a challenge to the authority of post-Enlightenment literary law). In general, the law itself is always shadowed by violence, and may be seen only to take form by its capacity for being breached. There would be no need for the law to act as a guardian for the rights of the citizenry (in particular, of the privileged classes) if there were not the constant possibility of those rights being violated. For example, as noted above, there would be little reason for the

complex system of laws protecting rights to possession of real property and repelling strangers from taking up unauthorised possession if owners were always in possession of their land and able to repel the strangers by physical force. In this way, the law “puts itself in the shoes of” the rightful owner, acting as a substitute for the violence towards the stranger otherwise exercisable by the owner; the enforcement of the law is a procedure of legitimised violence carried out by the State.

“Put Yourself In My Shoes” may be read in this light as a speculation about the manner in which the very existence of the ‘law’ of authorship inevitably implies its own breach; and this process is enacted in the associated figurations in the story of role displacement, violence and illegality. The only way for Myers to ‘obey’ the law of authorship (that is, to break his writer’s block) is to steal his story from other ‘authors’ (the story’s proxy narrators – the Morgans, as well as Paula Myers, as we shall see). The role displacements figured in the internal narratives are examples of this process of theft, and may be read not just as illustrating an aspect of authorship, but as constituting its very essence.

An investigation of the story’s relation to Carver’s autobiography will now disclose a further way in which its title may be read as a law legislating for its own breach, with not only the narrative focus, Myers, but Carver himself found guilty of the theft of story titles.

The violence of autobiography

As one aspect of the displacement of authorship figured in the internal ‘title’ story, we noted an incipient autobiographical tendency in the simple fact of Myers himself being a writer of fiction. This tendency has the effect of extending the displacement effects within the internal narratives (set in motion by the title) to the authorship of the overall frame story, with Carver displaced by and displacing Myers. Still more complex effects are detectable when we read the story together with Carver’s particular biography and autobiography.

The first of the framed narratives is the story of Larry Guidinas, a colleague of Paula Myers, and an ex-colleague of her husband, who, Paula tells Myers, has just shot himself in the mouth after being “canned” (101).¹⁰ Guidinas’ suicide – a violation of the moral law – is associated also with a displacement of the narrator. Myers had worked with Guidinas and had himself stopped working for the company, and on hearing the news imaginatively projects himself into Guidinas’ situation – as Carver puts it, Myers “could imagine the jolt, the head snapping back” (101).

The narrator’s displacement is doubled by a displacement of the author when we discover that Carver, too, had worked at one time for a science book publisher, and been “canned” (Runyon 50). Indeed, the retrenchment benefits received by Carver enabled him to write full-time for the first time in his

life; “canning” assisted Carver himself in his accession to the title of author. In the purely autobiographical sense, the title may be read as an instruction, under the literary law of authorial control of meaning, for the reader to violate the law, treat the author as dead (like Larry Guidinas) and steal the author’s subject position in the narrative: to step into *Raymond Carver’s* shoes.

The legal breaches associated with Carver’s title are themselves displaced by a specifically titular theft in Carver’s autobiography. Carver tells the story in an interview with Cassandra Phillips of borrowing his writing teacher’s office on Sundays as a quiet place to do his creative writing assignments. Carver’s teacher was the writer John Gardner; Carver confesses to having stolen titles from Gardner’s stories he found in manuscript in Gardner’s office, and using them for his own. Gardner, of course, found out and gave him a dressing-down, a talk about the “basic proprieties” (Phillips 4).¹¹ Like Myers, Carver is found to have breached the terms on which he is given the right to occupy another’s property.

Carver’s theft of these titles implicates him in the violation of the law of authorial possession of the text (of the “basic proprieties”). Carver is not only stealing titles, of course. If, as we saw above, the entitling of a text endows the entitler with the “title” of author, such a theft of titles may be read as an attempt to steal Gardner’s title as an author; it is an attempt by Carver to “put himself in the shoes of” his own teacher. The operation is duplicated and deferred in “Put Yourself In My Shoes,” which is also Myers’ story (at the end, Myers is “at the very end of a story”, we recall). It would seem that Myers himself has indulged in a more conventional version of Carver’s theft, stealing Edgar Morgan’s words and using them for the title of a story which also goes under the name of Raymond Carver.¹² Raymond Carver then enacts the process named in the title, “putting himself in the shoes of” that proxy narrator. The titular procedure in Auster’s *Leviathan* is also at work here: Carver’s story frames that of Myers but is also framed by it, with the title space occupied by both.

It would now seem impossible to establish good title to the text of “Put Yourself In My Shoes”. Myers may be “at the very end of a story”, but it is completely unclear just which story he is at the end of. If it is Myers’ story, his rights to it are vitiated by the title’s being stolen, along with the content, from Morgan; moreover, for Myers it would be just as accurate to say that he was at the very *beginning* of a story, since when he drives away into the oblivion of the snowstorm no story has yet been written. On the other hand, Carver, of course, *was* at the end of a story; however, his right to the text is threatened from without by the shadow of titular larceny thrown across the story by his own autobiography. Even if this particular title is not property stolen from John Gardner, his teacher, Carver’s right to the title of Author is attributable at least partly to Gardner’s tutelage.¹³ Moreover, a figure for

Carver in the story commits suicide, leaving a space for the reader to step into Carver's shoes by obeying the 'law' of the titular instruction (this recalls, too, the final gesture of Auster's novel in which the text is handed to the detective, a man "in the shoes of the reader," so to speak).

Literary legislation

The title of Auster's *Leviathan* may be read as a sort of literary law: a law which reads fiction as a "multitude" of narrative voices, and author figures, "united in the one creature" (or text). The analysis undertaken here of "Put Yourself In My Shoes" reflects on the mechanisms involved in this Babel. All these voices do not democratically (or peacefully) co-exist in the one text; it is rather a question of the displacement of each voice, or subject position, by the next: a question of power.

At its simplest, as Morgan asserts in his employment of the titular instruction, "put yourself in my shoes" is a basic law of narrative. This narrative law is not, however, as straightforward as Morgan would have it. The reflections on the violent displacement of subject positions in Carver's story may be usefully supplemented here by a brief glance at the successive critiques of Poe's "The Purloined Letter" by Jacques Lacan and Jacques Derrida (in "Le Facteur"). The approach of both critics is to read that story as emblematic of a fundamental feature (law) of narrative in which textuality (in the figure of the Letter) is the instrument of the appropriation of subject positions in the narrative. Moreover, this very same process may be read as extending intertextually, as Barbara Johnson shows. She demonstrates how the analysis of Poe's story by Marie Bonaparte, Lacan and Derrida is subject to very same appropriative law, as each critic successively puts herself or himself into the boots of the critic's predecessors.

In similar fashion, taking our cue from de Man's observation about the inherently autobiographical nature of titles, "Put Yourself In My Shoes" may be seen, as I have shown, as a space contested between the author, the text and the reader (or critic). The author has put a signature to a decree requiring the subversion of the author's role. Not only do the characters take the place of the author (under the law of narrative), but, as that decree becomes a law of reading, the reader appropriates the author's (and the character's) roles in order to obey the author's decree.

The appropriative sequence of authors and critics implicated in the commentary on "The Purloined Letter" may also be seen in the biblical scene discussed earlier, as Jesus, Pontius Pilate, and the Jewish authorities jostle for power. Pilate's decree endowed Jesus with the problematic title of "King of the Jews," giving Jesus the status of a sovereign without an earthly kingdom, stripped of power in the political and religious context of the crucifixion. Jesus' dominion is deferred to the "hereafter," while Pilate's power is, by the same token, problematised by the necessity of deferring to Jewish law.¹⁴ This deference, in turn, is resisted in the very act of entitling the King of the Jews.

The title of a literary work, similarly, is the letter of a law of the author's power, but it is a law whose application is determined in a context where the reader first wrestles with the author for control – at the border of the text. Just as Jesus' title serves paradoxically to reflect his lack of earthly authority, so the author asserts power over the text at the first point at which the reader contests that power, entering into the textual domain. And just as Jesus' dying is, in Christian terms, a triumph over death, so the cultural law of the author's "ownership" of the text ultimately re-appropriates the text from the reader.¹⁵ The reader is led to look to the title as a "key to interpretation" (left by the author) in Eco's terms. Moreover, when the title to Carver's story is considered, we find ourselves locked into a further deconstructive fold: the "key" turns out to be the key to the reader's own house, with the meaning still to be determined, just as the title is always "to be specified".

The literary law of title may also be seen at work in the lawyers' notions of title to property sketched earlier. As discussed, there is a sense in which the law of title to real property only establishes the present claims of the owner to land in the owner's absence (and only in a form which is itself infinitely divisible), and is supported only by an ever-present threat of appropriation (a potential absence). Similarly, the space of the title simultaneously marks the presence and the absence of the author, and the inherent divisibility of the author's subject position, establishing the author's claim to Authorship (ownership) of the text while being the point at which the writer instructs the reader to appropriate the author's subject position.

In Derrida's theory of the title, the laws of naming, of language itself, have been observed to be suspended on the borderlines of literary discourse. The law of the text – its name – is announced in a manner which subverts the very grammar of the text. In particular, a title which borrows from the text itself (like Carver's) appropriates a narrative in the act of being itself appropriated by the narrative; the text puts itself into the shoes of the title even as the title puts itself into the shoes of the text. Moreover, the law stated in the title to Carver's story decrees its own appropriation, simultaneously confirming and denying its appropriative force.

Six days before Paul Auster's proxy starts to write *Leviathan*, he tells us in its first words, ". . . a man blew himself up by the side of a road in northern Wisconsin. There were no witnesses . . ." (1). The exploded man was the author (Benjamin Sachs), the narrator's shadow, and in his act of self-destruction the subject positions of the author are dispersed immediately upon (or even before, in terms of narrative time) coming together in the figure of the sea-monster evoked by the title. If there were no witnesses, it is perhaps because, as readers, we are all participants, obeying (and failing to obey) Carver's self-de(con)structive law of narrative in an attempt to fit our bomb-scarred soles into the fragments of leather that were the author's (authors') shoes.

Conclusion

In discussing the operation of the legal and literary laws of title, the *tityrus* has been exercised along the boundaries dividing a number of dangerous territories. In *Leviathan*, we have marked the line between the violent death of an author and the living memorial constructed by his fictional and non-fictional authorial doubles. We saw how the title over Jesus' crucified body was at the edges of a number of deadly power struggles (and of a struggle, or desire, for eternal life). We have seen how the notion of title in the law of property, essential to the maintenance of dominion over land, inevitably involves notions of the division of title, and of control of property from outside its boundaries. Finally, in reading Carver's "Put Yourself In My Shoes," we have been walking the line between a series of abrupt and violent reversals and displacements of authorship, figured in a titular law which legislates for its own breach.

NOTES:

¹ This is a revised and expanded version of a paper under this title delivered first at the Fourth Annual Conference of the Law and Literature Association of Australia (Wollongong, 8-10 October 1993), and a week later (in yet another form) at the Fourth Work In Progress Conference of the English Postgraduate Society of the University of Queensland (Brisbane, 16-17 October 1993). A different version again was published in the University of Queensland's English Department Postgraduate Society magazine *PostScript* 5 (1) (1994): 12-18. My thanks are due to Tony Thwaites and Ralph Lawton for their help in its preparation.

² Our titular concerns here flow into considerations of personal titles. "Benjamin" is Hebrew for "son of" a name which helps to figure the relationship between Sachs and Aaron, with Aaron being a name associated with priestly (paternal) authority.

³ The *OED* lists the first appearance in the book of Mark in the 950 AD Lindisfarne Gospel, in reference to the sign over Jesus on the cross. By the time of publication of the King James Bible, "title" only appears in the account of this incident in John's gospel, while "superscription" is used in the gospels of Mark and Luke.

⁴ This legal sense is explored further below, while, still later, the title of Carver's story is shown to be implicated in a breach of a lease.

⁵ As Don Chalmers notes, the 500-year history of the trust in English law is founded on this sophisticated notion of title-splitting. The "use" was created in the 14th century as a means of splitting title between the "feoffee to use" (the modern trustee) and the "cestui que use" (the modern beneficiary). After the enactment of the *Statute of Uses* in 1535 (an attempt to counter the widespread use of the use), a means of splitting title further was devised in the form of the "use upon a use" whereby the equitable title of the beneficiary was further split in the same way (a common modern-day example is a second, or equitable, mortgage). It is now recognised that title may potentially be carved up *ad infinitum*, as trust relationships multiply in this fractal fashion.

⁶ Skeat's dictionary traces the derivation of "title" from the Classical Greek "timè" (honour, tribute) through the Latin "titulus"; Derrida, in "TITLE", also mentions this derivation (20). Schneider notes that Homer's use of "timè" was in reference specif-

ically to tributes owed to noble or honoured persons such as these: a material notion of "honour" represented by control over possessions (as with Odysseus in the *Odyssey*) or by gifts (as with Achilles in the *Iliad*). Apart from its relevance to the feudal system of property, alluded to here, this proprietary meaning is the basis for the honorific sense of "title."

⁷ This notion of "absent presence" is associated with Derrida's critique of the Saussurean sign and of metaphysics in general (see *Of Grammatology*, esp. 49-50). There is a space here for a deconstruction of property relations, but that project is beyond the scope of this paper.

⁸ Subsequent references to Derrida are to "TITLE (to be specified)" unless otherwise specified.

⁹ Derrida's pun takes advantage of the French "*pas de sens*" meaning both "non meaning" and "step of meaning."

¹⁰ As Runyon notes, this "canning" is later alluded to in Morgan's account of the tomato-soup "canning" of the philandering professor which rather violently connects these two narratives. Runyon also points out that this "outlandish pun" is further reinforced by the claim of the woman who turns out to have stolen Hilda Morgan's purse to have found the purse in a "trash can" (Runyon 45-47).

¹¹ See also Runyon (50-51) and Horn ("Interviews" 221-222). This story is related elsewhere by one of Carver's former students, Jay McInerney: another spin in the circulation of the economy of teacher and student.

¹² Runyon also draws a parallel between Edgar Morgan and Myers, noting in support that "[a]ll the letters of *Edgar* appear in *Gardner*, while Myers' name suggests what is *mine*—Carver's—in this story about the abuse of others' personal property" (52n)

¹³ Carver's other models, mentors and not-so-benign 'influences' are also implicated: see the essays in Carver's *Fires* and the discussion of them in Horn's "Clevie Raymond, Raymond Clevie."

¹⁴ Pilate's power is itself restricted, as a power delegated from the Roman Emperor, just as the power of Jesus is delegated from On High.

¹⁵ Foucault analyses this in terms of the "author function".

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