THE DIFFÉRENĐ IN PAUL AUSTER’S CITY OF GLASS: A LYOTARDIAN APPROACH

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Abstract. Postulating on Quinn and the Stillmans’ state of dissipation at the end of Auster’s City of Glass, one can align it with what Lyotard dubs as a state of différend. Lyotard defines différend as a state of clash between two parties over the distribution of justice which is conventionally made through metanarratives. Since the concept of justice, in Lyotard’s view, has always been in such a way that there is always justice to one party and injustice to the other one, Lyotard holds that there can be no true justice. Thus, Lyotard claims that the appropriate state of justice in such a condition is the différend, a state of the sublime and of simultaneous pleasure and pain, in which there is no resolution for either party, and the clash is always on the run. Extrapolating on this issue, this paper argues that Quinn and the Stillmans are left in such a state at the end of City of Glass, and it is in accordance with the inability of language to signify or to convey meaning effectively as presented by Auster. Quinn develops madness, a consequence of his pain over his identity crisis, while merging as a “Private eye” in the urban world of his pleasure; Stillman Sr., suffering the corrupt state of language, finds pleasure and relief in committing suicide; and Virginia and Peter just vanish, their pleasure or pain being unrepresented as far as there is no medium of articulation for their rights. The findings point to the incommensurability of justice among and specific to these characters along with the inability of language to convey any meaning which highlights the state of the différend that Auster presents. The case remains open as neither party achieves the appropriate justice. Their final disappearance hints to their unpresentable presences or final painful pleasures.

Key words: Différend, City of Glass, Duty, Justice, Lyotard, Language Game

1. INTRODUCTION

Paul Auster’s City of Glass raises many questions regarding the distribution of justice over a group of semi-plaintiffs whose claims to their rights remain unsettled and whose attempts from a standpoint of justice, in reality, lead to no achievement. In the story, “a
mystery is presented, investigated, drawn out to what we feel is its midpoint, that place where it is most profligate of potential solutions, and then abandoned never to be solved” (Lavender 2004: 78). That is the main point of the story regarding justice, or rather, the distribution of justice among the main characters. Quinn and Stillman, Sr. are set in a trap; Quinn is hired to keep watch over Virginia and Stillman, Jr. against Stillman, Sr. Quinn fakes the identity of a detective after a potential—but-not-proved criminal. Making a fake identity is already against the law, especially when the subject is a legal officer. Moreover, Quinn is pursuing someone who is not officially under legal investigation any more. In fact, Quinn is not allowed to chase him because he is not really an official agent. But he chooses to solve the case even to the degree of turning into a watchdog near the end of the story. His task is in fact undertaking a duty which has merely a moral purpose and which is not ultimately fulfilled. As for Virginia and Stillman Jr., they are the other part of the game. Virginia’s uncertain claims to Stillman Sr.’s murder plan and Stillman Jr.’s incapability to speak in normal language point to the state of uncertainty in which they are, regarding the true nature of events. The ultimate result of such a state is not any fulfillment, but what Lyotard defines as différend.

Lyotard defines the différend as “the unstable state of language wherein something which must be able to be put into phrases cannot yet be” (1983: 13). The différend is “a moment of silence, a stutter in the flow of language, where the right words will not come. It marks a point of suffering where an injustice cannot find a space to make itself heard where an injury is silenced and becomes a wrong.” Lyotard further claims that, these différends are far more common than one might at first suppose. As he put it in Just Gaming, the différend occurs when “one language game imposes its rules and values on another and prevents it from retaining its own, autonomous way of speaking.” All that remains is a feeling of “injustice” and “wrong” (Malpas 2003: 61).

Regarding the final state of the characters in City of Glass, this article endeavors to explain the unsolved case of the Stillmans as well as Quinn’s state of mind at the end of the story through Lyotard’s concept of the différend. No literary research has been undertaken over the issue under study as such, except concerning the language game within City of Glass. These studies highlight the fact that Auster has been under the influence of Wittgenstein’s language theories on which Lyotard has also drawn. However, this study elaborates upon Lyotard’s concepts of justice, différend, and perfect duty in order to give an explanation of the ever-open case of the Stillmans under Quinn’s judgment.

2. DISCUSSION

2.1. Justice

The concept of justice has always been a controversial issue among philosophers and socialists. Justice is literally concerned with the “ethics of who should receive benefits and burdens.” Receiving a benefit or burden includes many contributions both in legal and non-legal matters (Honderich 2005: 484). The standard legal system in the West is “for everyone to be treated the same before the law, subject to the same rules and procedures” while a “Lyotardian dispensation” which is “more flexible and less reliable” can never prescribe such justice, as Lyotard refutes any universal laws. The basis of justice in the light of the collapse of “metanarratives” cannot be “prescriptive,” since we can never know in advance what will establish justice (Sim 2011: 115). As Lyotard and Thébaud say,
Ordinarily, when the problem of justice is raised, it is from a problematic of the Platonic type. It will be said that the distribution of all that circulates in a given society is just if it conforms to something defined in Plato as justice itself, that is, as the essence, or the idea, of justice. (1985: 19)

They also remark that “it is no longer a matter […] of reflecting upon what is just or unjust against the horizon of a social totality, but, on the contrary, against the horizon of a multiplicity or of a diversity” (Ibid.: 87).

2.2. Duty: perfect and imperfect

Quinn’s identity crisis, his need for a second birth or life to forget his past, directs him into a game. When he enters the game, which is a real case of emergency for those on the other side of the phone, he turns this virtuality into reality. He wants to experience some changes, and thus he delves into the new situation. “This time Quinn did not hesitate. He knew what he was going to do, and now that the time had come, he did it” (Auster 2006: 11). Lavender holds that “the reason Quinn is interested in playing this role is his identification with his character” (2004: 79). Once he enters the game, his subjectivity is dominated by the objects he encounters. He assumes to be someone he is not. “Speaking,” he said. “This is Auster speaking” (Auster 2006: 11). Paul Auster the Detective no longer exists, as he was a detective many years before. In a Baudrillardian sense, Quinn is “mask[ing] the absence of a basic reality” (1993: 347), the basic reality of Paul Auster the Detective who is no longer alive or active as an agent. Even before that, Quinn “had, of course, long ago stopped thinking of himself as real. If he lived now in the world at all, it was only at one remove, through the imaginary person of Max Work. His detective necessarily had to be real. The nature of the books demanded it” (Auster 2006: 9).

Being a detective for the Stillmans’ case can initially be expressed according to the concepts of “perfect duty” and “imperfect duty” as subcategories of duty. The concept of duty itself “expresses moral action as demanded or required.” Certain performances, such as promise-making that necessitates a person to act in quite specific ways, are of such kind (Honderich 2005: 224). Or else, an individual’s duties are “the things he or she is expected to do by virtue of having taken on a job or assumed some definite office.” Put differently, taking duties to do something presupposes doing that thing. The credibility of such consideration depends on the duties in question and on the agent’s obligations as they affect his/her situation. “Duties, then, are counted as one of the considerations that guide and constrain rational choices.” Some duties must be “done just right”, such as those following a course of action like those of “an airplane pilot or less important and concise duties like those of a watchman.” On the other hand, some duties like parental ones which involve decision making are not obligatory. However, an “irresponsible” or “neglectful” or “inefficient” man may lose “his title to the office that his duties define.” As such, a man may become unfit for a job without being notified, “without his dereliction being so much as noticed by anyone, including himself” (Mothersill2006: 152-153).

While punishment is the outcome of a neglectful person regarding his obligatory duties, no reward is attained by someone doing something out of conscience. Thus, duties are categorized as “perfect duties” or obligatory ones and “imperfect duties” or moral ones. “The non-fulfillment of a perfect duty makes coercive measures against the offender permissible; the non-fulfillment of an imperfect duty does not.” Paying a debt is regarded as a perfect duty, while the duty to be charitable is an imperfect one. Modern
Natural Law tradition identifies perfect duties with the duties of justice and imperfect duties with the duties of humanity, of benevolence, of charity or of virtue. As to the kinds of perfect and imperfect duties, various views have been proposed. Samuel von Pufendorf (1632-94), the co-founder of the Modern Natural Law tradition with Hugo Grotius (1583-1645), proposed that perfect duties are those necessary for society, and imperfect ones are those desirable without being necessary. Moses Mendelssohn (1729-86), a German Jewish philosopher, and Kant (1724-1804) held that while a perfect duty is determinate as it is specified by law, an imperfect duty is indeterminate and can be fulfilled in the different ways that the agent sees proper, since what is called for is the realization of morally desirable ends (Mautner 2005:457-458).

A hero, who does something both worthwhile and risky, acts “beyond the call of duty”. That is not always praiseworthy; duties may either be under the claims of obligation or moral principles. Thus, Kant believed that everyone recognizes the difference between doing something based on individual advantages and doing something out of moral obligations. Accordingly, the universal acknowledgment goes to duties performed out of a sense of moral obligation. Kant held that the unique “unqualified good” is the “good will”, which is permanently “to act from a sense of duty”. He stated that “a man is dutiful to the extent that he is seriously concerned with being equitable and fair, with treating other people like human beings and not like machines, and with trying to govern his own behavior by standards that could be adopted by everyone” (Mothersill 2006: 153).

Quinn’s appropriation of the role of Paul Auster the Detective is thus a fake perfect duty in the form an imperfect duty whose objective is a “morally desirable end” – to save Virginia and Stillman Jr. while sympathizing with Stillman Sr. But such an imperfect duty is betrayed by Virginia; Quinn is cheated by her, because the check was to be cashed as pre-payment for the whole process and for Quinn’s initial costs. Being offended by Virginia, he cannot even claim the money as it was in the real Paul Auster’s name. Therefore, the non-fulfillment of this perfect duty, paying one’s debt, as mentioned earlier by Mautner, can make a legal suit against the offender permissible. But since Quinn has pretended to be someone else, the law is against him and not Virginia. On the other hand, Virginia could prepare Quinn with the money in cash, again an imperfect duty, which she does not. Paying through a check, which is in a pharmakonic sense something that may be cashed or bounced, is significant as it is simultaneously, in the case of Quinn’s taken responsibility, a perfect and an imperfect duty. Quinn says,

[Quinn:] “My fee is one hundred dollars a day plus expenses,” he said [to Virginia].

“If you could give me something in advance, it would be proof that I’m working for you—which would ensure us a privileged investigator-client relationship. That means everything that passes between us would be in strictest confidence.” (Auster 2006: 30)

This is under perfect duties to pay one’s fee for a task. But right after this we read,

[Virginia:] “How much would you like?” she asked.
[Quinn:] “It doesn’t matter. I’ll leave that up to you.”
[Virginia:] “Five hundred?”
[Quinn:] “That would be more than enough.” (Ibid.)

Virginia could also give Quinn a check for less than five-hundred dollars. To be humanitarian or generous is an imperfect duty, while not being charitable will not bring about any law suit against her. Who is right then? What is the true judgment here? Is the
case in favor of Quinn, a fake detective but a penniless devoted watchman? Or, is it in favor of Virginia, an inhospitable plaintiff without any sense of sympathy for the final condition of Quinn, the starving watchdog? Thus for the resolution to make sense, Stillman Sr. dies, Virginia and Peter vanish, and Quinn evaporates. No one is there to claim anything. No law is there to condemn or release. Quinn’s desire as a detective brings an end to that label, whether he thinks about it regretfully or not, and no one notices that. However, Quinn’s failure is no damage to the social welfare and he does not deserve punishment, since he has acted out of moral conscience. What is the name of such a condition then? That is the state of the différend.

2.3. The Différend

The Différend: Phrases in Dispute (1983) is thought by many and Lyotard himself to be his most important work because of its elaboration of the central concept of the book, the différend (Schrift 1999; Malpas 2003; Fry 2005). Lyotard in fact elaborates upon his view of how “metanarratives” can lead to injustice for the mass of people by means of the différend (Sim2011: 116).

As distinguished from a litigation, a différend would be a case of conflict, between (at least) two parties, that cannot be resolved for lack of a rule of judgment applicable to both of the arguments. One side’s legitimacy does not imply the other’s lack of legitimacy. However, applying a single rule of judgment to both in order to settle their différend as though it were merely a litigation would wrong (at least) one of them (and both of them if neither side admits this rule). (Lyotard 1988: xi)

The concept of the différend is “based on a recognition of the deplorable ubiquity of injustice in human affairs,” the repeated incidence of one discourse suppressing another, with those in control deploying it to render opposition all but invisible, thus entrenching themselves all the more firmly in power.” The injustice involved here comes from the stronger party, who prevents the weaker from opposing or even complaining of their oppressed state, “with the former’s discourse offering no way for dissenting views to be framed” (Sim 2011: 116).

The différend in City of Glass concerns Quinn and the Stillmans. Quinn enters a game which is promising in his present state of barrenness after the loss of his wife and son. The achievement, not financially important, will be a new life, a new experience. The game, however, ends unfairly both for Quinn and the Stillmans, especially the father. Quinn, in his labors to defend Peter and Virginia against Stillman Sr., loses everything and achieves nothing. Even the check which Virginia gives him as part of his fee bounces. He devotes his life to the case but only ends up in total loss. Is there any justice there? On the other hand, Stillman Sr. has seemingly committed suicide. Why did he not do so while in the asylum? Why did he do it in his freedom? Was that justice to the life of a scholar after a mystery? Still another question asks whether the Stillmans’ case is closed. Or is it literally closed? Is Peter Stillman saved now? Did his father really want to kill him? Is Stillman Sr. rightly accused of committing a never-to-happen murder? What is the conclusion then? Answers to these questions fall into the realm of the différend.

Imagine thus, in a Lyotardian sense, a court of law for two plaintiffs. Our rather semi-plaintiffs here are Virginia, StillmanJr., and Quinn on the one hand and StillmanSr. on the other. They are semi-plaintiffs because our court is imaginary, and Daniel Quinn is supposed
to be the representative of his party due to his voluntary role as a detective/protector. The first party, afraid of a possible murder by Stillman Sr., has hired a detective for protection, while it is later revealed that Stillman Sr. would do no harm. In the course of the novel, there is no strong evidence but mere pessimism against Stillman Sr.’s murder plan. Which party is right then? Stillman Sr. has once, maybe in better psychological conditions than his present Alzheimer, threatened his son’s life through a letter, which leads to two more years of imprisonment for him. He has even called his son recently though we have no knowledge of what was said. But is he really a suspect of a criminal action now that he has developed Alzheimer, while his actions in the region are strange? Therefore, any decision merely based on the claims of one party is a ruin or failure to the other. If Quinn arrests or has the police arrest Stillman Sr., the latter will suffer. Conversely, ignoring Virginia’s claim leaves Stillman Sr. completely free, even to the point of killing his son who is now without legal protection, thus leaving Virginia and Peter in constant fear. Such situations result in what Lyotard refers to as a “wrong”:

This is what a wrong would be: a damage accompanied by the loss of the means to prove the damage. This is the case if the victim is deprived of life, or of all his or her liberties, or of the freedom to make his or her ideas or opinions public, or simply the right to testify to the damage, or even more simply if the testifying phrase is itself deprived of authority [...] In all of these cases, to the privation constituted by the damage there is added the impossibility of bringing it to the knowledge of others, and in particular the knowledge of the tribunal. (Lyotard 1988: 5)

A différend happens when, in a struggle between two parties, “the rules of conflict bringing them into opposing positions are made in the idiom of one party, while the wrong from which the other suffers cannot be recognized in that idiom.” The underlying conflict is one of “language-games”; each party’s language-game cannot include “the terms of the wrong suffered by the other”. Moreover, “no common language” exists to act neutrally in order to righteously pass judgment between the two parties. Thus, here we encounter Lyotard’s concern with justice. He believes that justice, like knowledge, must be considered as “an event rather than a substance”. Abandoning metanarratives leaves us with no grounds upon which to judge, whether aesthetically, ethically, or politically. However, as judging happens in everyday human life, it is the best thing to bear the différend in mind and “learn to judge without criteria.” Here Lyotard makes a relation to “the Kant of the third Critique,” where there is a basic distinction between “determining judgment and reflective judgment”. The former is made under perfect duties or established rules, while the latter occurs in the void of any formal guiding principles, as in imperfect duties. Lyotard emphasizes the latter, since it is merely by making “eventful” and “reflective” any judging and thinking that the postmodern mood is attained. Accordingly, we can avoid the unspoken political cruelty that governs our lives and states of being (Kearney 2005: 397).

The différend in the novella is thus a situation of conflict between Quinn, under the order of Virginia and Peter, and Stillman Sr. Any possible fulfillment on the one part destroys the rights of the other part. Suppose Quinn’s final victory in solving the case by personally stopping the father from killing his son or informing Virginia and Peter of the father’s murder plan in due time to give them the opportunity to call the police or escape. On the contrary, suppose Stillman Sr.’s victory in killing Peter, which is a weak supposition even as a guess, or in killing Virginia and re-capturing Peter for further experiments on language. In either case, the achievement of one party is a ruin to the other one.
Accordingly, neither party in the novella can testify to the damage on them, since the righteous legal system cannot provide them with it. Neither can Quinn leave the case because of his attachment to it as part of his identity and imperfect duty, nor can he arrest Stillman Sr. and finish the case because he is a fake detective. Since there is no way for Quinn to drop the case or finish it, he is caught up in a state of différend between Stillman Jr. and Stillman Sr., which involves Quinn as a judge who is unable to decide who is right. Solving the case is not without any ruin to either of the plaintiffs. Either Quinn drops the case due to his lack of enough evidence for any of the father’s evil plans and lets him wander freely in the region, a fact which leaves Virginia and the son in sheer terror; or else Quinn arrests the father because of the information that Virginia gives him regarding his former evil plans, a fact which is a ruin to the father due to its unreliability. According to Malpas, based on the categories in The Postmodern Condition, the judge lacks any access to a “metalanguage that can impartially decide between the different languages that each side uses.” In The Différend, “no such impartial metalanguage is ever possible.” Any decision by the judge will necessarily do wrong to one or both of the parties because they cannot bring forward authentic proofs to support themselves (2003: 60). According to Lyotard, then, a différend “is signaled by this inability to prove. The one who lodges a complaint is heard, but the one who is the victim [of a wrong], and who is perhaps the same one, is reduced to silence” (1988: 10). Quinn cannot decide in favor of either the son or the father. Favoring one equals silencing the other. Hence his doubt over the honesty of each party.

The différend follows the structure of “a double bind”, a situation where it is not at all possible for the complainant to defend his/her rights and prove damage through the principles of current legislation, and differs from the legal action that can be launched under the existent rules (Fry 2005: 620). Différends are “points of incommensurability between ‘language games’”. The inherent incommensurability of the différend implies “dispute and conflict”, and seeming justice to one is to do wrong to the other. Différends are thus “intractable”; it is not possible “to do justice both to the spider and to the fly” in the struggle over survival. True justice here consists of “keeping the question open.” Doing justice to the conflict is possible “by not trying to bridge the gap” between the parties (Mautner 2005: 364), or “to phrase the dispute in a way that respects the difference between the competing claims” (Schrift 1999: 524). Différend thus becomes what Lyotard equals with the “silencing” of players in a language game (Lechte 2008: 326), and Quinn’s lack of space to say anything at the end of his notebook and Stillman Sr.’s suicide because of the inapplicability of his theory of language point to this fact. So does the evaporation of Peter and Virginia who are no longer there to claim anything, specifically against the fake identity of Quinn. That is because the “différend marks the silence of an impossibility of phrasing an injustice” (Lechte 2008: 328).

Still further, according to Karen Langhelle, regarding Lyotard’s philosophy of the phrase in The Différend, “idiom” is the concept that is really important to Lyotard in discussing the différend (quot. in Sim 2011: 98): it is that “instant of language wherein something which must be able to be put into phrases cannot yet be” (Lyotard 1988: 13). Because this “something” cannot be expressed or “phrased” in a familiar idiom, like that of the law court, “a victim suffers a wrong” as his/her case is attended to in an idiom which is alien to him/her. The void of any words “to phrase what is happening” lets the différend evoke “silence”. However, such silence signifies “a feeling of both pain and pleasure”. The pain comes from the lack of words with which “to phrase what is happening”, 
while the pleasure derives from realizing the fact that “not everything has been said” and thus the victim is summoned by and “conscripted into” language to initiate searching for idioms not yet born, in order to witness the *différend* (Sim 2001: 98).

The case remains open then. Stillman’s suicide, Quinn’s agony, as well as Peter and Virigina’s absence provide the right justice for them. Victory of one over the failure of the other would have brought pleasure for only one party and pain for the other, while in fact neither can bypass the other. This *différend* is the state in which Quinn and the Stillmans dwell. Thus, the question is “How to do justice to a *différend*?” Lyotard primarily responds that we must bear witness to the *différend*, to testify that some conflicts cannot basically be judged and settled or even represented. In fact, “how can we present the unpresentable?” Appealing to “feelings in addition to understanding and knowledge” is Lyotard’s second answer in testifying to the *différend*. Lyotard especially emphasizes “the feeling of the sublime” which simultaneously mingles pleasure and pain to delve us in “a state where we sense a presence (pleasure) but equally sense the impossibility of its representation (pain)” (Williams 2005:154). The pain somehow deviates from the “inability to express the wrong of the *différend*” (Fry 2005: 620). Thus, Stillman Sr.’s suicide is the culmination of his knowledge of another reality; his pleasure in the arch-language he is after is in a state of pain due to humanitarian blocks. Also Quinn’s final madness serves the *différend*; his pain of loss, not only of his possessions but also of his new identity, manifests itself in his last sentence in the red notebook, “What will happen when there are no more pages in the red notebook” (Auster 2006: 128). The narrator then points out that, As for Quinn, it is impossible for me to say where he is now. I have followed the red notebook as closely as I could, and any inaccuracies in the story should be blamed on me. There were moments when the text was difficult to decipher, but I have done my best with it and have refrained from any interpretation. (Auster 2006: 130)

3. Conclusion

In a postmodern condition in which the incompetency of language to suffice for the announcement of the righteous claims of an individual leaves him/her in a state of paralysis and deprives him/her of whatever right to exist in confronting a crisis that cannot be put to justice and solved via the logocentricity of metanarratives, the
defenseless quasi-plaintiff’s state of being becomes in essence unpresentable. His/her presence within such a state of incommensurable justice is not possible. The true justice presented to such an individual is conceivable but unattainable unless language dissolves. Language becomes then a maze in which the clash over survival cannot be stopped or postponed, and the search for the gate of freedom is always on the run. Hence, what Lyotard terms as the différend, the state of a continuous conflict which is never to be solved because of the inherent impotency to reach any final liberation.

Strangled within the labyrinth of language whose game has no final end and whose laws do not distribute justice equally to all the parties involved, Auster’s characters in City of Glass end up in the state of the différend. Daniel Quinn, as the intermediary between two parties, is strangled within a network of conflicts whose inability to solve the Stillmans’ case adds to his own identity crisis. The final disappearance of all the characters, each in their unique style, attributes to the inevitable loss within language, since they cannot find the true means to express themselves. Their real presence, accordingly, is not presentable. Hence, their unpresentable presences.

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Ključne reči: différend, Grad od stakla, Pol Oster, Liotardovski pristup