46. Murray, "*Playboy* Interview," 60.
47. Quoted in Simon, "Analysis of the Structure," 88.
48. Murray, "*Playboy* Interview," 185.
49. The film should have ended here, but the final scene is actually an epilogue in which a still older Michael sits alone in a Sicilian garden, takes his last breath, and topples out of his chair.
50. Pauline Kael, "The Current Cinema: Vanity, Vanities," *New Yorker* 66:48 (Jan. 14, 1991): 77.
51. John Simon, "Film: The Mob and the Family," *National Review* 43:1 (Jan. 28, 1991): 63.
52. Kael, "Current Cinema," 76; Larry Rohter, "Coppola: It Was an Offer He Couldn't Refuse," *New York Times*, Dec. 23, 1990, sec. 2, pp. 1, 26–27.
53. Kael, "Current Cinema," 76.
54. Rohter, "Coppola," 26.
55. Kael, "Current Cinema," 76.
56. Is the epic truly finished? Might there be a fourth installment? When asked about this, Coppola admitted that, "It looks as though as long as there is anyone left alive at all, there is always that possibility." Rohter, "Coppola," 27.
57. A work intelligently applying a variety of reception or response theories to film is Janet Staiger's *Interpreting Films: Studies in the Historical Reception of American Cinema* (Princeton: Princeton University Press, 1992).
58. Staiger, *Interpreting Films*, xi–xii, 48.
59. Richard Slotkin, one of the most sophisticated scholars of myths and symbols in American culture, defines myths as "stories drawn from a society's history that have acquired through persistent usage the power of symbolizing that society's ideology and dramatizing its moral consciousness—with all the complexities and contradictions that consciousness may contain." Slotkin, *Gunfighter Nation*, 5.

TWO

Print the Legend

Violence and Recognition in *The Man Who Shot Liberty Valance*

CHEYNEY RYAN

It is fitting that John Ford's *The Man Who Shot Liberty Valance*[1] (1962; hereafter, *MSLV*) is now best remembered for the 1960s Gene Pitney song, which, though it shares the film's title, has no formal connection to it (the song is not performed in the film, nor does it or its tune accompany the opening titles or closing credits). For at the heart of *MSLV* is the problem of *misrecognition:* what we learn, as the film draws to its close, is that the man who is universally regarded as having shot the outlaw Liberty Valance, and whose political career has been built on that alleged achievement, is not the man who really shot Liberty Valance. That man, we discover, has died drunk and forgotten, ruined in fact by the act that propelled another to fame. Thus the film describes how, in the pnblic realm, figures and events that possess a defining importance for a community can be infused with fabrication. But the film does not moralize about this fact, or preach against it. Rather, its tone is consistently ironic in suggesting that the false identifications that pervade the public order are somehow integral to that order. It is thus a film about ideology, but "ideology" in the sense that Louis Althusser used the term—a structure of misrecognition that necessarily animates the interactions and unfolding of an ordered community.[2]

It is also a film about the necessity of *violence*. But the violence that it explores is of two distinct sorts.

First, there is the overt physical violence of bloodshed and killing, the sort of violence exemplified in the life and fate of Liberty Valance himself (exuberantly played by Lee Marvin). Violence's necessity here has

something to do with the conditions of effective speech, for the message of Valance's demise is something like: words, specifically the words that would constitute an ordered community, mean nothing if they are not backed up by force—specifically a gun. A second and more covert form of violence is exemplified in the fate of Tom Doniphon (John Wayne), the man who really shot Liberty Valance. Doniphon's fate has multiple meanings, but insofar as he falls victim to the legend of the man who (everyone wrongly thinks) shot Liberty Valance, the message of his demise is something like: words can involve their own *kind* of violence when they function, as they do here, as agents of erasure. So if Valance's fate involves an unrecognized violence, Doniphon's fate involves the violence of unrecognition; the fate of both involves a kind of blindness that (as I explore in the third section of this essay) has tragic dimensions. The chief beneficiary of this blindness, but also the principal bearer of its burdens, is the man most responsible for the deaths of both Liberty Valance and Tom Doniphon—Ransom ("Ranse") Stoddard, played by James Stewart.

From the very start, Ranse is the representative of legal order. As that order's champion and exemplar, Ranse's ultimate triumph represents the two-fold victory of that order over both that which stands *opposed* to law, because it champions sheer lawlessness (Liberty Valance), and that which stands *outside* society's law, because it abides by a more "natural" law (Tom Doniphon). What we learn as the story unfolds, though, is how deeply troubling Ranse's triumph has been. For the film reveals the full extent to which that triumph has implicated Ranse in both unrecognized violence and the violence of unrecognition—in ways that apparently compromise that triumph. In so doing, *MSLV* raises a troubling question for legal theory in general: To what extent does the legal order *necessarily* find its origins in kinds of violence that compromise its very legitimacy?

The question is an important one, to be sure. Yet what most recommends *MSLV* to legal theory is the *depth* with which it pursues that question. Some initial sense of that depth is provided by considering the two other figures whose relationship to Ranse marks the drift of his character over the course of the film.

I have identified Ranse as the representative of legal order, but he is not the only representative of "the law" in the town of "Shinbone," where most of the action occurs. The other is the bumbling, child-like Sheriff Link Appleyard, played by Andy Devine in a role that echoes at every turn his television show of the 1950s (in which, you may remember, he was relentlessly traumatized by an elusive frog). Appleyard, as signifier of the law and its authority, presents them both as an infantile and comical affair. Ranse too, particularly in the earlier stages of the film, presents the law as something less than serious: as an idealistic and newly minted attorney, he initially strikes us as both hopelessly naive and something of a wimp (think of George Bush when you watch the film again). As the story proceeds, then, Ranse's problem is to *distinguish* himself from Appleyard (and his own earlier self), and thus distinguish his kind of law from Appleyard's—to prove that the law per se need not be a laughing matter. Proving this, we assume from the start, will ultimately require killing Liberty Valance. For if the law is to be taken seriously it must demonstrate that it "means what it says"; and this means demonstrating (against Valance and what he reptesents) a capacity to meet violence with violence.

The other figure that Ranse must distinguish himself from in championing the legal order is Major Cassius Starbuckle—the mouthpiece of the cattle interests and Ranse's adversary in the election for territorial representative.[3] Starbuckle (played by a scenery-chewing John Carradine) is the film's other truly comic character along with Appleyard. While the humor of Appleyard involves his ineffectiveness—the fact that his words are totally divorced from action—the humor of Starbuckle involves the fact that his words are pure rhetoric, they are *only* a form of action—or performance. He is introduced as, among other things, a "Statesman," but he is really just a blow-hard whose verbal flights and bombastic vaporings evidence not the slightest concern for the truth. If Appleyard represents a law that does not mean what it says, Starbuckle seems to represent a law that does not say what it means. He represents the rnle of political fraudulence in league with Valance's rule of personal violence.

Now at first glance it would seem that Ranse *does* succeed in distancing himself from Appleyard, but in ways that eventually blur the distance between him and Starbuckle—and him and Valance as well. To begin with, the Ranse that we see at the beginning and end of the film, the Ranse who has himself become a "Statesman," both speaks and looks like Starbuckle. There is the same pomposity and phoniness, even the same formal dress, all of which seems to suggest the same lack of substance; harkening back to the fact that Ranse's defeat of Starbuckle at the territorial convention (and the political career that followed) was due to a myth of Ranse's achievements that is every bit as fraudulent as his opponent's rhetoric. And, of course, there is the suggestion that (as

he feared from the start) the methods Ranse has used to establish the law's credibility, through the use of gun-play, have only likened his law to Valance's law.

All of this seems to suggest that in establishing a certain authority for the law, Ranse has at the same time undermined its legitimacy. Yet further reflection reveals that matters are more complex, because Ranse's situation is more ambiguous. Yes, there is a certain phoniness to the older Ranse, but he is not all phoniness. After all, he does not initiate the myth that drives his political fortunes; quite the contrary: he is initially its dupe, and later (I shall suggest) even its victim. Has Ranse likened himself to Valance by adopting the latter's methods? Again, the matter must be more complex for the simple reason that Ranse (remember) doesn't kill Liberty Valance—Tom Doniphon does! Ranse is certainly *implicated* in this violence; but what follows from this fact for the appraisal of Ranse's triumph? What follows (that is) for the legal order's legitimacy from the fact that the legal order's triumph over lawlessness is due to a violence that is not opposed to the law but outside the law? Does this render that order illegitimate? Or does it compel us to reflect further on the *meaning* of "legitimacy" in such matters?[4]

What endows *MSLV* with its special depth is that in speaking to the legal order's legitimacy, it raises such questions about the meaning of "legitimacy" itself by consistently *problematizing* the distinction between the "legitimate" and "illegitimate." It is this fact that gives the film a certain *deconstructive* dimension (which explains its absence of moralizing or preaching). And it is this fact that will be my special focus in the first two sections of this essay. In the last section I reflect on how the film's concern with violence and (mis)recognition contributes to its tragic dimensions.

■

I begin this section by placing *MSLV* in relation to other westerns, paying particular attention to its similarities with *High Noon* (1952). This will provide a basis for discussing the notions of "boundary," "representation," and the "written"—notions that are important to the distinction between "legitimate" and "illegitimate" and that are consistently problematized by this film.

As a film about "civilization's" emergence, *MSLV* is concerned with both the birth of the legal order, which it identifies with being a state rather than a territory, and the conditions of "progress," specifically

economic progress, which it identifies with railroads rather than stage coaches. As such, there are two general ways to place the film. One is through its relation to other *films* that speak to the same concerns—"Town Tamer" and "Outlaw" westerns. Another is through its relation to the traditions of social and political *theory* that reflect on "civilization's" character by exploring the conditions of emergence. I am thinking in particular of "state of nature theory" and its two principal variants, "social contract theory" and "invisible hand theory." I shall say one or two words in regard to *MSLV*'s relation to theories such as these, but my primary concern is with its relation to other films of its genre.

The terms "Town Tamer" and "Outlaw" are taken from Richard Slotkin's *Gunfighter Nation,* which I have relied on heavily in this discussion and which I recommend heartily to anyone interested in these matters.[5] As Slotkin describes them, Town Tamer and Outlaw westerns are concerned with matters of law, order, and social justice. But in the Town Tamer western the injustice is typically imposed by powerful criminals whom the hero must defeat—thus empowering "decent folk" to bring "progress," while in the Outlaw western, the source of injustice is typically a powerful institution, like the railroad, which is itself the agent of "progress"—and which is typically opposed by an "outlaw"/"outsider"-type figure, a sage-brush Robin Hood (hence Slotkin's term for it). The Outlaw western thus contains a more skeptical view of "progress" than the Town Tamer, which is why Slotkin regards the one as providing a critique of the other. In the 1950s, both genres experienced important modifications, most notably in their increasingly ironic tone. Some of these changes reflected the internal logic of genre development, but others reflected changes in political context brought on by the cold war. This was, after all, a time in which problems of "development" and "nation state building," both of them conceived under the rubric "modernization," were very much on the American mind—given the perceived contest between the United States and the Soviet Union in the Third World. Slotkin discusses, in persuasive detail, how the Hollywood western responded to and reflected on these problems by employing the West as a sort of surrogate Third World.

MSLV contains elements of both genres, and thus it blurs their distinction, insofar as the villain, Liberty Valance, alternates between being a free-lance criminal a la Town Tamer and an agent of the powerful, specifically the cattlemen, a la Outlaw.[6] As an Outlaw western, *MSLV* may be likened to a classic of that genre, *Shane:* like Valance, its villain, played by Jack Palance, represents the cattlemen, and he has the

same sadism as Liberty (though with none of the *joi de vivre*); and there are parallels between Shane himself and our hero Ranse in their common rootlessness and absence of any past. But it is *MSLV*'s status as a Town Tamer that I want to focus on, by exploring its parallels with a classic of that genre, *High Noon*.

At the heart of both films is the contrast between a state of nature and the "civilization" made possible by a centralized legal order. Both films are more Hobbesian than Lockean in their portrayal of the state of nature as essentially a state of war or uncontrolled banditry. Indeed, one can almost imagine Valance and his side-kicks (played by Lee Van Cleef and Strother Martin) going by the nicknames "Nasty, Brutish, and Short." ("Solitary" could be a nickname for Ranse; Who then is "Poor"? Doniphon after his demise?) But where *MSLV*'s concern is how to create the legal order, *High Noon*'s concern is more how to *sustain* it, how to prevent that relapse into the state of war that Hobbes said was always possible. That relapse is threatened by Frank Miller, whose intent to wreak havoc involves, like Liberty Valance's, both self interest—he too wants a free hand in the town—and personal revenge—he too wants to "get back" at the agent of law. In *High Noon*, that agent is Marshal Will Kane, played by Gary Cooper. In certain respects, Kane's personality evokes qualities of Tom Doniphon; there is the same stoic bearing, the same reticence to speak. But his *predicament* is obviously closer to that of Ranse Stoddard.

Both Kane and Ranse, for example, are figures of detachment, indeed, isolation. They are "in" but not "of" the communities they inhabit. In Ranse's case, this reflects his status as a parvenu; thus he is always being told "how we do things around here," and he is constantly given diminutive nicknames ("Dude," "Professor"), like a new kid who has just arrived in school. Though the film twice depicts him arriving in Shinbone (once in present time, once in flashback), he never really arrives, and no sooner does he gain the trust of the townspeople than they send him, as their representative, to Washington and points East—from which, we discern at the end, he has seldom returned. (No wonder then that when he does return to Shinbone to bury Tom Doniphon he knows hardly anyone, and those whom he does remember he treats like strangers.) Marshal Will Kane's problem would *seem* to be just the opposite—for he is a man who cannot leave, something keeps pulling him back. Indeed, on the surface his predicament seems rather like George Bailey's in Frank Capra's *It's a Wonderful Life*, but only on the snrface; for the pull on George Bailey has something to do with family and home, whereas Will Kane has no home, and his refusal to leave is at the same time a refusal to consummate his marriage and have a family. What pulls Kane back to town is the same thing that ultimately propels Ranse out of it: a commitment to law and a conception of duty that both men discover have little to do with their town's conception of itself.[7] Whatever their geographical location, then, both embody a deep alienation from their fellow citizens.

In both films this alienation animates a deep skepticism about democracy and its workings. On one level this skepticism is expressed in the attitudes of the central characters. Kane comes to regard his fellow townspeople as a bunch of self-involved cowards, too stupid to see that refusing to face Frank Miller and his gang is only putting off the inevitable, so that at the film's end he contemptuously throws his badge at the Mayor's feet—marking the fact that the people he saved were probably not worth saving.[8] The perspective of *MSLV* is only a bit less antidemocratic: Ranse, in his role as champion of legal order, does attend dutifully to such populist institutions as town assemblies and public education, but the people who participate in and sustain these institutions are consistently perceived as (except for Tom Doniphon) a flock of timid short-sighted eccentrics, whose wish to exercise their franchise (in the town meeting scene) is just slightly stronger than their craving to hit the bar for another drink. And though he professes democratic sentiments for most of the film, Ranse evidences little interest in what the townspeople actually think. Most of the time he just lectures them on what their interests are and how they can be secured.

But there is a further, even deeper level at which democracy is problematized by these films, specifically by the ambivalent status of Ranse and Kane as figures neither inside nor outside their communities. And it is a level that engages the basic distinction between "legitimate" and "illegitimate," in some important respects.

For its institutions to claim legitimacy, a liberal democracy must be able to distinguish who is a member of the community and who is not—who is "inside" and who is "outside." For example, such an order must have ways of determining who can and cannot vote, who is and who is not within the reach of its laws, and so on. In these and other respects, the legitimacy of such an order seems intimately linked with the existence of secure and clearly defined boundaries. Questions of boundary are never far from *MSLV*'s concerns: in the town-meeting scene, the film twice raises the question of who is and is not a proper citizen; in the opening sections of the flashback (when Ranse debates with Appleyard

over the Sheriff's right to arrest Valance), the film addresses the distinction between who is a legal subject and who is not. Moreover, the need for clear boundaries is implicit in the central economic conflict that drives all the other political and legal issues—the conflict between the cattlemen and ranchers over the right to build fences. The side of the ranchers, the side of goodness, is identified with the side that would establish boundaries and keep them in good repair; just as the side of manly virtue, and of resisting the threat of tyranny, is identified with "drawing the line somewhere."

How significant it is, then, that those most concerned with securing boundaries—Ranse Stoddard and Marshal Will Kane—are those whose very status as "in" but not "of" their communities seems to problematize those boundaries. Indeed, their very acts of creating boundaries seem to problematize them at the same time: Kane defends the law through means of questionable legality, and the more Ranse works to define who belongs inside and outside the community, the more he removes himself from it, as its representative. The double-edged logic here, of defining/defending while at the same time problematizing a boundary, is one that Jacques Derrida has termed the logic of the *pharmakon*.[9] (A *pharmakon* is, among other things, a scapegoat figure. I shall have more to say about the scapegoat status of Ranse near the end of this essay.) Derrida's identification of that logic with *writing*, linked with Ranse's persistent championing of the written word, will provide another clue to Ranse's status as a *pharmakon* figure.

More so than *High Noon, MSLV* connects the problem of the legal order and its democratic context to the problem of *representation*. But it does so in a manner that deeply problematizes the notion of "representation," and with it the related notion of "legitimacy."

With his entry into politics, what Ranse eventually becomes in his quest to bring the law to Shinbone is a representative of the people—to be one who speaks for the people with legitimacy. But the impulse to represent has been present in Ranse from the start. After all, his initial desire to be a lawyer was nothing else but a desire to represent the law, in two senses: he wanted to represent the law *to* others by interpreting it through his words, and he wanted to represent the law *for* others by enacting it through his deeds. (And these projects too are intimately involved with legitimacy.) It seems that the film invites us to regard Ranse as the representative of representation—and in this respect, it invites us to regard him as rather like Don Quixote. For like Quixote, Ranse's quest is animated by rhe desire to live a life that he has only read

about in books. This desire endows both quests with an element of the imaginary, and the comic—Ranse imagines that he kills Valance, as Quixote imagines he tilts with giants. And hoth, after their initial conquests, are confronted with the task of reading about themselves, in a manner that will radically destabalize any distinctions between realism and romance.

But if Ranse represents representation, what are the changes that his character undergoes supposed to teach us about representation and its logic?

For much of the film the notion of representation that Ranse both champions and embodies is a rather innocent one, if not naive. For example, both his words and his actions express the assumption that interpreting and enacting the law are relatively simple matters. Hence his unadorned veneration for the written word, specifically law books: he assumes that one need only read law books to understand what they mean, and one need only understand what they mean to act on them. This is why he equates the task of bringing law to Shinbone with the task of bringing literacy to it, and why his response to those who do not represent the law as he does is characteristically one of exasperation. By the end of the film, though, Ranse's naiveté is gone. He is now someone for whom, and in whom, the project of representation has been problematized. This problematization is enacted in Ranse's very status as "esteemed politician." Neither he, nor we, can believe that he "represents" the "people" in any meaningful sense—again, his isolation is such that he has no connection with them; when he returns to Shinbone he is not even recognized at first.

But the changed perspective on representation is dramatized even more in Ranse's changed attitude toward the written word. Earlier in the film, Ranse's respect for law books is rivaled only by his respect for *newspapers*—or those newspapers, like the *Shinbone Star* and its editor, Dutton Peabody (played by Edmond O'Brien), that print the ttuth regardless of the consequences. By the end of the film, though, Ranse will accept without protest the refusal of the *Shinbone Star*'s current editor to print the story of the man who *really* shot Liberty Valance. What does Ranse's acquiescence mean here? I would argue that the issue involves a more sophisticated, rather than a more cynical, concept of representation because I do not think that Ranse takes himself to be endorsing *mis*representation of the facts—anymore than he understands his political services as ones that misrepresent the "people." Ranse's transformations in the film suggest the more complex point,

that the "people" as a political entity are only constituted through the representation of them, just as the facts are only constituted through the representation of them.

This is, it seems to me, the thought expressed in the editor's concluding explanation of why he will not print the story. What he says is: "This is the West, sir. When the legend becomes fact, print the legend." He does *not* say that the facts should be ignored or forgotten. What he says is that the legend has "become" fact, presumably its own kind of fact. In suggesting that the facts are constituted through the stories we tell about them, the editor's remark undermines the more naive picture of representation by blurring the distinction between the representation and what it represents—in this case, what is written and what is written about. Post-structuralists will insist that this does not undermine the truth so much as *pluralize* it. They will insist, that is, that what *MSLV* presents us with is not a true story set against a false one, but two different kinds of truthfulness. One certainly constitutes a criticism of the other, revealing its elements of what I have termed misrecognition, but it does not follow that we mnst, or even can, choose between them.[10]

There is a further thought expressed, or rather enacted, in the editor's remark that bears on Ranse's particular veneration for the written word. Ranse identifies with books, with writing, because he adopts wholeheartedly the association of the writing/(mere) speech distinction with the civilized/primitive distinction. And he identifies with *law* books because law books, in his view, determine the identity of the law. It is in them that we find what legal philosophers have called the "rule of recognition"—the rule that distinguishes legal norms from other sorts of norms, to determine thereby which of the sovereign's commands are legitimate. And Ranse's "rule of recognition" is quite simple: if it is in writing, it's the law. (All of this is dramatized in the opening sequence, already noted, where Ranse seeks to determine whether Appleyard has jurisdiction to arrest Liberty Valance.) One way to question this rather literalistic "rule of recognition," and the boundary between legitimate and illegitimate that it defines, is to question whether what is written down is enough or whether it must be supplemented in some way. The general thrust of *MSLV* is certainly to suggest that law books are never enough. But another way to question it is to qnestion the whole distinction between the written and the nonwritten—question, that is, whether such a distinction can ever be intelligibly drawn.

I introduced the theme of Ranse's identification with the written word in alluding to Derrida's notion of the logic of the *pharmakon.*

Becanse Derrida is known for challenging what he regards as a traditional privileging of speech over writing, he is often read as reversing this hierarchy—privileging writing over speech. But (rightly understood) writing, qua *pharmakon,* problematizes the very distinction between "writing" and "speech" as much as it assumes it—and in the process, problematizes a whole set of distinctions that revolve aronnd the writing/speech distinction. It seems to me that there is an implicit problematizing of the writing/speech distinction in the editor's concluding remark—"print the legend." For a legend, as a kind of myth, is naturally identified with the realm of speech.[11] To suggest, as the editor does, that "the West" is a culture where legends must be printed is to suggest that it is a culture where the line between the spoken and the written is blurred. If this seems like a stretch, consider the scene in which Ranse and Starbuckle compete with each other at the territorial convention, where Ranse's legend must confront Starbuckle's oratory. Starbuckle begins by saying that he had come with a prepared speech, which is presnmably inscribed on the piece of paper he first holds aloft, and then discards—proclaiming, "But this is no time for speeches!" Starbuckle then proceeds to give a speech, and we quickly discover that the paper he threw away is blank. Is Starbuckle's oration "spoken" or "written"? It seems to me that is both, and neither. It is, like the legend with which it competes, something that transgresses these distinctions. There is a lesson here about politics, since Starbuckle seems to be the quintessential politician. But, given the importance of the distinction between the written and the nonwritten for Ranse's pictnre of law, there is also a lesson about the legal order: that any "rule of recognition" might be a rule of *mis*recognition. Starbuckle, it should be noted, is also the only character in the film who is identified as a *judge.*

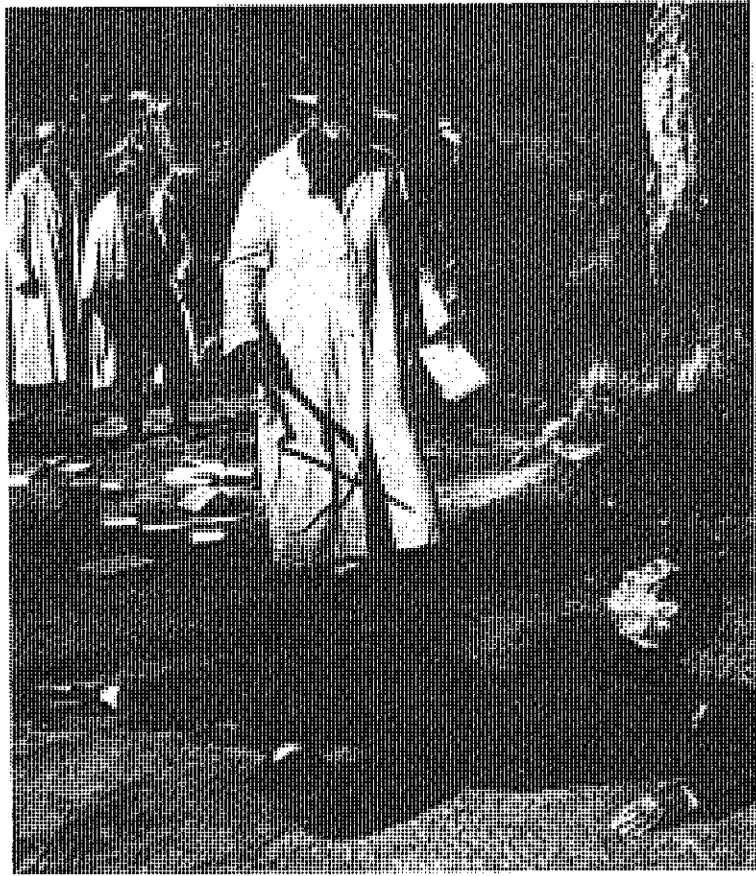
■

In the Town Tamer, the achievement or reaffirmation of the legal order is often associated with a certain clarification of gender identities and roles—a clarification that is essentially connected with the willingness to commit violence. In *High Noon* there seems to be little doubt as to what Will Kane is, or at least what he has been up nntil now. As Helen Ramirez (Katy Jurado) says to Kane's hapless deputy Harvey (Lloyd Bridges), "You're a nice boy, with big broad shoulders. But Kane is a *man.*" Kane, thongh, appears to be in danger of becoming something else, and less, because the Quaker religion of his new wife (Grace

Kelly) would compel him to give up both his badge and his gun. In the end he does give up his badge, but he is able to hold on to his "manhood" and his wife—because the conflict has so transformed her that she now recognizes the necessity of violence and the limits of what a wife can ask.

In *MSLV* the question of manhood is placed at the center of Ranse's initiation into the ways of the frontier when the stage that he is riding is ambushed outside of Shinbone and he first encounters Liberty Valance. When Valance moves to violate one of the female passengers, Ranse cannot help but object by asking, "What kind of men are you?" to which Valance retorts, "What kind of man are *you*, dude?"—and proceeds to beat him senseless. Valance's question to Ranse marks the connection, sustained throughout this picture (and others of its genre), between be(com)ing a real—that is, a legitimate—man and the capacity to engage in violence. Prior to his face-off with Valance, Ranse is consisrently portrayed as both *adolescent* (he is constantly filmed looking *up* to other people, often from the floor, and, as I have noted, he is constantly identified by a string of nicknames) and *womanly* (his washing dishes, for example, and wearing an apron—even when he goes out to confront Liberty Valance). After the final shoot-out, Ranse finally gets the respect and clothes befitting a man, and he gets the girl too when Hallie reveals her love and devotion to him. Should we conclude then that Ranse has become a "true man"? The matter, as one might expect, is not this simple—as attention to his relation with Hallie reveals.

Next to the offensive and cartoon-like character Pompey, played by the great actor Woody Strode, Hallie is the least satisfying character in the film, but at least there are reasons in her case. For Hallie is meant to be a blank slate: like Mrs. Kane in *High Noon*, she is virginal—which partly marks her femininity, but also marks the fact that she has not yet assumed her designated identity as wife. But unlike Mrs. Kane, and more importantly, she is *illiterate*—for some inexplicable reason, she alone of the major characters in the film cannot read (in contrast even to Liberty Valance and his grungy sidekicks). I remarked above on how the writing/speech distinction can be identified with the primitive/civilized distinction. What we see here is the connection of both of these distinctions to the man/woman distinction. As the Pilgrims brought civilization to the virgin land, Ranse, nicknamed "Pilgrim" by Doniphon, brings law to the land and literacy to the virgin (and he identifies teaching her how to write with teaching her how to speak properly: like



Lawyer Ranse Stoddard (James Stewart) lies supine at the mercy of the malevolent violence of gunman Liberty Valance (Lee Marvin) in John Ford's *The Man Who Shot Liberty Valance*. (Courtesy of the Academy of Motion Picture Arts and Sciences.)

Henry Higgins, he is constantly correcting her grammar, paying particular attention, like Higgins, to her proclivity for saying "ain't"!). Ranse's act of bringing writing *to* her is portrayed as an act of writing *on* her. Ranse inscribes himself upon her, as Doniphon—the more patently sexist male—never does, for, nnlike Doniphon, Ranse wants her to be something that she is not. In her gloom at the end there is the sense that Hallie recognizes this, that she recognizes the violence that Ranse's incessant tutoring may have involved.[12]

One expression of this, certainly, is the barrenness that their joylessness seems to signify. In the end, as they ride on the train into the sunset, they seem to be without children—and we are not surprised. For as the film progresses, their relationship has become if anything less erotic. I shall return to this ending, as it bears on the matter of parenthood. What it suggests here is that the status as "real" man that Ranse achieved at the end is a rather sexless one; and as snch, it is one that seems to problematize the very distinction that it presumes.

Let us consider now Ranse's initial question to Valance and his men ("What kind of men are you?"), which is if anything even more telling than the question that they directed at him. What Ranse is questioning is not *whether* Valance is a man (as opposed to a woman), but what *kind* of man he is—whether he is "civilized" or "savage." In his *Politics,* it will be remembered, Aristotle ascribes to the "barbarian" the inability to recognize certain crucial distinctions, like that between male and female and the responses appropriate to each.[13] Ranse's question means to suggest that Liberty Valance is something of a "barbarian" insofar as his violence does not recognize any distinction between men and women, and thereby transgresses the most minimal boundaries of legitimacy in the realm of violence. (The same point is made in *High Noon,* when Frank Miller captures Mrs. Kane and holds her as a shield.) Aristotle speaks of "barbarians"; in the western the "barbarian" is identified with the "savage," specifically the Indian, and in this film, the qualities of Liberty Valance and his men are in fact those that are typically ascribed to Indians: they are violent, noisy, and drunk, and they inhabit some dark locale beyond the boundaries of the town, from which they periodically appear to disrupt the orderly workings of society.

Valance's behavior evidences a kind of lawlessness, but it is important to be clear regarding the kind of law that it violates. The law that requires that the differences between men and women be recognized is presumably not a civil law but a *natural* law. That is why Stoddard can object to its being broken even out in the countryside, a location that

announces itself as outside the civil order. At the deepest level, what opposes Valance's law, the rule of "anything goes," is what might be termed the natural law of honorable violence—the law that the film identifies with the beliefs and actions of Tom Doniphon. This is the law of the *fair fight,* the law that says: don't hurt women, don't shoot people in the back, don't gang up on people, and so on. To some extent, these rules of natural law are appropriated into the civil order, but to some extent they are transformed. In particular, the personal dimension of this law gives way to the impersonal mechanisms of the legal order. "Out here we fight our own fights," Doniphon proclaims, but with the arrival of "civilization" the state is empowered to respond for the injuries done to us, which is why Tom Doniphon can never survive in such a state.

I have said that Liberty Valance plays the savage in this film. He actnally plays the *ignoble* savage to Doniphon's *noble* savage. (But both, significantly, end up drunk and dead). Where does this leave Stoddard and "civilization"?

The most striking fact about this tale is that the killing of Valance and the expelling of his kind of lawlessness—a lawlessness that presumably must be expelled because it fundamentally violates the natural law of honorable violence—involves an action that itself violates that natural law. For the fight with Valance is anything but a fair fight: it is a fight of two against one, three against one if you count Pompey, and even then Doniphon shoots Valance from his blind side. The gny never had a chance. The savage, in the end, is defeated by employiug savage tactics: Doniphon is quick to acknowledge this, but says that he can live with the dishonor because Hallie will be happy. He is wrong on both counts. Doniphon does not live with it very well, for the simple reason that he is now a spiritual exile: he cannot abide by the laws of civilization and he has violated the laws of nature. And Hallie, who becomes ever more buttoned up as the film progresses, does not end up very happy.

On one level, Ranse *can* live with what was done to Liberty Valance, because there was no dishonor in how he acted. On another level, though, Ranse clearly exemplifies a refusal of recognition—so it is important that we identify what it is that he has trouble living with. It seems to me that what he has trouble recognizing, and what the film suggests invariably goes unrecognized, is a more general claim about violence: that "civilization" defeats the "savage" by becoming like the "savage," which is to say that the violence that founds "civilization" (and rhe legal order at its heart) is one that at the same time problematizes the whole distinction

between "civilization" and its Other, and problematizes the whole justification for its existence. "Civilization" cannot recognize this, for to do so would mean no longer recognizing itself. The self-undermining logic here is akin to that which Derrida has more generally termed the logic of *supplementarity*—with Ranse Stoddard as the "supplement," that is, that (somewhat external) element whose role in completing an identity at the same time problematizes identity.[14]

What does all this suggest about the status of "civilization" and its legal order, once they are *founded?*

MSLV does not speak to this issue directly. Its central story concludes with the election of Stoddard by the territorial convention, anticipating its transition from territory to state. But *High Noon* certainly does. Will Kane is the only man serious about preserving the legal order in Hadleyville, yet his intentions clearly contradict the expressed wishes of the people who inhabit that order, and when he carries them out he is no longer even a marshal—having resigned the positiou earlier that morning! He is, in effect, a vigilante. But the felt rightness of his actions clearly suggests that the legal order, like "civilization" as a whole, can only sustain itself through means that transgress its boundaries. All of this contributes to the complexity of Kane's final act of casting down his badge at the mayor's feet. It is natural, I think, to read this act as Kane's renouncing his job as marshal. But Kane has already done that—and nothing has licensed his taking it back. The badge that he rejects is one that he no longer possesses legitimately, a badge that has endowed him with only the appearance of legal authority.

It is, in that regard, like the false badge of honor that Ranse has worn throughout his life (as "the man who shot Liberty Valance"), a badge that Ranse too makes motions to reject. But the conclusion in both cases seems to be that the arrangements of legitimacy are invariably created and sustained by those whose badges are false.

■

The requirement to "print the legend" assumes that any community *qua* community must share something like a common story, something like a myth, if it is to be cohesive, and that the functional role of this story/myth does not necessitate that the story/myth have much to do with what "really" happened. This general view, I would note, is one we find in some of the more sophisticated social contract theorists.

Rousseau, for example, begins his *Second Discourse* where *MSLV* ends—by suggesting that to understand the conditions of community we must put the facts aside as unimportant.[15] But the film does not just insist that societies require legends. It suggests that in "modern" societies, that is, societies with stable legal orders and progressive economic institutions, the myths must be *printed*—they must assume the form of historical record, a form that obviously risks obscuring their basic character as myths. The framing events of *MSLV* in fact transpire at a time, the late nineteenth century, when the relation between history and myth was very much on people's minds, particularly the minds of professional historians. It was felt by many that the society's deep crises in part reflected the waning of the country's traditional myths, but that if new myths were to be forthcoming they had to assume the guise of "objective fact" (Warren Susman has argued that Frederick Jackson Turner's influential writings on the closing of the fronrier must be understood in these terms).[16] If *MSLV* presents us with a rather ironic comment on this blurring of the myth/history distinction, it does so from the perspective of the dominant mythmaking medium of our time, film—a medium that has rendered the distinction between history and myth ever more problematic.

To appreciate the power of *MSLV*'s myth, let us return to the parallel between this film and works like *Oedipus* and *King Lear*—and their epic misrecognitions between parents and children. I have spoken of Ranse and Hallie's barrenness, that at the film's end it appears that they are without any children, and it appears that this is Ranse's doing—insofar as the closer he gets to Hallie throughout the film the drier and more enclosed she becomes. Ranse and Hallie may talk of how, because of his efforts, the "desert has bloomed." As the desert has bloomed, they have withered. But Ranse is not only childless, he is also parentless in a way. In his alienated status he is something of a lost boy: the ease with which he assumes new nicknames throughout the film might lead one to conclude that he has no real name of his own. Indeed, this fluidity of identity, as distinct from the blankness of identity rhat Tom Doniphon suffers in death, can be associated with a condition of bastardy—that is, the condition of not being fully recognized as the child by the parent.[17] Ranse's condition seems that of a genealogical isolate; he has no one and is no one's. Again, he stands in direct contrast to George Bailey in *It's a Wonderful Life*—to whom everyone belongs and who belongs to everyone (a fact marked by the multitude of times his

name is repeated in that film). George's recognition of this, and of all that he has given birth to, is a condition of his being born again. Ranse, the self-made man, cannot give birth, hence cannot be born again.

If Ranse relates to anything in a paternal manner, it is surely Shinbone itself and its democratic legal order. Just like any parents, Ranse and Hallie dote on how the town has grown, while being suitably uncomfortable in dealing with a child that has apparently gone its own way. I suggested at the outset that the film dramatizes a certain blindness of society to the conditions of its own birth, and that Ranse bears the burden of this fact. But how should we understand that burden? Ranse may relate to Shinbone as his offspring, but if (as we are led to believe) the town's birth into civilization is due to the killing of Liberty Valance, then Ranse is really not the father—Tom Doniphon is. Thus conceived, Ranse has not only assumed the paternal mantle properly due another, he has done so through an act of violence that involved stealing the true father's woman, an apparent act of cuckoldry. There are clear connections with *Oedipus* here, but also with *Hamlet* (like *Hamlet*, for example, *MSLV* reveals the truths of usurpation and cuckoldry through devices of dramatic flashback). Might Ranse's barrenness be understood then as a kind of retribution for his actions and their outcome?

But clearly Ranse did not intend any of this. Hence, if Ranse's fate is to be understood in such terms, he must properly be likened to Oedipus—one whose sufferings have a meaning for the political (and natural?) order that transcends any moral judgments of right and wrong. Clues to such a connection can be found in René Girard's interesting but also very controversial work, *Violence and the Sacred*.[18]

Girard discusses Oedipus while advancing some very interesting views about the basis of society in a founding act of violence. In Girard's account, a founding act of violence is necessary because society's general proclivity for violence cannot be contained by the sort of rational agreements dear to the heart of social contract theorists. Rather, that proclivity can only be contained by everyone's *focusing* their violence on a particular figure, or group of figures. Since it does not matter whether the object of violence in any sense "deserves" it, Girard regards the recipient of the community's violence as a *scapegoat* figure—one who, in virtue of their foundational role in the community, invariably assumes superhuman status. I have already mentioned the notion of scapegoat in connection with that of the *pharmakon;* a scapegoat serves

as a *pharmakon* insofar as their expulsion both secures the boundaries of the community while problematizing them—by inscribing, into the heart of the community, what is identified as an essential threat to that community.

In *MSLV*, one sacrificial victim is clearly Liberty Valance himself, whose superhuman status is marked by the fact that it is entirely through him that the others are remembered and celebrated. It is his name, after all, that appears in the title! (On Girard's account, remember, it does not matter for their social function whether scapegoats "deserve" their fate.) One might think that Tom Doniphon is another sacrificial victim, whose fate particularly evokes Girard's claim that a community's violence will sometimes settle on its own king. But though I have spoken of Doniphon as a victim of the violence of misrecognition, the fact that he is so *un*recognized must disqualify him as a candidate for scapegoat. No, the other scapegoat can only be Ranse Stoddard himself—who experiences no physical violence, but who must suffer the fact that his community's recognition (which has little to do with who he is and what he has done) has committed him, in the name of honoring him, to a life of permanent exile. As I read it, Ranse's genealogical isolation is just the mirror of his social isolation, except that the one allows the other to be understood as a kind of condemnation, a kind of fate.

I have wondered whether society has any alternative but to originate in an ambivalent kind of violence. We might wonder whether, according to the film, Ranse's fate can be avoided. I think not: not personal failing, not bad luck, but the logic of community and its legal order require that there be individuals like Ranse who create its institutions of justice, defend its better values—and are cast out for it, perhaps because they appreciate the ambivalences that such creation and defense involve. They must suffer the violence of un- or misrecognition, so that the legal order as we know it need not give recognition to its own origins in violence. What renders Ranse an ultimately heroic figure in the film—surprisingly heroic, I think, given his unpromising beginnings—is that he seems to understand this by the end. All of Ranse's pain and alienation are focused in the film's final scene, as he departs once again from Shinbone. It is then that he speaks to Hallie of returning to Shinbone, of "setting np a little law practice," of fulfilling the desires that he believes he once had. But he doesn't believe it, and neither do we. I said the film was a tragedy.

Notes

1. My account of this film has been influenced by Tag Gallagher's discussion of it in his *John Ford: The Man and His Films* (Berkeley: University of California Press, 1986), 385–413. After complering this essay I was directed to William Luhr and Peter Lehman, *Authorship and Narrative in the Cinema* (New York: Capricorn Books, 1977), whose discussion of this film (pp. 45–84) makes many points that I did not see.

2. See Louis Althusser, "Ideology and Ideological State Apparatuses," in *Lenin and Philosophy* (New York: Monthly Review Press, 1971), 127–88.

3. Ranse participates in the destruction of Tom Doniphon (along with Doniphon himself, one might add), but Ranse does not "defeat" him—they are not adversaries in that sense.

4. Finally, one might wonder whether Ranse has truly distanced himself from Appleyard. For immediately after Valance is killed, Appleyard tries to claim false credit for the act—suggesting that he only aspires to a notoriety that Ranse in fact achieves.

5. Richard Slotkin, *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century America* (New York: Atheneum, 1992), in particular 379–404.

6. The film also has an ambivalent view of "progress": while there are constant allusions to how "progress" has "made the desert bloom," the film notes that such "progress" has also rhrown all the original inhabitants of Shinbone out of work.

7. The status of Kane and Ranse as barren, childless figures is connected with my sense of them as radically "disencumbered selves" in Michael Sandel's sense—akin to the abstract choosers that Sandel sees lurking behind John Rawls's "Veil of Ignorance." See Micheal J. Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982), especially 1–65. George Bailey, by contrast, is a self that is too encumbered.

8. I am not sure what to make of the fact that the town is called "Hadleyville," and its denizens, like those in the Mark Twain story, are paragons of weakness and vanity. Reluctant Citizen (Will) Kane is the man who would not be corrupted in Hadleyville.

9. Jacques Derrida, "Plato's Pharmacy," in *Dissemination* (Chicago: University of Chicago Press, 1981), 65–171.

10. I should note that this pluralizing of truthfulness, with its blurring of the boundary between true and false, arises in another context. Near the start of the film Tom Doniphon, in an act of courtship, brings Hallie (Vera Miles) a "cactus rose," leading Ranse to later ask her "Have you ever seen a *real* rose?" Since the cactus rose acquires great importance as the film proceeds (it ultimately signifies the bond between Doniphon and Hallie and what was lost when that bond was lost), one might logically ask: Why is a cactus rose not a "real" rose? Why isn't it just a different kind of rose? The status of the "real" will concern us below, and it will be equally suspect, in considering the notion of a "real" man.

11. This is why so-called primitive communities, which are constituted by legends and myths, are commonly identified as *oral* cultures, whereas so-called civilized communities, that are constituted by laws, are commonly identified as *written* cultures.

12. An insightful account of the gender relations in this film that is somewhat at variance with my own is found in Virginia Wright Wexman, *Creating the Couple: Love, Marriage, and Hollywood Performance* (Princeton: Princeton University Press, 1993), 116–29.

13. See Aristotle's *Politics*, Book I.

14. On the logic of supplementarity, see ". . . That Dangerous Supplement" in Jacques Derrida, *Of Grammatology* (Baltimore: Johns Hopkins University Press, 1974), 141–64.

15. J. J. Rousseau, *The Social Contract and the Discourses* (New York: Vintage Press, 1963), 128. Rather like Rawls, Rousseau regards the unity that the social contract story creates as importantly connected with its status as a medium of recognition, for the social contract srory brings to recognition, by casting in relief, certain general facts about ourselves, which once recognized can provide the conditions of mutual acceptance. *MSLV* buys this general idea but stands it on its head, for the story that binds the citizens of Shinbone together is as much a medium of misrecognition.

16. Warren I. Susman, *Culture as History* (New York: Pantheon Books, 1984), chap. 1.

17. This fits with Ranse's identification with writing, whose metaphysically suspect status, Derrida has claimed, is linked to its apparent bastardy. See again Jacques Derrida, "Plato's Pharmacy."

18. René Girard, *Violence and the Sacred* (Baltimore: Johns Hopkins University Press, 1978).