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## The Letter of the Law: Literacy and Orality in S. A. Panov's *Murder in Medveditsa Village*

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### *Introduction*

IN the writing of the canonical history of nineteenth-century Russian literature, the place occupied by detective fiction has been largely ignored.<sup>1</sup> However, the current popularity of the *detektiv*, a genre which has its roots in this pre-revolutionary period, as well as the appearance of two of Russia's greatest authors in a list of practitioners of detective fiction (Dostoevskii and Chekhov), suggest that such a neglect should be rectified.<sup>2</sup> It is true that, for a variety of reasons, detective fiction appeared on the Russian literary scene at a later date than its counterparts in France, Britain or the United States, and that the country does not boast a name that commands the same respect for success in the

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<sup>1</sup> This lack of attention is exhibited as much by nineteenth-century literary critics as by more contemporary commentators. The publication of detective stories went largely unrecorded in the pages of the 'thick' journals of the 1860s and 1870s which deemed such production to be insufficiently literary. Victor Terras's *Handbook of Russian Literature*, New Haven, CT, 1985, does not feature an entry either for detective or for crime fiction. Antony Olcott's *Russian Pulp: The 'Detektiv' and the Russian Way of Crime*, New York and Oxford, 2001, pays very little attention to the nineteenth-century antecedents of the modern genre. Exceptions to this general rule include A. I. Reitblat ('Detektivnaia literatura i russkii chitatel' vtoraia polovina XIX — nachalo XX vv.', *Knizhnoe delo v Rossii vo vtoroi polovine XIX — nachale XX veka*, 7, 1994, pp. 126–40) in Russia and Harriet Murav, *Russia's Legal Fictions*, Ann Arbor, MI, 1998, and Louise McReynolds, "'Who Cares who Killed Ivan Ivanovich?': The Literary Detective in Tsarist Russia", *Russian History*, 36, 2009, pp. 391–406, in the United States.

<sup>2</sup> Dostoevskii's *Crime and Punishment* and *The Brothers Karamazov* (of 1866 and 1878–80 respectively) are often cited as examples of detective fiction. My interest in nineteenth-century examples of the genre was prompted by a reading of Chekhov's parody *Shvedskaia spichka* (*The Swedish Match*, or sometimes *The Safety Match*) of 1883.

genre as do those of Edgar Allan Poe or Arthur Conan Doyle.<sup>3</sup> Nevertheless, the coincidence of factors including the post-Emancipation reforms to the judicial system, the relaxation of censorship laws and the rise in literacy rates contributed to the birth of a Russian instance of detective fiction which shares characteristics with its international cousins yet also reveals more individual features.

Certain of the earliest examples of Russian practice in this genre, such as N. M. Sokolovskii's *Ostrog i zhizn': iz zapisok sledovatel'ia* (*Prison and Life: From the Notes of an Investigator*), published in 1863, and P. I. Stepanov's *Pravye i vinovatye. Zapiski sledovatel'ia sorokovykh godakh* (*The Innocent and the Guilty: Notes of an 1840s' Investigator*) of 1869, are barely fictionalized accounts of the actual experiences of criminal investigators.<sup>4</sup> However, the publication of Dostoevskii's *Prestuplenie i nakazanie* (*Crime and Punishment*) in 1866 provided the inspiration necessary to a whole series of writers to turn their hand to the creation of more literary detective stories. One of the most accomplished of these figures is Semen A. Panov. Panov is a virtually unknown name in the history of nineteenth-century Russian literature and very few details are readily available concerning either his life or his literary career. Almost the only thing we do know about him is that, in the 1870s, Panov authored five detective stories, all of which are sufficiently successful in their execution to warrant individual discussion. *Ubiistvo v derevne Medveditse: Iuridicheskaiia povest'* (*Murder in Medveditsa Village: A Juridical Story*), which is the subject of the present article, and *Pomoch': Ocherk iz sel'skoi zhizni* (*Help: A Sketch from Village Life*) were both published in 1872.<sup>5</sup> In the second of these works, the examining magistrate investigates the sudden death of the peasant, Sinitsyn, which he quickly establishes was murder. In spite of testimony given by other villagers implicating one man, Korzinkin, the investigator, with the help of his doctor friend who narrates the story and a spy in his employ, discovers that this is in fact

<sup>3</sup> Factors which prevented the earlier appearance of detective fiction in Russia include: the pre-1861 organization of social institutions; the lack of a truly professional police force or judiciary; censorship.

<sup>4</sup> N. M. Sokolovskii graduated in law from Kazan' University in the 1850s and later worked as a barrister in St Petersburg whilst also writing polemical articles on legal issues for many of the leading contemporary journals. Both Sokolovskii and Stepanov's collections of stories feature a first-person narrator-investigator who records, with little of the complicated intrigue and narrative flourish more usually associated with detective fiction, the details of certain of the investigations they have undertaken. Whilst such quasi-memoirs fulfil an important role in terms of the early development of the practice of detective fiction in Russia, they are qualitatively distinct from the work of Dostoevskii and Panov, for example.

<sup>5</sup> *Ubiistvo v derevne Medveditse* and *Pomoch'* appeared in the same volume published in St Petersburg by A. F. Bazunov; *Tri suda, ili ubiistvo vo vremia bala* and *Iz zhizni uездnogo gorodka* appeared together in a volume published in St Petersburg by V. D. Skariatin; *Ubiistvo v Mukhtolovoi roshche* appeared on its own, published by A. A. Sokolov, again in St Petersburg. The last of these stories is briefly discussed by Louise McReynolds in "'Who Cares who Killed Ivan Ivanovich?': The Literary Detective in Tsarist Russia", p. 402.

a ploy to extricate the actual killer, Gvozdev, from the list of potential army conscripts. *Tri suda, ili ubiistvo vo vremia bala: Rasskaz sudebnogo sledovatel'ia v dvukh chastiakh* (*Three Courts, or Murder During the Ball: Tale of an Examining Magistrate in Two Parts*), which first appeared in 1876, is distinct amongst Panov's five works because it features a more urban, high-society setting in which the murder of Elena Vladimirovna Ruslanova at a ball to celebrate her engagement has to be solved. The story is particularly noteworthy for its intriguing bipartite structure: the first part concludes with the wrongful conviction for murder of the man responsible only for stealing the victim's diadem; whilst the second part offers an entirely different account of the crime by means of the confession given by the jilted lover of Ruslanova's fiancé who has been driven to murder out of jealousy. *Ubiistvo v Mukhtolovaia roshche: Rasskaz sudebnogo sledovatel'ia* (*Murder in Mukhtolovaia Grove: Tale of an Examining Magistrate*), published in the same year, is perhaps the least successful of these five works as it recounts a quite orthodox investigation by the narrator-detective into the murder of an old peasant man by the suitor of his granddaughter who objects to not being viewed as an acceptable match. Finally, *Iz zhizni uezdnogo gorodka: Iz zapisok sudebnogo sledovatel'ia* (*From the Life of a Provincial Town: From the Notes of an Examining Magistrate*), which also appeared in 1876, is fascinating for what is for the time a highly unusual depiction of a corrupt and conniving detective who is quite happy to pursue a spurious case of child abandonment against an obviously innocent woman in order to gain vengeance on one of his rivals. The investigator, Polumordin, is initially utterly disinterested in the circumstances surrounding the abandoned child's death and only decides to look into them when he bets the local police inspector a case of champagne that he will be able to solve the case. The fact that the majority of the characters in the story display a similarly dubious morality does little to mitigate against Polumordin's determination to use his professional position to ensure the downfall of his enemy.

In terms of its plot development, *Murder in Medveditsa Village* appears to be relatively typical fare in the context of nineteenth-century Russian detective fiction as a whole and of Panov's work more specifically. In *Murder in Medveditsa Village*, the peasant woman Afrosina Gerasimova Grosheva is found dead in her hut with her throat cut on 15 July 186\*. The case is entrusted to the local 'sudebnyi sledovatel'' (examining magistrate),<sup>6</sup> Andrei Petrovich, who is initially confronted by professions of ignorance from Medveditsa's peasants who claim neither to know the identity of the murderer nor to harbour any suspicions against

<sup>6</sup> The post of 'sudebnyi sledovatel'' was introduced in Russia in 1860. I concur with William Burnham ('The Legal Context and Contributions of Dostoevsky's *Crime and Punishment*', *Michigan Law Review*, 100, 2002, 6, pp. 1227–48) in his view that 'examining magistrate', as employed in the revised Jessie Coulson translation of Dostoevskii's *Crime and Punishment*, is the most appropriate English rendering of this title.

anyone. However, his own suspicions swiftly fall upon the blacksmith, retired army officer Avdei Ampleev Grishanin, for little other reason than he gives blatantly dishonest answers to straightforward and non-incriminating questions. Although the conventions of more modern and more Western detective fiction might prompt the reader to suspect that such an obvious culprit must be a red herring, this does not prove to be the case. One of the defining features of detective fiction in Russia in the nineteenth century is the tendency of works to describe criminal investigations in which there is a single suspect who does indeed turn out to be the culprit.<sup>7</sup> Nevertheless, suspense is effectively introduced into the story by the need for Andrei Petrovich to try to force a confession from Grishanin because of the circumstantial nature of the other evidence against him.<sup>8</sup> This confession is eventually secured, whereupon Grishanin gives a full account of his crime and is subsequently sentenced to twelve years' hard labour and the loss of all privileges. So far, so conventional.

However, what makes Panov's story particularly worthy of note is the manner in which, at this early stage of detective fiction in Russia, it interrogates the relative authority of the written and the spoken word in the criminal investigation and, in so doing, foregrounds the role and status that the genre assigns to language.<sup>9</sup> Such is the centrality of the concept of language here that *Murder in Medveditsa Village* appears to provide an early validation of Albert D. Hutter's assertion that 'detective fiction is the peculiarly modern distillation of a general literary experience that makes central the subtle interaction with, and interpretation of, language'.<sup>10</sup> In a work where the most significant action (the murder) has taken place before the beginning of the narrative

<sup>7</sup> See, for example, Panov's own *Murder in Mukhtolovaia Grove* where the only probable author of the murder is Nikanor, the victim's granddaughter's suitor; or N. P. Timofeev's *Zapiski sledovatel'ia* (*Notes of an Investigator*) where the gang leader, Trofim Kuren, is the obvious suspect. A concomitant tendency, as discussed by Louise McReynolds in her article, is for the culprit already to be known at the start of the story and for the narrative to occupy itself with an examination of why the crime has been committed: e.g. Dostoevskii's *Crime and Punishment*, most obviously, but also N. P. Timofeev's *Na sovesti* (*On One's Conscience*).

<sup>8</sup> Although it becomes evident from information supplied late in the narrative that this work is set in either 1868 or 1869, much of the law which applies to the action is still that of the 1857 statutes. As Samuel Kucherov states in 'Administration of Justice Under Nicholas I of Russia', *American Slavic and East European Review*, 7, April 1948, 2, pp. 125–38: "the best evidence in the world" was considered by the law to be the confession of the accused' (p. 128).

<sup>9</sup> *Murder in Medveditsa Village* also provides a rather sophisticated treatment of the theme of law which is not particularly representative of other early Russian detective fiction. Whilst works such as those by Sokolovskii and Stepanov engage overtly with the reforms enacted to the Russian judicial system in the 1860s, Panov's illustration of the interaction between the law, language and power is more nuanced and stimulating than these other examples.

<sup>10</sup> Albert D. Hutter, 'Dreams, Transformations, and Literature: The Implications of Detective Fiction', in G. W. Most and W. M. Stowe (eds), *The Poetics of Murder: Detective Fiction and Literary Theory*, New York, 1983, pp. 230–51 (p. 234).

proper, it is the various acts of receiving, reading, preparing, signing and sending innumerable written documents which take centre stage. The written word is thus highlighted as being of critical importance to the criminal investigation and as enjoying a privileged relationship to authority and justice. Yet acts of oral communication are not entirely sidelined and are frequently shown to be the essential precursor to the creation of the written word. And, ultimately, the adequacy and validity of both types of verbal language as a means of unlocking the truth is called into question by the particular manner in which the case is resolved. The aim of the present article, therefore, is to discuss the ambiguously nuanced illustration Panov provides of the relative power of these three types of language in the particular context of the functioning of the law and the pursuit of the 'truth', the cornerstones of detective fiction. Language, and especially the written word, will be shown to play the decisive role in structuring the various networks of authority operating in and around the fictional world.<sup>11</sup> To some extent, the spotlight Panov shines on the relationship between language, power and truth can be considered to root his story in the historical fact of 1860s' Russia. However, as the analysis below will demonstrate, in its interrogation of the various functions of, and possibilities inherent in, language, *Murder in Medveditsa Village* reveals a more modern appreciation of its belonging to that most self-reflexive of literary genres: detective fiction.

*(Il)lteracy and the Primacy of the Written Word*

Michel Foucault has argued that over the course of the nineteenth century a new conception of the criminal emerged in which this figure 'becomes someone not just to be judged and punished but also to be known and disciplined — he or she becomes the object of a series of examinations'.<sup>12</sup> In *Discipline and Punish: The Birth of the Prison*, he claims that this 'examination':

leaves behind it a whole meticulous archive constituted in terms of bodies and days. The examination that places individuals in a field of surveillance also situates them in a network of writing; it engages them in a whole mass of documents that capture and fix them. The procedures of examination were accompanied [...] by a system of intense registration and of documentary accumulation. A 'power of writing' was constituted as an essential part in the mechanisms of discipline.<sup>13</sup>

<sup>11</sup> Albeit in a quite distinct manner which cannot be discussed here, Panov's story establishes literacy as a central topos and lends it a 'penumbra of meanings far beyond the abstractions of its sociological significance' in an echo of what Nancy Rutenburg sees in Dostoevskii's *Notes from the House of the Dead* (see *Dostoevsky's Democracy*, Princeton, NJ, 2008, p. 142).

<sup>12</sup> Todd Herzog, 'Crime Stories: Criminal, Society and the Modernist Case History', *Representations*, 80, Autumn 2002, pp. 34–61 (p. 37).

<sup>13</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan, London, 1977, p. 189.

Although Foucault's examples of such 'examinations' do not specifically include the criminal investigation, the latter is plainly a procedure that is equally concerned with constructing systems of documentation and in which the act of writing is granted considerable power.<sup>14</sup> *Murder in Medveditsa Village* makes this preoccupation and symbolic significance abundantly clear as it associates an understanding of the written word with a respect for the law; employs literacy as the fundamental indicator of social difference and professional competence;<sup>15</sup> records the preparation and reception of a countless number of documents; foregrounds the detective as the most authoritative writer and characterizes his writing as a performative act; associates report-taking with scientific objectivity; insists on the greater stability and legality of the written word over the spoken; and exploits writing in its various forms as the determiner of hierarchical relationships between figures involved in the narrative contract of the literary text. Yet, at the same time as it illustrates the dominant position assigned to the written word in criminal investigations and detective fiction alike, Panov's work also acknowledges its contradictions and insufficiencies.

The central role which will be occupied by the written word in *Murder in Medveditsa Village* is foreshadowed by the fact that it provides the impetus behind the very first action described in the story. At about eight o'clock one evening in the town of N., a woman jumps out of a carriage which has drawn up in front of a large house and starts to ring at its gates: when she fails to gain entry, the local deacon, who is sitting in his window opposite, calls her over to inquire about her business. She tells him that she has come from Medveditsa with an 'official document' ('gramotka') but that she does not know to whom to deliver it.<sup>16</sup> The deacon takes it from her, reads the address on the envelope and informs her that it is intended for the examining magistrate who is currently playing cards opposite in the home of the local police inspector. The notion that the written word is of the greatest significance in this story is promoted by having the following seventeen pages of the narrative dedicated to a description of how these official papers are delivered, read and discussed. The woman walks over to the police inspector's house and informs him that she has 'an official document from Ivan Ivanovich' (p. 11); he takes the envelope from her, reads the

<sup>14</sup> His examples of 'examinations' are those conducted in the military, prisons, hospitals and schools.

<sup>15</sup> In a significant echo of the situation in Panov's story, Nancy Rutenburg comments, with reference to Dostoevskii's *Notes from the House of the Dead*, that it 'is the phenomenon of crime which, along with the people's experience of and ability to endure pain, become for Gorianchikov the key signifiers of class difference' (*Dostoevsky's Democracy*, p. 24).

<sup>16</sup> S. A. Panov, *Murder in Medveditsa Village*, St Petersburg, 1872, p. 7. All translations are my own. Henceforth page numbers refer to this text.

address on it and goes into the other room to announce that a package has arrived for Andrei Petrovich. The examining magistrate then reads the recipient details on the envelope out loud to the other card players before digesting the contents inside silently. Having done so, he announces that he needs to leave immediately before handing the package to a young man beside him because 'it concerns you too' (p. 11). This unidentified character duly proceeds to read the papers aloud to the group, the description of which activity occupies three full pages in the text.

The written word is clearly placed at the heart of all of this opening action. Furthermore, because this official document contains two 'statements' ('protokoly'), one of which announces the murder of the widow Grosheva, it functions as the trigger for all of the subsequent action described in *Murder in Medveditsa Village*. Without this written documentation, which presents the official request for the examining magistrate to undertake an investigation into the crime, there would be no search for the culprit and no attendant narrative. As such, it constitutes the first example of the use of 'performative' writing (where language directly executes an action) which will be discussed in greater detail below. Not only that, but the other statement, in its detailing of a preliminary search of the crime scene conducted by the local policeman (Ivan Ivanovich Fomin), and of the testimony of local peasants that they do not know the culprit's identity, represents a written substitute for a more direct description of the first stages of the investigation. Following more conventional generic practice, it would have been possible for the story to have opened with a description of the discovery of Grosheva's body and Fomin's subsequent search given from the point of view of one of the peasants, for example. However, Panov chooses to insert an additional layer of mediation such that these actions are not described directly in the narrative but via written reports which are read aloud by fictional characters. This choice of presentation implicitly ascribes dominance to written documents which report actions over the mere description of physical events within the diegesis because the reader is made primarily dependent upon the former for her information.

The authority associated with literacy in these opening pages is also underlined by the description of the relationship that the woman who delivers the letter, Maliukhina, has to the written word. The combination of her first question to the deacon about whether she should take it to the police chief or to the court, and his response having read the envelope, reveals her to be illiterate. Obviously, in a narrative set in late 1860s' Russia, the depiction of this peasant woman's inability to read might be seen to constitute little more than an act of literary verisimilitude. After all, it is estimated that at this time in Russia as

little as 6 per cent of the rural population were literate.<sup>17</sup> However, in the manner of its presentation in this story, Maliukhina's illiteracy assumes a broader significance. Her inability to read is exploited in order to portray her as relatively powerless: she confronts difficulties in the completion of a straightforward task because she cannot read the address on the front of the letter. Maliukhina's illiteracy places her at the mercy of other characters (the deacon, the police inspector) who do possess mastery of the written word. Moreover, it is also shown to be inextricably linked to her relationship to the law as it is embodied in this judicial investigation. When the deacon asks her what she needs to deliver, she responds: 'Well, who on earth knows what sort of document it is!' (p. 7). This exclamation gives the impression that Maliukhina could not care less about the letter because it is an object which is entirely alien to her: she has simply been told by the village policeman to take it to town. In a presumably intentional echo of this expression, when the deacon subsequently asks her who has killed Grosheva, she replies: 'Well, who on earth knows who did it!' (p. 9). The similarity between these two answers suggests that Maliukhina's illiteracy and lack of interest in the letter are paralleled by her ignorance about the crime and her lack of interest in the pursuit of justice.

In fact, the relationship between Maliukhina, literacy and the exercise of the law is typical of that possessed by all of the peasants depicted in *Murder in Medveditsa Village*. All except one are illiterate and, as a consequence, have only an indirect relationship to the written word which in turn engenders a suspicious and fearful attitude towards the law. For example, the statement of testimony referred to above is written on behalf of fifty peasants but carries only one signature, that of the local clerk, Ergunov. Later in the story, after the examining magistrate has searched the victim's hut for the first time, he proposes to the four witnesses who have accompanied him that they should countersign the 'special document' ('osobyi akt') as an accurate record. However, they protest that they cannot because 'we are not literate' (p. 57) and 'do not know about such matters' (p. 58). Before they finally allow the doctor, Varnavin, to sign on their behalf, they seek reassurances from the examining magistrate that nothing bad will come of their doing so. Even when the villagers are asked to do nothing more than place three crosses on a document in place of a signature, problems arise. The victim's sister, Daria, is so nervous when asked to mark the written report containing her testimony, that she smudges the ink on the first cross and ruins the entire document. Such examples

<sup>17</sup> Jeffrey Brooks, *When Russia Learned to Read: Literacy and Popular Literature, 1861–1917*, Evanston, IL, 2003, p. 4.



make clear that, in *Murder in Medveditsa Village*, ignorance of the written word cannot be disentangled from an incomprehension and mistrust of the processes and consequences of a criminal investigation. The peasants' illiteracy means that they can only interact indirectly with the written documents which are such a central part of the law, through the figure of an intermediary. It is this illustration of the law being mediated in terms which they do not command that justifies the peasants' sense of their being potentially harmed by the legal process.<sup>18</sup> And this aspect of Panov's description of the criminal investigation enacts the notion that writing implies knowledge and that knowledge is indivisible from power: the peasants are impotent pawns in the pursuit of the murderer precisely because of their illiteracy.<sup>19</sup>

The idea of literacy as a mediator of authority is also clearly underscored in *Murder in Medveditsa Village* by means of its use to highlight social difference.<sup>20</sup> It is not overstating the case to claim that the primary basis upon which the characters encountered in the fictional world can be categorized is through reference to their grasp (or not) of reading and writing. In spite of the provinciality of the town of N., which is made clear not just here but in other of Panov's stories,<sup>21</sup> there is a marked difference drawn between the literate urban residents and their illiterate rural cousins. For instance, in the opening pages of the story, the fact of the deacon's literacy and Maliukhina's illiteracy appears to inform the entire nature of their interaction: it is this which prompts the supercilious disrespect he shows towards her when he asks whether she went 'courting' on her way to town (p. 9). When she goes over to the inspector's house, Maliukhina is ordered to wait in the hall as little more than a servant, while the contents of the letter are read out by the doctor, Varnavin, and commented upon by the inspector and his wife in the next room. This scene suggests literacy as the means

<sup>18</sup> This alienation of the illiterate peasants from the letter of the law must also be seen to reflect the fact that a relationship did exist between the inability to read and the potential to commit crime. In their analysis of social-structure correlates for homicide in Russia in 1910, Stickley and Pridemore argue that their results 'show the homicide rates were significantly and negatively associated with the literacy rate'. See Andrew Stickley and William Alex Pridemore, 'The Social-Structure Correlates of Homicide in Late Tsarist Russia', *The British Journal of Criminology*, 47, 2007, 1, pp. 80–99 (p. 87).

<sup>19</sup> In *Discipline and Punish*, Foucault states that: 'A "power of writing" was constituted as an essential part in the mechanisms of discipline' (p. 189) and the peasants in Panov's story are certainly the objects of such a power.

<sup>20</sup> This social difference primarily concerns question of class; however, *Murder in Medveditsa Village* does also highlight social and legal distinctions based on gender. As indicated below, men were given a privileged position under Russian law in the 1860s both in terms of the reliability ascribed to their testimony and in their ability to act as official witnesses in investigations.

<sup>21</sup> The town of N. is also the setting for *From the Life of a Provincial Town* and depicts its residents as possessed of as much 'poshlost' as one might expect to observe in one of Gogol's works.

of positive social inclusion as well as simply a method of access to knowledge. Literacy is also associated with quality of life in a scene describing how Andrei Petrovich and Varnavin stop at a staging post on their journey to Medveditsa. The clearly illiterate peasant girl they find there lives in a grimy hut where the walls seem to be alive with cockroaches and the smell of ammonia is overpowering. It is only the visitors' ability to read the sign that says 'It is forbidden to feed travellers for free' (p. 37) that prompts them to make a display of their wallets, which significantly aids the negotiation of an albeit unsatisfactory breakfast of mouldy eggs before they leave.

However, the negative evaluation of illiterate (or semi-literate) characters is nowhere more evident in Panov's story than in the criticism levelled at the incompetence of the rural police force.<sup>22</sup> A striking contrast is drawn between the examining magistrate, Andrei Petrovich, as a master of the written word and the various representatives of the local police force whose shaky command of literacy is frequently ridiculed. In the opening chapter, for example, the final line of the first statement from the village constable notes 'the village clerk has signed on behalf of the constable' (p. 12) because the policeman is unable to do so himself. But even this literate clerk is portrayed as inept given that, as Varnavin remarks with a laugh, he has actually forgotten to write down his name. Making explicit the criticism intended by this depiction of the constable's illiteracy, the inspector's wife says to her husband: 'What a police force you have — it's just awful!' (p. 15). Even though, thanks to his authorship of the statement describing the initial search of Grosheva's hut, the local policeman, Fomin, is shown to be literate, he is not spared from criticism. His report might at first seem to be impressively detailed; however, it quickly becomes evident to the attentive reader that the focus of Fomin's loquacity is poorly directed. Andrei Petrovich proves to be just such a reader when he points out that the policeman goes to the trouble of recording the hut's dimensions and the various cattle and pigs in the yard, but devotes only a couple of words to what should be his main point of interest: the victim. Later, the reader is invited to compare the relative competence of Fomin and Andrei Petrovich when the latter's report into his own search of the hut is presented in the narrative. This superimposition

<sup>22</sup> Panov's inclusion of such criticism can be seen to be another attempt to create verisimilitude between the fictional and non-fictional worlds. As William Burnham states in 'The Legal Context and Contributions of Dostoevsky's *Crime and Punishment*': 'The introduction to the law [of 1860 introducing the post of examining magistrate] implies criticism of the police: "Wishing to provide the police with better tools for fulfilling their responsibilities, which is so important for order and the peace of all residents, we completely remove all [criminal] investigatory responsibilities of all court cases from police responsibility" and give it to the examining magistrates attached to the courts' (p. 1241, footnote 46).

shows the examining magistrate to be a much more adept observer of the crime scene as he supplements details of the general layout of the hut with a skilfully written description of the position and appearance of the victim's body.

Fomin comes in for further criticism as an inept writer and reader when he subsequently presents Andrei Petrovich with two statements containing testimony from more of the peasants.<sup>23</sup> The first of these documents is ironically undermined through its six-fold repetition of one and the same declaration of ignorance as to the culprit (reproduced in full in the narrative) which is accompanied by a further twenty-four signatures. The second, which is delivered only five minutes later, appears to be largely redundant because, as the examining magistrate remarks, it is 'related to the same matter and entirely identical to the first' (p. 79) except for being signed by female peasants. When he is challenged about the efficacy of producing two such similar documents, Fomin proudly retorts that he did so in accordance with Article 333 of the law which 'gives preference to the testimony of a man over that of a woman' (p. 79). However, his triumphant mood is immediately punctured by Andrei Petrovich who informs him that testimony is never taken in this way for such cases and a footnote in the text makes clear why not: Article 333 of the 1857 legal code establishes the basis for evaluating witnesses only in the case of *contradictory* testimony.<sup>24</sup> This scene reveals both how the local policeman believes that a reading of the law will validate his professional approach and, at the same time, how his faulty literacy or insufficient grasp of the law leads to unnecessary inefficacy. The message implied by Fomin's characterization as an arrogant yet ill-informed and incompetent officer seems to be that, in the hands of the local police force, an underdeveloped command of the written word is almost more unhelpful than no mastery at all.<sup>25</sup>

It is through the person of Andrei Petrovich, however, that Panov's story makes the interdependence between the appropriate degree of literacy and the possession of judicial authority most apparent. It is a relative commonplace of criticism of detective fiction to characterize

<sup>23</sup> Fomin's negative characterization is not solely achieved through reference to literacy: when Andrei Petrovich first reaches Medveditsa, the local policeman is drunk; he then suggests using force to elicit a confession; and he is later criticized for flippantly asking the guards at Grosheva's hut whether the 'prisoner' (the victim herself) has not 'done a bunk' ('udrala') (p. 44).

<sup>24</sup> The significance of the use of multiple footnotes in *Murder in Medveditsa Village* will be discussed later in this article.

<sup>25</sup> The inefficiency resulting from the local police force's illiteracy is also treated humorously in the description of how Andrei Petrovich receives a letter from a policeman in the neighbouring district announcing that, in spite of the requested search, he has found neither a 'bay girl' nor a 'black gelding' (p. 96). The examining magistrate is utterly confused until his own clerk explains that they had actually ordered the policeman to look for a bay gelding and a young girl by the name of Chernova ('chernyi' means 'black' in Russian).

the figure of the investigator as a ‘surrogate reader’.<sup>26</sup> In Kathleen Gregory Klein and Joseph Keller’s formulation, for example, the criminal invites the detective to ‘read [his] deductively crafted fiction’.<sup>27</sup> Peter Hühn extends this literary metaphor for detective fiction by not only viewing the investigator as a reader but the criminal as an author ‘who *writes* the secret story of his crime into everyday “reality” in such a form that its text is partly hidden, partly distorted and misleading’ (original italics).<sup>28</sup> What is unusual about *Murder in Medveditsja Village* is the fact that, at the same time as fulfilling the conventional function as a ‘reader’ who unravels the hidden narrative of Grishanin’s crime, Andrei Petrovich is primarily depicted as a *writer* whose most reliable and favourite tool in his investigation is the written word. The story is replete with numerous instances upon which the examining magistrate authors official documents which include: statements of searches undertaken (‘protokol osmotra’); orders for searches to be carried out; a document (‘akt’) about the transportation of the victim’s body for autopsy; requests for the supply of census information from the local priest; orders for various witnesses to present themselves in Medveditsja; numerous witness depositions (‘pokazanie’); statements of interrogations; a notification to the local criminal tribunal of Grishanin’s attempt to kill him; a written decision (‘postanovlenie’) to place the suspect under house arrest; accounts of Grishanin’s attempts to deny his own earlier accusations; and numerous reports about how events in the investigation unfold. Barely an action takes place in the diegesis which is not translated into written form and the examining magistrate’s method is largely informed by the desire to leave a complete documentary record of his investigation. Writing is the action that the examining magistrate performs more frequently than any other and the progress of his inquiry into the murder can be charted in terms of the production and reception of written evidence. In the centrality of the position that the act of authorship occupies in *Murder in Medveditsja Village*, it initially appears to conform to, although ultimately proves to disrupt profoundly, Sita A. Schütt’s view that writing functions ‘as antidote to criminality’.<sup>29</sup>

But perhaps this idea of the written word as a potential remedy for crime should come as no surprise given the degree to which the

<sup>26</sup> Laura Marcus, ‘Detection and literary fiction’, in Martin Priestman (ed.), *The Cambridge Companion to Crime Fiction*, Cambridge, 2003, pp. 245–67 (p. 254).

<sup>27</sup> Kathleen Gregory Klein and Joseph Keller, ‘Deductive Detective Fiction: The Self-Destructive Genre’, *Genre*, 19, Summer 1986, 2, pp. 155–72 (p. 162).

<sup>28</sup> Peter Hühn, ‘The Detective as Reader: Narrativity and Reading Concepts in Detective Fiction’, *Modern Fiction Studies*, 33, 1987, 3, pp. 451–66 (p. 445).

<sup>29</sup> Sita A. Schütt, ‘French Crime Fiction’, in Martin Priestman (ed.), *The Cambridge Companion to Crime Fiction*, Cambridge, 2003, pp. 59–76 (p. 67). Schütt makes her claim in respect of Émile Gaboriau’s 1876 work *Le Petit Vieux des Batignolles* (*The Little Old Man of Batignolles*).

exercise of the law is dependent upon the power of language. In *Force de loi*, Jacques Derrida makes clear the unavoidable interrelationship between the law, language and power when he states:

Au commencement de la justice, il y aura eu le *logos*, le langage ou la langue, mais cela n'est pas nécessairement contradictoire avec un autre *incipit* qui dirait: 'Au commencement il y aura eu la force.'<sup>30</sup>

There is no law without force or power; language possesses an inherent power; the law makes use of the power possessed by language. In certain respects, the law has no existence outside of language and, in the journey towards modernity, the force of the law has become increasingly logocentric as it is embodied in written statutes. The actions of Panov's examining magistrate leave the reader in no doubt about his firm belief in this (legal) power of the written word as the best form of evidence. Time and again, Andrei Petrovich is at pains to convert actions he has undertaken or events that he has witnessed into written documents with a minimum of delay. His sense of urgency is at its most acute when it is a question of recording oral testimony in written form. There is not a single occasion in this story when the description of Andrei Petrovich's verbal interrogation of a witness or the main suspect is not immediately followed by at least a line which notes the writing up of this testimony. The examining magistrate's conduct in this regard is an enactment of the notion that the written word is 'more stable' than the spoken word.<sup>31</sup> His perspicacity in ensuring that there is a written record of almost every event that occurs in the course of his investigation can be seen to go beyond the call of duty and to reveal the necessity he feels to 'fix the past'<sup>32</sup> by means of writing. The 'volatility'<sup>33</sup> of oral language which informs this need is rendered most obvious in the conduct of the main suspect, Grishanin. He is a character whose spoken words, right from the outset, are shown to be acutely unstable as he constantly denies having uttered, or blatantly contradicts, an earlier statement. In the description of his first interrogation, during which Grishanin needlessly denies having been with Grosheva on the night of her death or having delivered a message to her sister, a special emphasis is placed on variations of the verb 'to say': its use on eight different occasions in only two pages emphasizes the untrustworthiness inherent in his words precisely because they are 'spoken'.<sup>34</sup> Consequently, when, at a later stage in the story, Grishanin concedes

<sup>30</sup> Jacques Derrida, *Force de loi*, Paris, 1994, p. 26.

<sup>31</sup> Eckart Voigts-Virchow, *Introduction to Media Studies*, Stuttgart, 2005, p. 117.

<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*

<sup>34</sup> The same emphasis placed upon the verb 'to say' during descriptions of the interrogation of Grishanin is encountered later in Chapter Seven when it is repeated six times in the space of half a page (pp. 163–64).

for the first time that a previous accusation he has made is false, Andrei Petrovich rushes to find the means to convert these words into written form. The examining magistrate's methodology appears to embody Husserl's belief, expressed with regard to the history of geometry, that it is only through the act of written transcription that principles achieve the status of 'ideal and objective truths'.<sup>35</sup> Grishanin's oral speech is characterized by his impulse to lie constantly; however, in his repeated acts of writing down this speech, Andrei Petrovich endeavours to arrive at and capture the 'truth' which exists behind them.

The dominant position assigned to literacy in the criminal investigation is further underscored by the description of its contribution to the establishment of scientific truth. In the first half of *Murder in Medveditsa Village*, the examining magistrate is aided in his inquiries by the work of the doctor, Varnavin, whose role as a reader in the first chapter is subsequently supplemented by that of a writer. In the description of the autopsy carried out on Grosheva's body, the appropriate use of a pen is shown to be of equal importance to the skilful wielding of a scalpel. On a table next to him lies a pre-prepared form which the doctor is to populate with the information gleaned from the dissection of the victim's corpse. And the doctor proves himself to be a knowledgeable and careful writer of this official document: he employs relatively technical medical vocabulary; he includes precise measurements of the sizes of wounds; he repeatedly checks the correlation between his written words and the physical evidence; and he asks to be given time to consider carefully his opinion on the cause of death before writing it up. Panov's inclusion of a detailed description of the autopsy bears out Foucault's claim that the appearance of a new conception of the criminal in the nineteenth century was accompanied by the emergence of a 'scientifico-legal complex [...] which is responsible for distinguishing between the criminal and the "normal" individual'.<sup>36</sup> But the depiction of this scientific intervention does not just promote the view of Varnavin as a figure of authority; through the comparisons constructed between it and the work of Andrei Petrovich, it also raises the latter's standing. Both the doctor's autopsy and the examining magistrate's search of Grosheva's hut are labelled 'osmotr' ('examination' or 'inspection') and they each begin with an observation of 'external' ('naruzhnye') or 'superficial' ('poverkhnostnye') phenomena (Grosheva's wounds; her yard) before proceeding to an analysis of the internal ('vnutrennii') evidence. This coincidence in terminology likens the medical examination to the criminal investigation and each process gains in authority by being linked with the other.

<sup>35</sup> Arthur Bradley, *Derrida's Of Grammatology: An Edinburgh Philosophical Guide*, Edinburgh, 2008, p. 28.

<sup>36</sup> Foucault, *Discipline and Punish*, p. 23, paraphrased in Herzog, 'Crime Stories', p. 37.

The association between the exercise of judicial authority and the written word is also established in *Murder in Medveditsa Village* by an illustration of the ‘performative’<sup>37</sup> nature of much of the writing completed by Andrei Petrovich. The law is a sphere of human activity that makes particular use of this potential for some language to ‘do things’ as suspects are placed ‘under arrest’ and criminals are judged to be ‘guilty’ simply by means of the words being uttered. Although much of the theory devoted to performatives makes reference to the act of speech, it is nevertheless applicable, as this story makes clear, to the written form of language. Andrei Petrovich’s status as a ‘figure of social authority’<sup>38</sup> is at least in part conferred by the executive force implied by his writing of legally binding, actionable documents. For instance, in his authorship of a written decision (‘postanovlenie’) to place Grishanin under house arrest, the examining magistrate produces an utterance which performs an illocutionary act (the issue of a command that must be followed):<sup>39</sup> he ensures by means of this declaration that the suspect is taken into custody. Without the written document, the round-the-clock presence of guards would not need to be put in place, nor would it be legally sanctioned. Others of his written documents can be considered to possess a more indirect illocutionary force. When he inscribes orders into a written document, for example, he obliges others to obey his words and to become subservient to him: information must be delivered to him by the local priest; witnesses summoned must turn up in person to answer his questions; searches of premises must be conducted. It is also specifically the performative force of Andrei Petrovich’s written word that makes the peasants so mistrustful of it: they are afraid of the consequences it will enact upon them. And, because of his judicial status, his words possess a higher degree of such performative authority than those uttered by another character. If, for example, the doctor were to write and request that a search of Grishanin’s workshop be conducted, there would be no need for his orders to be carried out because the illocutionary power of his words has no basis in law. Whilst it is obviously the case that the examining magistrate’s spoken words carry the same weight of authority, his decision to issue the vast majority of his orders through written documents rather than just speech highlights that it is literacy which is of the greatest consequence.

<sup>37</sup> The term ‘performative’ was introduced by John L. Austin in *How To Do Things with Words*, Oxford, 1962.

<sup>38</sup> Ronald R. Thomas, ‘The Fingerprint of the Foreigner: Colonizing the Criminal Body in 1890s Detective Fiction and Criminal Anthropology’, *ELH*, 61, Autumn 1994, 3, pp. 655–83 (p. 656).

<sup>39</sup> The terms employed here are taken from John R. Searle, ‘How Performatives Work’, *Linguistics and Philosophy*, 12, 1989, pp. 535–58.

Moreover, in the combination of the performative force of many of Andrei Petrovich's acts of authorship and his position of legal and social authority, it becomes possible to talk about a depiction of a 'ritualization' of writing in *Murder in Medveditsa Village*. And in the sheer number of occasions upon which this ritual is performed, we are justified in considering Panov to portray a 'fetishization' of writing. In both cases, the act of writing is elevated to a position of special importance in the diegesis. Catherine Bell explains that: 'ritualization involves the differentiation and privileging of particular activities', and she identifies 'restricted codes of communication to heighten the formality of movement and speech; distinct and specialized personnel' as two tendencies which distinguish this practice.<sup>40</sup> As we have seen, by the mere fact of his literacy, Andrei Petrovich is differentiated from the majority of the other characters in the diegesis and his writing is privileged not only by himself, but also by the peasants and by the dominant position it occupies in the narrative. As the representative of the law charged with solving the murder, Andrei Petrovich is himself an example of 'specialized personnel'. Although the reader witnesses him authoring a never-ending stream of written documents, these are both restricted in their variety (they all pertain to the conduct of his criminal investigation) and always highly formal (requiring the inclusion of certain prescribed information and validating signatures). Whilst the simple possession of literacy has been shown to inform the construction of social hierarchies, it is by means of the importance and authority attributed to his writing, through its 'ritualization', that Andrei Petrovich negotiates a position of even greater power for himself. As Bell states: 'ritualization is first and foremost a strategy for the construction of certain types of power relationships'.<sup>41</sup> The examining magistrate's command and deployment of the written word in this ritualistic form effectively makes him 'a monitoring and disciplining agency'<sup>42</sup> who exercises his authority over those around him, particularly the suspect Grishanin. We might also consider, however, the degree to which the central importance attached to the written word is actually undermined or perverted by its 'fetishization'. The exaggerated repetition of these acts of writing suggests not merely the execution of professional duty but the enactment of a more personal obsession. Moreover, it begins to empty the written word of sense such that Andrei Petrovich's production of documents appears automated and non-individualized. In this sense, this 'fetishization' implicitly poses a threat to the status of the written word in *Murder in Medveditsa Village*, a threat which will be addressed in the following two sections of the present article.

<sup>40</sup> Catherine Bell, *Ritual Theory, Ritual Practice*, Oxford, 1992, pp. 204–05.

<sup>41</sup> *Ibid.*, p. 197.

<sup>42</sup> Thomas, 'The Fingerprint of the Foreigner', p. 656.



The power with which literacy is imbued in Panov's story can also be traced to the technique of reproducing documents directly in the narrative text. Instead of the narrator providing a paraphrased description of how a character reads or writes a particular letter, statement or report, time and again the reader is permitted 'unmediated' access to either the whole, or part of, the text in question. For example, in the opening chapter, Andrei Petrovich reads out the address on the front of the envelope which has been delivered to him so that the reader receives the full details: 'To the Examining Magistrate of the Second District, N. Area, No.721, from the village of Medveditsa' (p. 11). On the same page, the doctor announces the formal details of the bundle of documents to his audience and we read:

From the local police officer of the Second police district, N. Area, No.721, 15 July 186\*. To Sir, the Examining Magistrate of the Second District, N. Area. I have the honour of sending to the Examining Magistrate two statements with collected testimonies and a metal knife. From Local Policeman of the Second District, I. Fomin. (p. 11)

Varnavin then proceeds to read out the full text of the two statements and the report of the search inside, and these records appear directly in the narrative within quotation marks. Although it is not specifically contained within quotation marks, the examining magistrate's report of his first search of Grosheva's hut in the third chapter is provided in such impersonal, objective and declarative terms that the post-posed announcement that 'everything seen and heard was written down by Andrei Petrovich in a special document' (p. 57) suggests that its terms come exceedingly close to replicating the actual document. And as Varnavin conducts his autopsy on Grosheva, excerpts from the various forms which he fills in are also provided directly for the reader in the text. On the one hand, this practice is a means of lending the story an elevated degree of verisimilitude by giving the reader the impression that she enjoys as direct a relationship to the texts in question as do the characters in the fictional world. By citing documents directly, in the original, this technique also heightens the reader's sense of dealing with official paperwork and the type of formal language associated with, in particular, the judicial and medical professions. However, this seemingly unmediated presentation can also be considered to possess an additional significance: it textually represents what Foucault would call the 'normalizing gaze' of the examining magistrate, which he exerts in order to 'judge and punish' the criminal.<sup>43</sup> This 'normalizing gaze' proceeds by establishing a 'visibility over individuals'<sup>44</sup> and, for

<sup>43</sup> Ibid., p. 184.

<sup>44</sup> Foucault, *Discipline and Punish*, p. 184.

Foucault, both of these features are key components in the exercise of discipline and, in particular, the conduct of the examination. And, in a manner which is borne out by this aspect of *Murder in Medveditsa Village*, 'the examination transformed the economy of visibility into the exercise of power'.<sup>45</sup> The unmediated appearance of these various texts renders transparent or 'visible' not only the documents themselves, therefore, but highlights the power possessed and exercised by Andrei Petrovich to subject possible witnesses (including the victim herself) and potential suspects to this process of being rendered 'visible'.

A similar, though more intriguing and original, enactment of this idea of exercising authority through the reproduction of official documents is encountered in the use of footnotes in *Murder in Medveditsa Village*. Panov's reader is bound to be struck by the relatively high number of footnotes employed compared to the average fictional literary text. There are nineteen footnotes in all and they can be divided into two categories: the minority (six), mostly located in the first six of the story's nine chapters, provide clarification for an instance of colloquial speech; the majority (thirteen), primarily concentrated in the final three chapters, provide a reference to or, as is most often the case, the full text of an article of law referred to in the main body of the narrative. Although this second type appears to be more directly linked to the status of literacy and the written word in Panov's story, in fact both contribute to the exercise of authority within the text.<sup>46</sup> Almost without exception, the reference to a legal statute in the main body of the narrative helps in the construction of the examining magistrate's authority as an informed reader and honest agent of the law. It has been noted above how Ivan Ivanovich Fomin's erroneous interpretation of article 333 as justification for separating male and female witness statements illustrates his professional inferiority to Andrei Petrovich. The same is true of the footnotes. Varnavin's production of a report of his autopsy is justified by a footnote reference to Volume 13 of the 1857 legal code. The examining magistrate's criticism of the inordinate amount of time which his predecessor and a colleague have spent squabbling over the jurisdiction of a case is based on article 138 which states that: 'criminal investigations must be conducted with all possible haste and completed within a month, including Sundays and holidays' (p. 177). The causal link drawn between Andrei Petrovich's knowledge of the law and his ability to solve the murder is clearly implied by the

<sup>45</sup> Ibid., p. 187.

<sup>46</sup> As Shari Benstock explains: 'Whatever specific services footnotes may render, they constantly remind us of the authority on which the text rests'. 'At The Margin of the Discourse: Footnotes in the Fictional Text', *PMLA*, 98, March 1983, 2, pp. 204-25 (p. 206).

accumulation of these legal footnotes in the story's final chapter, as he gets closer to securing a confession from Grishanin. Here the reader is presented with extensive quotations from no fewer than eight articles from the laws published in 1857, 1865 and 1867. As with the full citation of fictional documents discussed above, the inclusion of text from non-fictional legal codes can be seen to construct a mimetic relationship between the world of the story and the real world. They encourage the reader to believe in the examining magistrate's conduct of the investigation because it is rooted in legal reality rather than merely the literary imagination of the author.<sup>47</sup>

However, the most significant effect of these footnotes is to create a hierarchy of authority which extends beyond the confines of the fictional world. Although the context and frequency of their appearance is often used to lend Andrei Petrovich an authority superior to that of his story-world counterparts, the questions regarding the intention behind, and the identity of the voice responsible for, the footnotes enmesh the reader herself in a network of power. As Shari Benstock remarks:

Footnotes in a literary work highlight the interplay between author and subject, text and reader, that is always at work in fiction, giving us occasion to speculate on self-reflective narration as an aspect of textual authority.<sup>48</sup>

In *Murder in Medveditsa Village*, there is a very strong sense in which the presence of both the legal and linguistic style of footnote gives the text an air of academic instruction and expresses the implied author's<sup>49</sup> desire to 'educate' the reader. The implicit statement made by the author via the inclusion of numerous footnotes citing text from different articles of law seems to be: 'For you, reader, who is not as well informed as I am about the relevant legal statute, here is the information you require'. Indeed, it is perhaps this intention which is revealed by the story's somewhat atypical subtitle (*A Juridical Story*):<sup>50</sup> it expresses the implied author's wish to identify what follows not simply as fictional narrative but as a quasi-educational treatise which will allow the relatively ignorant reader to learn more about the contemporary

<sup>47</sup> In *Seuils*, Paris, 1987, p. 305, Gérard Genette claims that authorial footnotes are encountered in literary works whose fictionality is 'impure': works which are marked by historical reference or, less frequently, philosophical reflection.

<sup>48</sup> Benstock, 'At The Margin of the Discourse', p. 205.

<sup>49</sup> Whilst the convention may be to attribute such 'paratextual' elements in a literary text to the extrafictional voice, Genette himself names the author as responsible for footnotes and Panov's work includes an explicit attribution, 'note from the author' ('primechanie avtora'), on eight occasions. Nevertheless, I choose to use the term 'implied author' to denote this voice.

<sup>50</sup> The subtitles of three of Panov's other stories are indicative of the tendency within the genre of Russian detective fiction as a whole: that is, to use a form of 'Tale of an Examining Magistrate' or something similar.

Russian legal system. This characterization of the implied author as a guide or informative voice is likewise achieved by the linguistic footnotes which provide translations of the inscrutable Mordovan dialect of the Medveditsa peasants into the more standard form that the presumably urban reader will understand.<sup>51</sup> In the use of both types of footnote, therefore, the implied author establishes his superiority over the reader and this act of hierarchization is built upon a foundation provided by the written word: the author is effectively allowing the reader to see that he is more 'literate' than she is.<sup>52</sup>

*The Limits of Literacy and the Significance of Orality*

The first section of this article has demonstrated how *Murder in Medveditsa Village* assigns the primary role in the construction and negotiation of a variety of networks of authority to the written word. However, it would be misleading to suggest that Panov depicts literacy as being an unambiguous force for good and as having an unlimited power to unlock the truth by unmasking the criminal. Before moving on to consider the (albeit lesser) significance ascribed to orality in this story, it is worth discussing three examples which reveal the limits of literacy. The argument advanced above regarding the attribution of positive qualities to those characters in full possession of the written word (Andrei Petrovich, the doctor Varnavin, the priest from Remiachevo) meets a forceful contradiction in the figure of Avdei Ampleev Grishanin. He is the one resident of Medveditsa who is literate and yet he is also the murderer. It is not just the fact of his literacy that differentiates Grishanin from his neighbours when he is first introduced in Chapter Three. He is described in positive terms as a 'handsome, fresh-smelling military man [...] with ruddy cheeks, long whiskers and a shaved chin' (p. 63).<sup>53</sup> Whilst respectful, he addresses Andrei Petrovich very much as an equal and, ironically enough, does not show the same fearful mistrust of the law as do the peasants in the village. Not only is Grishanin literate in the basic sense of the term (i.e. able to read written copies of his testimony and sign his name on them without the need for a clerk), he is also characterized on a couple of occasions as a 'reader' of the law. For example, when Andrei Petrovich questions

<sup>51</sup> The inclusion of this local dialect is obviously also a means of creating verisimilitude as well as a marker of social difference whereby the peasants are distinguished from both the examining magistrate and the reader.

<sup>52</sup> Both types of footnote represent what Shari Benstock calls: 'ways in which the text calls attention to itself as text, to its existence as printed matter, to its writerly quality, and to its scripted authority'. 'At The Margin of the Discourse', p. 208.

<sup>53</sup> The other distinguishing feature of Grishanin is that he is the only one of the villagers to wear boots rather than bast shoes. In the course of the investigation, Andrei Petrovich discovers this boot-wearing to be a significant clue to Grishanin's guilt.

him for the first time and pre-emptively warns him that he will subsequently have to attest to his testimony under oath, Grishanin retorts that 'he will not swear an oath under any circumstances because "he is, if you like, under oath anyway because of his military service"; but that without an oath he cannot respond to questions without a deputy present' (p. 128). Although the examining magistrate corrects him by stating that a deputy is not necessary because Grishanin is a retired officer acting as a witness and not a serving soldier accused of a crime, the sense of this character possessing a certain legal knowledge is nevertheless established. Later, Andrei Petrovich identifies Grishanin's motive for attempting to attack him with a hammer as the knowledge that, because the only evidence against him is circumstantial and related to his own false testimony, if the examining magistrate on the case were to be substituted, the slate against him would be wiped clean. This legal literacy is explained by the fact that Grishanin has been the subject of a previous criminal investigation when he was accused of firing on one of his own men during his army service. The literacy of the criminal reveals the impossibility of basing moral judgements about characters on this factor alone. However, more symbolically, the characterization of Grishanin as not simply literate, but legally literate, significantly complicates the depiction of Andrei Petrovich's ability to 'read and write the law' as the primary qualification for his status as an 'antidote to criminality'.

The superiority of literacy is further challenged by the illustration of the consequences of abuse of the written word which is provided by the description of the endless correspondence between Andrei Petrovich's predecessor, a judicial colleague and the local police referred to briefly in the discussion of footnotes above. It is appropriate that this less than positive portrayal of literacy should occur as part of the examining magistrate's reflection on the impossibility of solving all the cases that come his way. The three-way correspondence in question lasted for more than four years and revolved around a disagreement about whether the investigation into the theft of fifty roubles should fall to the examining magistrate in whose district the crime occurred or to the one whose jurisdiction covered the area where the suspects lived. Innumerable written documents are sent in different directions and the professional obligation to await the receipt of one letter before authoring the next leads to huge delays which Andrei Petrovich labels 'an ordeal' (p. 176). Moreover, each of the examining magistrates attempts to prove the unimpeachable veracity of the claims he makes by citing a written legal statute as support; but his adversary simply finds a different article of law to act as the justification for the contrary case he wishes to argue. And the relevant sections of the legal code are reproduced in full for the reader in two extensive footnote references.

Both the suggestion that the written nature of this dispute is a contributory factor in its excessive duration and the inclusion of quotations from articles of law which serve to obfuscate rather than clarify ironically undermine the status of literacy. Instead of facilitating the discovery of truth thanks to its greater transparency and stability, in this example the written word is shown to be a major obstacle because it is exploited for redundant and defeatist ends. Finally, in the closing chapter of the story, Andrei Petrovich explicitly calls into question the efficiency of the written word as the tool by means of which he must fulfil his obligation to secure a conviction. Prior to this point, as we have seen, the examining magistrate is depicted as an active promoter of the cult of the written word. However, as he worries that he might never succeed in extracting a confession from Grishanin, the examining magistrate considers the state of the case so far and, in particular, the weight of the evidence gathered up to now:

But just as, on the one hand, it was impossible to convey on paper everything that had taken place in such a way that it would be as tangible [*osiazatel'no*] to the reader as it had been convincing for him who had witnessed it directly; so, on the other hand, the material gathered as evidence up to this point was still far from being sufficient to serve as the basis for the court to find Grishanin guilty of murder. (pp. 221–22)

The parallel drawn here between the written word and material evidence speaks of its privileged status. However, Andrei Petrovich also reveals his doubts in the power of logocentrism precisely because of its indirect, mediated form: writing will not in this case produce the same persuasive effect as would a face-to-face oral, or non-linguistic, experience. Writing, it is suggested, is inadequate as the sole means of arriving at, or convincing others of, the truth regarding who committed a criminal act.

Whilst the examining magistrate's musings in the final chapter represent the most explicit interrogation of the status of literacy in *Murder in Medveditsa Village*, it is possible to find more implicit illustrations of the relative authority of orality throughout. In the opening chapter of the story, the peasant woman, Maliukhina, can be seen to regain some of the authority which she loses because of her disenfranchisement from the written word, by means of the power of her speech. Although, as we have seen above, her illiteracy puts her at the mercy of the deacon, she establishes a degree of superiority over him by revealing, in the dramatically brief statement, 'a woman has been knifed' ('*babenku zarezali*') (p. 8), that she possesses crucial information which he lacks. In the ensuing conversation, Maliukhina's voice is dominant as the deacon asks short questions and she sketches in the details of the discovery of Grosheva's death. Indeed, in view of the fact that this conversation precedes the reading of the official letters by Varnavin,

Maliukhina's speech act is lent particular significance because it contains the first revelation to the reader of details of the crime. Equally, when she is eventually called into the room by the police inspector's wife, it is so that she can be asked to *say* what she knows about the murder. Just as Maliukhina is representative of the other Medveditsa peasants in terms of her illiteracy, so she is with respect to her orality: perhaps precisely because of their ignorance of the written word, they are all shown to have a strong bond to the spoken word. Whilst their relationship to writing is characterized by ignorance and mistrust, they frequently come into their own in the exercise of orality. For example, Andrei Petrovich's questioning of Palageia Bogacheva starts painfully slowly as he explains the legal formalities and she gets confused by his questions; soon, however, she warms to her task and the reader is told that she becomes: 'more loquacious and, towards the end, positively garrulous as she gave not only the answers to the questions she was asked, but also went into great detail about many things not related to the case' (p. 125).

Again, the depiction of this relationship between the peasants and the spoken word should be considered to be more than simply the statement of a socio-historical fact for mimetic effect. To a considerable extent, the presence of the voices of the peasants on countless occasions in direct speech gives them the means to fight back against the sense of disenfranchisement created by their alienation from the written word. Not only that, their relationship to oral culture is shown to invert the hierarchy of power which exists between them and the examining magistrate. In the closing lines of Chapter Six, for instance, the narrator describes how Andrei Petrovich is woken by loud, wailing sounds and goes to the window to witness a group of female peasants accompanying the transfer of Grosheva's body to the church. These peasants are singing a sort of song which, the narrator informs the reader, dates back to 'ancient times' and which refers to traditions of 'mob law, hysterics and minstrels' (p. 146). However, the examining magistrate is said to be unable to understand anything but the most basic meaning of the words being sung: the tables are thus for once turned on him and he finds himself in a position of inferiority, excluded from the community performing these rites. As the master of the written word, Andrei Petrovich is depicted as an agent of the modern world; however it is this very modernity that excludes him from the peasants' more ancient comprehension of justice, embodied in the spoken word, and which is shown to possess a lasting power.

In a manner typical of many Russian detective stories of this period, *Murder in Medveditsa Village* illustrates that acts of oral speech also have a significant role to play in the conduct of the criminal investigation in

the story.<sup>54</sup> Just as the narrative is peppered with references to various written documents, so it includes many passages of dialogue which directly record the voices of numerous different characters. As part of his investigation into Grosheva's murder, Andrei Petrovich interviews scores of witnesses and, more often than not, at least part of their conversation is recorded as direct dialogue. Furthermore, in the latter stages of the investigation, a number of 'ochnye stavki' ('face-to-face confrontations between witnesses') are organized which see the voices of different peasants being opposed to one another rather than to that of the examining magistrate. This direct presentation, frequently coloured with a use of local dialect and colloquialisms for authenticity, lends the peasants' voices an authority and significance which would be lacking if these dialogues were merely paraphrased by the narrator. And it suggests, even though it is always converted into written form as quickly as possible, that their oral speech makes an important, preliminary contribution to the judicial investigation. The legal significance of orality is made nowhere more apparent than in the description of Andrei Petrovich's efforts to secure a confession from Grishanin.

As has been noted above, by means of his constant lies, the murderer provides the most blatant illustrations of the instability and 'untruthfulness' of the spoken word. During both his first statement to Andrei Petrovich and the first face-to-face confrontation with witnesses, Grishanin seems to be unable to speak a true word: he denies ever having seen the examining magistrate before; he claims not to be acquainted with Grosheva; and he rejects Maliukhina's claim that he has given her a lift to town. Nevertheless, the ultimate aim of all of Andrei Petrovich's efforts and plans is to succeed in prompting Grishanin to perform an act of oral speech: the confession. It is the pursuit of this aim which drives the examining magistrate, and with him the narrative, forward and which injects suspense into the story even when the culprit has been identified. And when, finally, Grishanin gives in to the pressure being exerted upon him, the style of presentation of his confession gives clear priority to the power of the spoken word. It begins in dramatic style with his pronunciation of a single word, 'guilty', and the acknowledgement that he understands that the law insists he must say the word out loud (p. 244). With the exception of a single paragraph of indirectly reported speech, Grishanin's voice

<sup>54</sup> The inquisitorial principle which informed legal proceedings in Russia until the mid-1860s ensured that detective stories aiming for realism would frequently feature accounts of confrontations between the examining magistrate and witnesses or suspects presented as direct dialogues: see, for instance, N. P. Timofeev's *Zapiski sledovatel'ia*, St Petersburg, 1872 and the numerous works of A. A. Shkliarevskii (1837–83).



then dominates the narrative in direct dialogue for the following five and a half pages. Moreover, the style of Grishanin's confession is highly oralized: he repeatedly recalls conversations that he had with Grosheva and other of the witnesses during the run-up to the murder, and he directly reproduces their voices within his own speech act. Moreover, as if to underline the potential power contained within the spoken word, Grishanin suggests that, if he has a motive for the murder other than simple greed, it is the fact that Grosheva threatened to 'tell' the peasant commune of his attempt to rob her and refused to remain silent. So speech can be seen to 'kill' Grosheva just as Grishanin's act of confession 'convicts' him. The spoken word is, thus, shown to possess fundamental significance.

*Conclusion: The Inadequacy of Language*

In its first two sections, this article has argued that, in *Murder in Medveditsa Village*, Panov illustrates how the criminal investigation places a premium on the power of language to express the truth. The greatest significance is attributed to literacy as Andrei Petrovich reveals a predominantly logocentric approach to his pursuit of the culprit. Nevertheless, orality is not completely banished from this juridical landscape and, whilst it is illustrated as being neither as stable nor as objective as writing, it is repeatedly lent prominence as a necessary precursor to the compilation of written records. However, there is one aspect of the examining magistrate's approach to solving this crime which fundamentally undermines the belief in the ability of language, whether it be written or spoken, to counteract criminality. In the penultimate chapter of the story, as he contemplates the possibility that he may never persuade Grishanin to confess to the murder, Andrei Petrovich comes up with an unconventional idea about a potential means of coercion. The only eyewitness to the murder of Grosheva is her four-year-old daughter, Praskov'ia, who is found next to her mother's body with traces of blood on her clothing. Earlier in the story, the examining magistrate has authored a document attesting to the fact that, because this child 'does not know how to speak, she cannot throw any light on the case for the investigator' (p. 153). Although, according to Andrei Petrovich, it is customary for peasant children of this age to possess this ability, Praskov'ia is an exception: whilst she appears to understand what is said to her, she knows no more than a few words and can only haltingly pronounce her own name.<sup>55</sup> In spite of this fact, the examining magistrate's idea is to confront Grishanin with the young girl in the

<sup>55</sup> There is no suggestion here that Praskov'ia's inability to speak is a result of having been traumatised by witnessing her mother's murder; rather, it is presented as a relative lateness in development.

hope that this direct exposure might trigger some sort of telling revelation from either one or the other. Andrei Petrovich expresses both his scepticism as to the likely success of this plan and the recognition that such a method will be completely inadmissible as a legal form of proof. However, he says, it is still worth trying, not least because the flow of information from written documents 'has dried up' (p. 203). So, on two separate occasions, he arranges for Praskov'ia to be introduced unexpectedly to Grishanin during the course of an interrogation in such a way that the reactions of both the child and the suspect can be observed.

Both of these confrontation scenes, the second of which does indeed prompt a confession from Grishanin, reveal the power contained in the young girl's non- or pre-verbal communication. She neither writes nor speaks and yet it is she who can really be said to 'solve' the case. At the beginning of the first scene, Praskov'ia's lack of a command of spoken human language is underlined as the narrator describes how she pronounces 'incomprehensible' ('nevniatnyi') words and struggles to pronounce the letters 'l' and 'r' correctly ('kartavlia') (p. 211). Instead, Andrei Petrovich has to 'read' her facial expressions and gestures: he takes the fact that she points out objects in the hut and that her lips tremble as a sign that she recognizes where she is. After the interrogation has been in progress for some time and he has persuaded Grishanin to sit down next to him, the examining magistrate leans forward to reveal Praskov'ia behind him. At this point, he records how the suspect looks surprised at her presence and how the little girl: 'screamed loudly, took a step backwards and hit her head against the wall' (p. 214). The first part of this confrontation scene is described as taking place in the absence of any speech: it is constructed solely around looks and movements which the reader, just like the examining magistrate, interprets as highly eloquent expressions of Grishanin's guilt. When Grishanin is ordered to approach Praskov'ia and take her by the hand, she screams again and raises her hand to her face as if to protect herself from him. In spite of his sympathy for the young girl's obvious distress, Andrei Petrovich does not intervene to soothe her for fear of reducing the impression she is making upon the suspect. Instead, he addresses Grishanin with hitherto unforeseen severity and repeatedly utters the one-word question 'You?' in an effort to persuade him to give himself up. What is striking is that, during this first scene, the non-verbal communication of Praskov'ia seems to prompt a similar failure of language in Grishanin. The narrator describes how his lips tremble and how 'he wanted to say something, but it was as if he did not have sufficient strength to pronounce the words out loud' (p. 216). Andrei Petrovich twice urges him to speak to no avail and then threatens to ask Praskov'ia directly and warns Grishanin 'she will answer, you'll

see!' (p. 218). When the examining magistrate picks the young girl up in his arms, he first asks her 'who killed your mother?' before trying to find a way to phrase the question in a way that she will understand. To all of his various efforts, Praskov'ia's only response, however, is to stretch out a hand towards Grishanin and to sob 'Mummy, mummy!' (p. 218). The interpretation given to the girl's gestures and simple words by Andrei Petrovich is made clear in a passage of free indirect discourse: 'What more was necessary to be convinced that the little girl had recognized the murderer? Did she not intend this gesture towards the blacksmith as a direct accusation?' (p. 218).

The second confrontation scene unfolds in much the same way: during the interrogation of Grishanin in the presence of the priest from Remiachevo and other peasant witnesses, Praskov'ia is suddenly carried in by her aunt and Andrei Petrovich is ordered to take her in his arms. When the little girl realizes where she is sitting, she cries out, raises her hand to her face, turns her head towards her aunt and bursts out crying. Again, the only words she says are 'Mummy, mummy, mummy!' (p. 242). And when she screams for a second time, it is this forceful, non-verbal expression which directly prompts Grishanin to utter his most significant word: 'guilty'. The fact that, amongst all of the written statements and documents issued or received by Andrei Petrovich and the innumerable examples of oral interrogations, it is the almost purely non-verbal gestures and screams of a young child that secure a confession is profoundly ironic. It implies that the successful functioning of the law does not and cannot depend upon the power of verbal language alone.<sup>56</sup> In its assignation of such a role to the primitive language of a child, *Murder in Medveditsa Village* would appear to caution against an unwavering belief in the ability of the modern tools of objective, scientific verbal language as the only means of arriving at the truth. It suggests that in the modernizing context of 1860s Russia, the pursuit of such modern methods should be combined with a recognition of the potential to be found in more 'ancient', instinctual practices as a way of unlocking mysteries. Indeed, Panov's story can be seen in this way to elevate the non-verbal to a status of greater equivalence with the reputedly more rational form of verbal and, particularly, written language.

*Murder in Medveditsa Village* expresses a nuanced understanding of the relative power of various forms of language. It acknowledges that, in the progression towards a more scientific, rational and modern organization of society, literacy and the written word will be championed as the most reliable vehicles for truth and justice. Andrei Petrovich's

<sup>56</sup> It might also be related to the notion put forward by Giorgio Agamben and discussed by Nancy Rutenburg regarding the 'fundamental unspeakability of crime' (see *Dostoevsky's Democracy*, p. 133).

explicit comparison of himself with Descartes at one point in the story is evidence of the positivist relationship which is proposed between logocentrism and reason (p. 72). Yet, at the same time as illustrating the volatility of the spoken word, Panov emphasizes both the shortcomings of writing and the intrinsic value of orality as a means of establishing a more democratic basis for the access to justice. And in the illustration of the potential offered by non-verbal communication, the story advocates a more holistic view of the capabilities of language. But why should a detective story place the question of language so firmly centre stage? The more obvious explanation is that, in its dependence upon the system of law for its very existence, the genre of detective fiction is bound to bear witness to the power of language. In essence, amongst all social institutions, jurisprudence places the greatest trust in the stability and performative potential of the written word. The law can be considered to be little more than a collection of written statutes by which a society agrees to abide. Therefore, in a genre which describes the fulfilment of the imperative at the root of law to expose crime and enforce justice, it is no surprise that the question of language should be paramount. A less evident, but equally compelling, thesis is that, in its preoccupation with the role of language, *Murder in Medveditsa Village* reveals the status of detective fiction as a highly self-reflexive literary genre. As Peter Hühn argues, 'detective fiction [...] thematizes narrativity itself as a problem, a procedure and an achievement'.<sup>57</sup> The quest to discover the perpetrator of the crime is constructed upon the process of making the 'fabula' match the 'siuzhet' in which 'clues [...] are not facts, but verbal procedures — more exactly *rhetorical figures* and [...] the detective has to reinstate the univocal links between signifiers and signifieds'.<sup>58</sup> In all of its various manifestations, detective fiction demonstrates an acute recognition of the fact that, as a literary genre, it has no existence outside of language. Yet, at the same time that it acknowledges language as its very lifeblood, it frequently interrogates and undermines the adequacy of language as the means through which the truth is both exposed and concealed. Detective fiction in general, and Panov's story in particular, points up the contradictory potential inherent in language, especially in its written form: it is imbued with a power, stability and truth which permit it to enact laws and create fictional worlds; but it is also a medium which can be exploited for far less straightforward and transparent ends in both the law and literature.

<sup>57</sup> Hühn, "The Detective as Reader", p. 451.

<sup>58</sup> Franco Moretti, *Signs Taken For Wonders: Essays in the Sociology of Literary Forms*, London and New York, 1988, p. 146.