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Intertextuality and Parody of Law in *The Third Policeman* by Flann O'Brien: a Literary and a Linguistic Reading

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Abstract: This essay aims to provide a dual reading of Flann O'Brien's novel *The Third Policeman*: a literary one, centred on the multifarious references to famous works by authors such as Sterne, Gide, Dostoevsky and Kafka, and a linguistic one, in which the intertextual game is sought in the language of legal texts, particularly those belonging to the Irish tradition. While Patrizia Nerozzi explores the interplay with literary genres, motifs and narrative patterns, Mara Logaldo's analysis identifies wordplays and other recurring rhetorical strategies, focusing on the typical traits of Irish and Legal English. Both studies concentrate on the parody of law that permeates the text: while the literary reading highlights the complex declinations of nonsense within this novel vis-à-vis other literary texts, the linguistic analysis shows to what extent Flann O'Brien exploits the idiosyncrasies of legal language to build up, with words, his architecture of absurdity, his fable of law.

Keywords: intertextuality, parody, obscure language, legal language, Irish law texts, Irish syntax

1 Locating the law: uncanny settings and literary architectures of absurdity

> "That is a nice piece of law and order for you, a terrific indictment of democratic self-government, a beautiful commentary on Home Rule."[1,2]

1 This section is by Patrizia Nerozzi.

2 Flann O'Brien, *The Third Policeman* (London: Harper Perennial, 2007), 165. Further references abbreviated as *TP*.

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The Third Policeman, Flann O'Brien's[3] second novel in English, was written between 1939 and 1940. It was rejected by Longman, his publisher, on the grounds that the plot and the inclusion of extensive footnotes in the text made the book unreadable, carrying the suggestion that the author "should become less fantastic."[4] O'Brien never tried to publish it elsewhere, telling friends he had lost the manuscript in a pub or mislaid it on a train. The manuscript was found after the author's death on a sideboard in his home and published posthumously in 1967 by MacGibbon and Kee. In a letter to William Saroyan, dated 14 February 1940, he had written:

> It is supposed to be a funny book but I don't know about that [...]. When you get to the end of this book you realize that my hero or main character (he's a heel and a killer) has been dead throughout the book and that all the queer ghastly things which have been happening to him are happening in a sort of hell which he earned for the killing [...]. It is made clear that this sort of thing goes on for ever [...]. When you are writing about the world of the dead – and the damned – where none of the rules and laws (not even the law of gravity) holds good, there is any amount of scope for back-chat and funny cracks.[5]

The Third Policeman has been defined "the first great masterpiece [...] of what we generally refer to now as post-modernism" and often considered a dark, comic novel, advertised as "the funniest and scariest book ever written."[6] It displays a unique mixture of literary models, from criminal autobiography to gothic romance, from regional novel to fairy tale, from horror story to detective novel and science fiction,

3 The name Flann O'Brien was in fact a pen name for Brian O'Nolan (1911–1966), civil servant, novelist, playwright and journalist, today considered a major figure in twentieth-century Irish literature. In his lifetime he was known under yet another pseudonym, Myles na Gopaleen, with which he signed "Cruikskeen Lawn," his column for the *Irish Times*. His copious pen names include, among others, Brother Barnabus and George Knowall. *At Swim-Two-Birds*, O'Brien's first novel, was published in 1939, selling just 244 copies before the London warehouse in which it was stored was destroyed in the Blitz. However, as it was said, the book survived the war while Hitler did not. It is his best-known work. Perceiving its originality, Graham Green, who was then a reader for Collins Publisher, wrote in his report of the book: "It is in the line of *Tristram Shandy* and *Ulysses*: its amazing spirits do not disguise the seriousness of the attempt to present, simultaneously as it were, all the literary traditions of Ireland [...]. We have had books inside books before now, and characters who are given life outside their fiction, but O'Nolan takes Pirandello and Gide a long way further." Quoted in Robert Antony Welch, *The Cold of May Day Monday: An Approach to Irish Literary History* (Oxford: Oxford University Press, 2014), 190.

4 "We realize the author's ability but think that he should become less fantastic and in this new novel he is more so." Quoted in the "About the Book" section, *TP*, 5.

5 Flann O'Brien, Letter to William Saroyan, dated 14 February, 1940. Quoted in "Publisher's Note," *TP*, 207.

6 Keith Hopper, *Flann O' Brien: A Portrait of the Artist as a Young Post-Modernist* (Cork: Cork University Press, 1995). In February 2009, the Blue Raincoat Theatre staged Jocelyn Clarke's adaptation of *The Third Policeman* in Dublin.

exhibiting an intricate network of genres and literary references: Kafka, not only in *The Trial* but also in *America*, Sterne, Gide, Huysmans, Swift, Dostoevsky, Melville's *Bartleby*, Beckett, T. S. Eliot, Lewis Carroll. Joycean allusions mingle with old Celtic motifs;[7] popular culture is interspersed with learned references.

On the set of the Irish countryside scattered with deserted houses, a regional farce is transformed into the universal allegory of man's destiny where the protagonist/narrator's picaresque quest for the location of justice stretches to absurdity the relationship between human law and God's law. "Not everybody knows how I killed old Philip Mathers, smashing his jaw in with my spade; but first it is better to speak of my friendship with John Divney because it was he who first knocked old Mathers down by giving him a great blow in the neck with a special bicycle pump which he manufactured himself out of a hollow iron bar" (*TP*, 7). *The Third Policeman* opens with a tale of robbery, leading the reader to expect the murderer's confession of his attempts to get his hands on the money for which he killed an old neighbor. But the reader's expectations are totally disregarded. Starting out as a criminal autobiography, the story soon turns into a fable of absurdity, told by a nameless narrator, the eccentric son of a pub keeper in an Irish rural village:

> I was born a long time ago. My father was a strong farmer and my mother owned a public house. We all lived in the public house but it was not a strong house at all and was closed most of the day because my father was out at work on the farm and my mother was always in the kitchen and for some reason the customers never came until it was nearly bed-time [...]. My father I do not remember well but he was a strong man and did not talk much except on Saturdays when he would mention Parnell with the customers and say that Ireland was a queer country. (*TP*, 7)

After his parents' death, our hero leaves home for "a strange school" (*TP*, 9) where he comes to know "something of de Selby". That proves to be the turning point of his life: "[...] it was for de Selby I committed my first serious sin. It was for him that I committed my greatest sin" (*TP*, 9). Uninterested as he is in his family property, he undertakes his "Grand Tour:"

> I spent some months in other places broadening my mind and finding out what a complete edition of de Selby's works would cost me [...]. In one of the places where I was broadening my mind I met one night with a bad accident. I broke my left leg (or, if you like, it was broken for me) in six places and when I was well enough again to go my way I had one leg made of wood, the left one. (*TP*, 9–10)

However, nothing can shatter his firm belief: "[...] if my name was to be remembered, it would be remembered with de Selby's" (*TP*, 10).

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7 Concetta Mazullo, "Flann O'Brien's Hellish Otherworld: From *Buile Suibhne* to *The Third Policeman*," *Irish University Review*, *Journal of Irish Studies*, ed. Christopher Murray, 25.2 (1995): 318–27.

Even if he has no name whatsoever, the narrator remains a devoted student of Professor de Selby, a French savant and mechanist philosopher, champion of scholarly erudition ever on hand to implement his lucubration. His is the discovery that the earth is not round but shaped more or less like a sausage; his is the explanation that the phenomenon of night is a form of industrial pollution, an accumulation of black air, so darkness is "simply an accretion of 'black air'" (*TP*, 120). Like Des Esseintes, the protagonist of Huymans' *À Rébours*, Selby explains how you can travel to another city without leaving your room and investigates the nature of time and eternity through a system of mirrors. It is to sponsor the publication of his commentaries on de Selby's works, a definitive "De Selby Index," that he has murdered his neighbor.

The plot of the novel is prey to continuous interruptions and semantic twists through a play with footnotes and digressions which appear to the reader as unmistakably Sternean.[8] The story breaks into manifold layers as in a cubist painting, or an expressionist film, intentionally tormenting the reader who is dragged from the enchanting descriptions of the Irish landscape to the sudden, frightening appearances of quaint buildings, "roofless 'houses' and 'houses' without walls" (*TP*, 22), bursting open like theatrical sets inhabited by terrifying, grotesque characters. The tragic irony generated by the narrator's innocence, incapable as he is of understanding the false nature of his partner in crime, explodes into the performance of hilarious comic gags in which he wears the fool's cap. From the satirical to the nonsensical, restlessly moving backwards and forwards in a land of horrific wonders where the deformed perspectives of buildings hold the monstrous dimensions of the characters, the reader is held by a nightmarish, claustrophobic atmosphere. While the satirical representation of Irish institutions strikes contemporary notes, the story outlines a parable of crime and punishment. "[...] robbery and murder are against the law" (*TP*, 48) proclaims the murderer, literally echoing Kafka: "K. lived in a state governed by law, there was universal peace."[9]

The leitmotif of the novel emerges gradually, but becomes increasingly clear by the converging of the fragmentary elements of the plot and their

8 Unexpectedly, at least to my knowledge and from my point of view, the influence of Sterne on O'Brien first acknowledged by Graham Greene has since been mentioned very rarely and always in a cursory way. A fine exception is Renzo Crivelli's review of the novel's Italian translation. See Renzo Crivelli, "Una percentuale e una bicicletta," *Il Sole-24 Ore* (29 marzo, 1992): n.87, 24.

9 Franz Kafka, *The Trial*, translated by Breon Mitchell (New York: Schocken Books, 1986), 6.

symbolic undertones into the tale of the protagonist's initiation to the ubiquitous presence of the law. As in an Orwellian dystopia, the law is a sort of invisible net cast by the obtuse guardians of an authoritarian bureaucracy, which tramples over the lives of its estranged citizens. The protagonist's progressive fall into the inexorable proliferation of legal quibbles turns the hilarious parody of an archetypical police force stationed in the middle of an Irish nowhere into a surrealistic place of eternal punishment.

The numerous, bulky quotations from de Selby's works and his numerous exegetes in the footnotes support the narrator's efforts in his parodic attempts to reconstruct meaning through his subjective experience. The ongoing digressions on philosophy and science, his playing with knowledge as an intellectual solipsistic recreation, paving the way to absurdity, threaten to swallow the whole tale of crime and punishment. As in de Selby's definition, life is not a sequence of progressive experiences but rather a concoction of hallucinated states, devoid of any logical principle:

> Of all the many striking statements made by de Selby, I do not think that any of them can rival his assertion that 'a journey is an hallucination' [...]. The phrase may be found in the *Country Album*... His theory, insofar as I can understand it, seems to discount the testimony of human experience and is at variance with everything I have learnt myself on many a country walk. Human existence de Selby has defined as 'a succession of static experiences each infinitely brief', a conception which he is thought to have arrived at from examining some old cinematograph films which belonged probably to his nephew (*TP*, 52).

The far-fetched, ironic allusions to Diderot and Bergson introduce a simile between the intricate battle of wits in *Le Neveu de Rameau* and the disquisitions on cinema in *L'évolution créatrice*, where motion is described as a mere illusion achieved by mechanical means. A Zeno's paradox. Seemingly marked by continuous, though perfunctory, movement, the rhythm of *The Third Policeman* is a whirl whose entropic force is located in the police station.

> As I came round the bend of the road an extraordinary spectacle was presented to me. About a hundred yards away on the left-hand side was a house which astonished me. It looked as if it were painted like an advertisement on a board on the roadside and indeed very poorly painted. It looked completely false and unconvincing. It did not seem to have any depth or breadth... What bewildered me was the sure knowledge deeply-rooted in my mind, that this was the house I was searching for and that there were people inside it. I had no doubt at all it was the barracks of the policemen. I had never seen with my eyes ever in my life before anything so unnatural and appalling [...]. (*TP*, 55)

In a nightmare of instability, prey to perpetual motion, the picaresque protagonist, murderer, narrator, furiously riding a bicycle through the Irish countryside, is compulsively driven to the local police station to report that his American watch has been stolen:

> As I approached, the house seemed to change its appearance. At first, it did nothing to reconcile itself with the shape of an ordinary house but it became uncertain in outline like a thing glimpsed under ruffled water [...]. As there was no side that I could see I thought the house must be triangular with its apex pointing towards me but when I was only fifteen yards away I saw a small window apparently facing me and I knew from that that there must be *some* side to it. Then I found myself almost in the shadow of the structure, dry-throated and timorous from wonders and anxiety... A constabulary crest above the door told me it was a police station. I had never seen a police station like it (*TP*, 55–56).

It is from this station that the policemen of monstrous proportions monitor the movements of local citizens, following their own irrefutable theory about people gradually being turned into their bicycles. If they spend too much time riding them, they undergo a dangerous metamorphosis – becoming half-bicycle – while their bicycles become half human. This is a very disturbing prospect, especially so for the police, to the point that one of the bicycles has such powers of attraction that it/she becomes a victim of rape. A difficult legal case even for Joe, the protagonist's conscience: "[...] I have never heard of anything so shameless and abandoned. Of course the teacher was blameless, she did not take pleasure and did not know" (*TP*, 92).

How can policemen check hybrids, or potential hybrids, in a land almost totally inhabited by hybrids? The bicycle is a personal obsession as well as an uncanny double, a not so distant relative of Sterne's hobby horse, which merrily takes the characters to the border of reality to enjoy the whims of their individuality. In O'Brien's novel, identity becomes a matter of fluxes and metamorphoses: it is men's personalities that get mixed up with the personalities of their bicycles, proclaiming the sameness of humans and objects, natural and mechanical beings: "It is a difficult pancake," McCruiskeen said, "a very compound crux" (*TP*, 111).

The police station closes around a disorienting labyrinth where human rights can get lost. The description of the interiors as well as of the policemen's everyday life are blurred in a vortex of nonsensical cross questioning sessions:

"What would you say a bulbul is?"

[...]

"Not one of those ladies who takes money?" I said

"No"

"Not the brass knobs on a German steam organ?"

"Not the knobs"

"Nothing to do with the independence of America or such like?"

"No"

"A mechanical engine for winding clocks?"

"No"

"A tumour, or the lather in a cow's mouth, or those elastic articles that ladies wear?"

[...]

"A bulbul is a Persian nightingale" (*TP*, 67–68).

I have refused more requests and negativated more statements than any man living or dead. I have rejected, reneged, disagreed, refused and denied to an extent that is unbelievable (*TP*, 31).

One of the policemen carves ever smaller and smaller chests that are filled with nothing but other smaller chests, which are in turn filled with other chests, the smallest one being so small that it cannot be seen. The chests fit one into the other perfectly. Is this pastime a never-ending Swiftian game, a tribute to the relativity of the external world? Or are the chests a replica of the means of detention employed for interpreting as well as applying the law the policemen are in charge of? "They looked to me as if they were all the same size but invested with some crazy perspective" (*TP*, 75). The law gives its own interpretation of reality, adjusting reality to its own "inexorable logic" and codes:

"I came here to inform you officially about the theft of my American gold watch."

[...]

"Why should anybody steal a watch when they can steal a bicycle?"

[...]

"Who ever heard of a man riding a watch down the road or bringing a sack of turf up to his house on the crossbar of a watch?"

"I did not say the thief wanted my watch to ride it," I expostulated." "Very likely he had a bicycle of his own and that is how he got away quietly in the middle of the night" (*TP*, 63).

"I know what you mean," he said. "But the law is an extremely intricate phenomenon. If you have no name you cannot own a watch and the watch that has been stolen does not exist and when it is found it will have to be restored to its rightful owner. If you have no name you possess nothing and you do not exist and even your trousers are not on you although they look as if they were from where I am sitting. On the other separate hand you can do what you like and the law cannot touch you" (*TP*, 64).

If you have no name you cannot sue anyone or claim your due but you can all the same be condemned to death:

> "Do you recall that you told me that I was not here at all because I had no name and that my personality was invisible to the law? [...] Then how can I be hanged for a murder, even if I did commit it and there is no trial or preliminary proceedings, no caution administered and no hearing before a Commissioner of the Public Peace?" (*TP*, 103).

Unfortunately, the counsel for the defence of our hero's case is his own soul whom he calls Joe. Like de Selby, Joe becomes his guiding spirit although devoid of any influence on his mortal destiny. In the strange otherness he has passed into, bureaucratic efficiency prevails unopposed, showing its darkest side. The bizarre policemen, "up and about their incomprehensible tasks" (*TP*, 156), prove to be judges and hangmen at the same time, no matter how informal their approach to the prisoner is. The perplexing dialogues that intersperse the text may well include contemporary topics of conversation such as Irish immigration to the United States:

> "That is a great conundrum of a country," said the Sergeant, "a very wide territory, a place occupied by black men and strangers. I am told they are very fond of shooting-matches in that quarter"
>
> "It is a queer land" I said (*TP*, 59).

While the relationship between human law and God's law is stretched to grotesque in the tragic-cum-hilarious representation, the narrator watches a scaffold being built in the police barracks courtyard for his own "stretching," as the policemen call it, while an army of one-legged men are ineffectually dashing through the country "ON THEIR WAY TO RESCUE PRISONER" (*TP*, 162). Building a scaffold is no easy task: it is a matter of taking measures and calculating weights, procuring solid wood and strong ropes which need to be carefully inspected. The dialogue between the policeman and the prisoner who has been condemned to death for a crime he has never been accused of or judged for, sets up a scene on the inexpressible banality of evil:

> "I think," he said, "we will go out and have a look at it, it is a great thing to do what is necessary before it becomes essential and unavoidable."
>
> The sound he put on these words were startling and too strange. Each word seemed to rest on a tiny cushion and was soft and far away from every other word [...]. He then moved out of the house before me to the yard, I behind him spellbound with no thought of any kind in my head. Soon the two of us had mounted a ladder with staid unhurrying steps and

> found ourselves high beside the sailing gable of the barrack, the two of us on the lofty scaffold, I the victim and he my hangman....
>
> "It is a fine day in any case," he was saying (*TP*, 163).

The third policeman who gives the title to the book is kept on the margin of the story as an uncanny presence:

> "[...] we never see him or hear tell of him at all because he is always on his beat and never off it and he signs the book in the middle of the night when even a badger is asleep. He is as mad as a hare, he never interrogates the public and he is always taking notes [...]" (*TP*, 79).

However, in the novel's framework of compulsion and fatality, it is the policemen who are the depositories of the rules of this weird world as well as the guardians of the law of an equally weird afterlife whose evanescent, fairy-tale atmosphere dissolves the borders of sight and sound into a realm of "indescribable" (*TP*, 140) appearances. Only in the end it does become apparent that the narrator has been dead throughout the story:

> It was a queer country we were in [...]. A company of crows came out of a tree when I was watching and flew sadly down to a field where there was a quantity of sheep attired in fine overcoats (*TP*, 80).
>
> [...] We were now going through a country full of fine enduring trees where it was always five o'clock in the afternoon [...]. There was no animal there that was bigger than a man's thumb and no noise superior to that which the Sergeant was making with his nose, an unusual brand of music like wind in the chimney (*TP*, 83).

"'Is it about a bicycle?' he asked" (*TP*, 206). The book ends with a question put to the narrator and his accomplice who are walking into the police station, but the fable can go on forever and ever, like the refrain of an old ballad. Thus *The Third Policeman* can be interpreted as a story about destiny and the pain of living in a world where all communication is spent, a dark meditation on death and the "awful"[10] human condition:

> Human existence being an hallucination containing in itself the secondary hallucinations of day and night (the latter an insanitary condition of the atmosphere due to accretions of black air) it ill becomes any men of sense to be concerned at the illusory approach of the supreme hallucination known as death (*TP*, 5).

10 In an article in "Cruiskeen Lawn" dated March 1966 (a month before his death), O'Brien wrote: "Anybody who has the courage to raise his eyes and look sanely at the awful human condition [...] must realize finally that tiny periods of temporary release from intolerable suffering is the most that any individual has the right to expect."

In O' Brien's wasteland, the profound incompatibility with the requirement of the law – which starts with the protagonist's lack of a name – alludes to a permanent alienation of the individual whenever confronted by the law, whether human or divine. As in other works inspired by *The Trial*, the echo of Kafka's advice comes to the fore: "In the end, the only thing is to accept the way things are. Above all, don't call attention to yourself! Keep your mouth shut, however much this goes against your grain! Understand that this great legal system is in a state of delicate balance."[11] Yet, the very existence of the book contradicts this idea. In the two epigraphs, de Selby's words are set beside two verses from Shakespeare's *Julius Caesar*. They suggest that when law and order break down it is to the strength and lucidity of our reasoning – as well as to the power of literature to represent and move our feelings – that we must assign the role of the defence in the trial of life: "Since the affairs of men rest still uncertain, let's reason with the worst that may befall" (*TP*, 5).

2 The "conundrum" of the law

> "It is nearly an insoluble pancake," he smiled, "a conundrum of inscrutable potentialities, a snorter" (*TP*, 158).[12]

In an essay aptly titled *Puzzle-Making Writers*,[13] Stefano Bartezzaghi – Italy's utmost expert on linguistic games – observes that there are authors who deliberately involve their readers in a guesswork. Not just the usual hermeneutic one, inherent to any kind of text, but a more challenging and conscious game of detection aimed at finding some hidden key, which can be rhetorical, logical or both. Flann O'Brien's *The Third Policeman* is one of such books, offered as a cryptic tale that waits to be deciphered. "Conundrum," "pancake," "puzzle," "snorter" and their derivatives are terms that recur throughout the novel, as eerie reminders of the author's intentions. The text prompts clues towards either a logical solution or a verbal one based on some kind of pun. At the same time, though, the first-person narrator constantly frustrates both his own attempts and those of the reader at finding it, suggesting that the conundrum is a difficult, inscrutable and, ultimately, a "nearly" insoluble one. Expanding Patrizia

11 David Zane Mairowitz and Chantal Montellier, *The Trial. A Graphic Novel* (London: Self Made Hero, 2008), 67.

12 This section and its subsections are by Mara Logaldo.

13 Stefano Bartezzaghi, *Scrittori giocatori* (Torino: Einaudi, 2010).

Nerozzi's metaphor, it could be argued that, although literature plays in the novel the role of the counsel for the defence, the public prosecutor is an inexorable force that not even the writer can exorcise or explain. Nameless, and comparatively blameless, the protagonist is nonetheless condemned to death, actualized in the text as a never-ending loop that entangles his fictional person, the plot and eventually language itself, which is granted the right to multiply riddles but is divested of the privilege of unravelling them.

The very nature of language, the relationship between signifiers and signifieds, is a puzzling matter. Significantly, the debate weighs language origin and functionality against taxonomic and bureaucratic procedure. While the narrator seems to accept the conventional view, stating that names are "arbitrary labels" that "confer a certain advantage in the execution of legal documents" (*TP*, 42), De Selby's theory, which is quoted in the related footnote, seems to deny the arbitrariness of the sign in favour of a direct connection between objects and signs.

> De Selby (*Golden Hours*, p. 93, *et sequ*.) has put forward an interesting theory of names. Going back to primitive times, he regards the earliest names as crude onomatopoeic associations with the appearance of the person or object named [...]. This idea he pursued to rather fanciful lengths, drawing up elaborate paradigms of vowels and consonants purporting to correspond to certain indices of human race, colour and temperament and claiming ultimately to be in a position to state the physiological 'group' of any person merely from a brief study of the letters of his name after the word had been 'rationalised' to allow for variations of language. (*TP*, 42, footnote 3)

If language is enigmatic in itself, some of its varieties are even more so. As I will try to demonstrate, the puzzling component of *The Third Policeman* nourishes itself of the cryptic language of the law. Beside characters (murderers and murdered, robbers and policemen), settings (the archetypical police station) and situations associated with juridical questions, legal language is pervasively present in the novel. It is true that the text contains many other language varieties: scientific register and, above all, given the references to the imaginary paratext represented by De Selby's works, academic register. It is also arguable that the language of law seems to share with all these special languages many features, including hedging procedures, formal vocabulary and complex syntax. However, the legal register pervades *The Third Policeman* as an all-encompassing paradigm, as a weirdly normative framework that incorporates every other lexical and stylistic trait and bends it to its vagrant, yet inexorable logic.

It should be underlined that by "language of law" I do not mean here a special language functionally used in legal contexts, but rather an exasperated use of legal jargon that aims at creating a sense of estrangement. The opacity of

the language is not due to the presence of specific juridical terms and formulae, but rather to bizarre wordplays and sentence constructions, to the accumulation of propositions that set new hurdles rather than resolve existing ones.

2.1 Obscure language and "artificial syntax:" the legacy of Old Irish law texts

The association of legal language with an esoteric jargon shared exclusively by the community of lawyers and magistrates is, somehow, universal, but particularly felt in the history of Irish literature. In his milestone analysis of Old Irish syntax, professor MacCoisdealbha makes a survey of all the scholars who have pointed out the connection between the obscurity of poetic language and that of legal language.[14] Heinrich Wagner, for instance, went so far as to assert that oral poetry and the language of law in pre-literary Ireland belonged to the same tradition. In his linguistic analysis of early Irish law tracts, Daniel Anthony Binchy defined the druids (the *filid*) as a "a poetico-legal" school who, as guardians of juridical lore, used "a deliberately obscure and artificial style," by which he meant

> [...] a professional and semi-secret language, full of technical terms which made it largely unintelligible to the uninitiated, the "rude and ignorant folk" whom the jurists, intent on retaining their monopoly, sought to exclude from the practice of law. By grammarians and others it was actually classed as a special branch of Irish under the name of bélre (later Bérla) Féne "the language of the Féni." (*SOI*, 231)

Treading on Binchy's footsteps, Mac Cana defined this rhetoric as a distinct genre, permeated by "a studied obscurity compounded of peculiarities or archaisms in style, syntax and vocabulary" (*SOI*, 231).

MacCoisdealbha substantiates the mutual influence between druidic and legal esotericism, stressing that it affected not only the lexicon (he remarks that a similar mystical drive inspired word formation in both practices) but also the syntax. Evidence of an "artificial syntax" – a sort of deliberate "disturbance" in the word order – can be observed in the presence of unusual sentence constructions in both literary and legal (or semi-legal) texts. As Binchy first argued, left-dislocation – cleft-sentences in particular – were typical constructions in Irish law tracts, while Wagner confirmed that they were also

14 Pádraig MacCoisdealbha, *The Syntax of the Sentence in Old Irish: Selected Studies from a Descriptive, Historical and Comparative Point of View. New Edition with Additional Notes and an Extended Bibliography* (Berlin: De Gruyter, 1998), 231. Further references abbreviated as *SOI*.

frequent in alliterative poetry. MacCoisdealbha concludes that "further research in the difficult passages of the Laws and of poetry and the sagas will no doubt bring fresh evidence to light through which the present theory may be revised and improved upon" (*SOI*, 230). From this perspective, the significant incidence of cleft-sentences in *The Third Policeman* may also reflect the tendency in the Irish language to assimilate legal and literary discourse, even despite semantic differences regarding sentence content. The latter discrepancy is actually reinforced to produce humor, thus confirming the ironic association. Here are some examples taken from the Sergeant's speeches:

> *It-cleft*: "So my family shot him but if you ask me it was my great grandfather they shot and it is the horse that is buried up in Cloncoonla Churchyard" (*TP*, 94).
>
> *There-cleft*: "And then there is the question of bad brakes. The country is honeycombed with bad brakes, half of the accidents are due to it, runs in families" (*TP*, 62).
>
> *Wh-cleft/Pseudo-cleft*: "If a man stands before a mirror and sees in it his reflection, what he sees is not a true reproduction of himself but a picture of himself when he was a younger man" (*TP*, 66).

It is important to note that the connection of poetic and legal verbal practices is mainly established on the ground of converging oral traditions. Even in written law texts, it is this oral element that comes to the fore. With reference to *Chríth Gablach* (a law text of the eighth century), for instance, Binchy commented that "the compiler who gave the tract the form in which it has descended to the law schools wove into it materials of a much earlier epoch: fragments of the oral tradition (*fénechas*) in which the law had been handed down before it was committed to writing" (*SOI*, 5). In this kind of practice, the cleaving also had the function of giving to sentences a rhythmic pattern, endowing them with the characteristic modulation of maxims and proverbs. Smith argues that the unusual word order that is "scattered profusely through the Irish Laws," not only contributes to their obscurity but also makes statements sound like "*cach* formulas [...] maxims of a legal nature" (*SOI*, 132). A similar effect can also be perceived in *The Third Policeman*, where cataphoric constructions do sometimes suggest the style of magic formulae and prophecies, as in these sentences uttered by the Sergeant:

> "Martin Finnucane," I said, "a hundred and two difficult thoughts I have to think between this and my destination and the sooner the better" (*TP*, 51).
>
> Many a grey hair it has put into my head, trying to regulate the people of this parish (*TP*, 92).
>
> Down into the earth where dead men go I would go soon and maybe come out of it again in some healthy way, free and innocent of all human perplexity (*TP*, 164).

Yet, although comparing the language of the novel to the language of law can prove a fruitful method of analysis – also from a historical perspective – the characters' speeches are far from representing specimen of forensic wisdom. On the contrary, they appear as popularized versions of legal maxims: downgraded to constabulary practice, the crypticism of legal language is deprived of its solemn aura and made the object of parody. As a result, the mock-vatic tone with which discourse is invested generates a constant wavering between high and low register.

Left-dislocation has actually often been connected with the informal features of oral communication, where it can serve several functions.[15] The principal one is that of placing topical information upfront, a phenomenon that is also known as "topicalization." As stated by J. S. Gruber with specific reference to Irish English, the topicalization produced by cleft-sentence is evident in child language (*SOI*, 10, 138). Maybe it is not by chance that in *The Third Policeman* left-dislocation is particularly insistent in the initial part, in which the protagonist reports facts of his early childhood.

> My father I do not remember (*TP*, 7).
>
> My mother I can recall perfectly (*TP*, 7).
>
> Always it was only the drone of his voice I heard (*TP*, 8).

Or when he relates uncanny phenomena that make him regress to a sort of childish impotence in front of the mysterious, unnameable object that is being topicalized:

> What he states to have seen through his glass is astonishing (*TP*, 67).
>
> What he was doing was no longer wonderful but terrible (*TP*, 76).
>
> "He walked on looking worried and preoccupied as if what he was examining in his head was unpleasant in a very intricate way" (*TP*, 85).
>
> "Afterwards I saw that this was one of his rare jokes because what he showed me was something that I could tell nobody about, there are no suitable words in the world to tell my meaning" (*TP*, 139).

Unusual word order, left-dislocation in particular, are also used in the novel to stress the actual author or cause of the crime.

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15 Peter Cole, "Topicalization and Left-Dislocation: A Functional Analysis," in *Annals of the New York Academy of Sciences* (New York: Academic Press, 1984), 213–25. Michelle L. Gregory and Laura A. Michaelis, "Topicalization and Left-Dislocation: A Functional Opposition Revisited," *Journal of Pragmatics* 33 (2001): 1665–706.

> It was *he* who told me to bring the spade (*TP*, 7; my emphasis).
>
> Perhaps it was *this lie* which was responsible for the bad things that happened to me afterwards. I had no American gold watch" (*TP*, 38; my emphasis).

2.2 Parody of legal jargon

Along with the "artificial syntax" so far exemplified, it is on the lexical items of legal English that Flann O'Brien founds his parodic treatment. Legal jargon, the use of pro-forms, Latinisms, French words and phrases known as "doublets" (usually the former of German origin and the latter of Latin origin) or even "triplets" fall within this category.

Vocabulary, which, as already remarked, is mainly responsible for the crypticism of law, is underlined, with effects that are both humorous and uncanny. The overuse of juridical terms, even in situations in which colloquial terms could have been adopted, is evident.

> "Did you never study atomics when you were a lad?" asked the Sergeant, giving me a look of great inquiry and surprise. "No," I answered. "That is a very serious *defalcation*," he said" (*TP*, 86; my emphasis).

Here the word "defalcation" (= from Latin for "deduction," "withholding or misappropriating funds held for another, particularly by a public official, or failing to make a proper accounting")[16] could have been replaced by a more neutral synonym such as "deficiency" or "failure." Hence the word acquires juridical connotations. Moreover, the admonishment can also be read as a pun that refers to the protagonist's attempts at misappropriating Mather's black box, a "defalcation" that actually taints his past.

Pro-forms indicate the tendency of legal language to make continuous cross-references within the same discourse. Emphasis is placed not only on the obscurity but also on the hollow, self-referential nature of constabulary style. Is it in this perspective that we should read the Inspector's pun about "the meaning of the *vacuity* of the station in routine hours?" (*TP*, 99; my emphasis). The use of pro-forms in the Sergeant's speeches seems to endorse this view.

> "It was your personal misfortune to be present adjacently at the time but it was *likewise* my personal good fortune and good luck. There is no option but to stretch you for the serious offence" (*TP*, 101; my emphasis).

16 Available at: http://legal-dictionary.thefreedictionary.com/defalcation (access June 8, 2015).

Also Latin words are extensively used by the policemen, thus conferring to their utterances a fairly mysterious but also hilarious twist, since they often sound too emphatic and formal in relation to the context:

> "In case we do not come up with the bicycle before it is high dinner-time," said the Sergeant, "I have left an official memorandum for the personal information of Policeman Fox so that he will be acutely conversant with the *res ipsa*," he said (*TP*, 79; my emphasis).

Latinisms are ridiculed by resorting to three devices: 1. through the choice of Latin words of dubious or spurious origin; 2. by attributing vague meanings to them; 3. by using them in a way that is not appropriate either to context or to character.

The recurring word "conundrum" itself is a pseudo-Latin word of obscure origin.[17] Even if it is not a typical legal term, it is often used by the Sergeant with the meaning of a difficult legal case that has to be solved. Some dictionaries overtly define it as a fake, as a false Latinate coinage, even as an invented expression like "hocus-pocus." The Oxford English Dictionary says "origin lost"; or, probably "originating in some university joke, or as a parody of some Latin term"; the Chambers Dictionary reads: "etymology unknown; Oxford University term of the 1590s, slang for 'pedant,' also 'whim,' etc.; later (1790) 'riddle,' 'puzzle.' Also spelled 'quonundrum,' 'conibrum,' 'conuncrum,' 'quonumdrum,' 'connunder.'"[18] The Online Etymology Dictionary defines it as "the sort of ponderous pseudo-Latin word that was once the height of humor in learned circles."[19] Exhilarating forums can still be found online about which should be the correct plural of conundrum: "conundrums" or "conundra"? With the former winning over the latter precisely on account of its *not* being a Latin word. To support this thesis, someone quotes Jonson's *Volpone*: "I must ha' my crotchets! And my conundrums!"[20]

Conversely, actual Latin words are often made ambiguous, either by playing with grammatical cases or with their polysemy.

> "This is not today, this is yesterday," he said, "but which of the difficulties is it? What is the *crux rei*?" (TP, 63).

17 A Gaelic or German origin has been suggested: http://www.word-detective.com/2007/12/conundrum/ (accessed June 3, 2015).

18 Anatoly Liberman, "Conundrum: A Cold Spoor Warmed Up," *Oxford Etymologist* (December 8, 2008). Blog.oup.com/2008/12/conundrum Last accessed June 3, 2015.

19 "conundrum," in *Online Etymology Dictionary*. Available at: http://dictionary.reference.com/browse/conundrum (accessed June 8, 2015).

20 Available at: http://www.theguardian.com/notesandqueries/query/0,5753,–5253,00.html (accessed June 8, 2015).

"Crux Rei" is an expression found in an eighteenth-century treatise on ancient sacred terms by Blasio Ugolini.[21] However, beside its literal meaning of "cross," "crux" is far more frequently used in English with the meaning of "torment," "puzzle" or "difficulty;" therefore, "crux rei" might refer to "the puzzling nature of things" (Lat. "rei"; dat. pl. "rebus"). To complicate the pun, "rei" could also have a legal meaning, if we think that it is also the genitive case of "reus" (= "defendant"); so it could be read as "this is the crux of the defendant."

More generally, owing to their exotic sound and esoteric aura, Latin words can be made to mean almost anything. An example of this kind is the word "omnium" (= "of all, belonging to all"). In the novel, "omnium" stands for the changeless essence of all things as well as for universal knowledge, to the point that perceiving its intangible frequencies would allow mankind to sort out the conundrum of life and death. No one apart from the Sergeant can hear the ineffable sound made by omnium or see its invisible hues. Omnium could even stand for godly omniscience, thus suggesting the identification of law with metaphysics. On the other hand, precisely on account of the fact that it can mean everything as well as nothing, the word becomes so vague that it loses its distinctive function in the code. In a sense, it ceases to be a word.

> "Did you ever hear tell of omnium?"
> "Omnium?"
> "Omnium is the right name for it although you will not find it in the books."
> "Are you sure that is the right name?" I had never heard this word before except in Latin.
> "Certain."
> "How certain?"
> "The Sergeant says so."
> "And what is omnium the right name for?"
> MacCruiskeen smiled at me indulgently.
> "You are omnium and I am omnium and so is the mangle and my boots here and so is the wind in the chimney."
> "That is enlightening," I said. [...] "It is the ultimate and the inexorable pancake. If you had a sack of it or even the half-full of a small matchbox of it, you could do anything and even do what could not be described by that name" (TP, 112–113).

Latinisms may also be inappropriate to context. In their conversations with the unnamed protagonist of the story, the policemen repeatedly use Latin words, thus conferring to their discourses an emphasis which, as already pointed out, clashes with the seeming triviality of the situation (e.g. "*non-possum* and *noli-me-tangere*," TP, 86). This also gives rise to comical malapropisms or puns,

21 Blasio Ugolini, *Thesaurus Antiquitatum Sacrarum*, vol. 28 (Venice: apud Joannes Gabrielem Herthz et Sebastianum Coletti, 1744–1769).

as in this verbal exchange between the protagonist and the Sergeant, based on the nonchalant shortening of the Latin word "cognomen" (= "family name") into "cog," whose meaning in English is actually different ("cog = "component," "part," "gear," "mechanism") twinned with another wordplay ("surnoun" -> "name"/"noun" -> "surname"):

> "What is your cog?"
> "My cog?"
> "Your surnoun?"
> "I have not got that either." (*TP*, 58)

Other funny examples can be found in the way Latin words are used by the wrong character, someone who is very unlikely to use such expressions. Martin Finnucane, for instance, who is a street robber and an assassin and smokes like a chimney (a sort of debased version of the caterpillar in *Alice's Adventures in Wonderland*), is hardly credible or rather, becomes oddly farcical when he uses words such as "desideratum," "mutandum" and "ultimatum."

> "Martin Finnucane," he repeated, listening to his own voice as if he were listening to the sweetest music in the world. [...] Tell me this," he said at last. "Have you a desideratum?"
> This queer question was unexpected but I answered it quickly enough.
> I said I had.
> "What desideratum?"
> "To find what I am looking for."
> "That is a handsome desideratum," said Martin Finnucane.
> "What will you bring it about or mature its mutandum and bring it ultimately to passable factivity?"
> "Maybe indeed," said Mr. Finnucane. "Have you an ultimatum?"
> "I have a secret ultimatum," I replied.
> "I am sure it is a fine ultimatum," he said, 'but I will not ask you to recite it for me if you think it is a secret one" (*TP*, 50).

Most of these words of Latin origin are malapropisms: "ultimatum," for instance, is meant to stand for "goal," probably resorting to the homophony with "ultimate;" on the other hand, it could also be interpreted literally, if we consider that the protagonist is facing death.[22]

Also French words are extensively used, undergoing the same misplacement or misuse.

22 Here is another example of malapropism: "You will agree," he said, 'that it is a fascinating pancake and a conundrum of great *incontinence*, a phenomenon of the first rarity." (*TP*, 127; my emphasis).

> He put his little spear back on the shelf and looked at me crookedly from a sidewise angle with a certain quantity of what may be called *roi-s'amuse* (*TP*, 69).
>
> "*It seems that our mutual friend Finnucane is in the environs*" (*TP*, 99).
>
> The Inspector required a captured prisoner as the least tiniest minimum for his inferior *bonhomie* and *mal d'esprit* (*TP*, 101).

Doublets and triplets, which, as I said before, are typical features of legal English, are emphasised and multiplied ad-libitum to achieve syntactic tours-de-force and magnify an empty core of meaning.

> "The bicycle will be found," said the Sergeant, "when I retrieve and restore it to its own owner in due law and possessively" (*TP*, 79).
>
> "But I cannot get over what you confided in me privately *sub-rosa* about the no-bicycle, that is a story that would make your golden fortune if you wrote down in a book where people could pursue it literally" (*TP*, 72).
>
> "The particular death you die is not even a death (which is an inferior phenomenon at the best) only an insanitary abstraction in the backyard, a piece of negative nullity neutralized and rendered void by asphyxiation and the fracture of the spinal string" (*TP*, 105).
>
> "It is vexatious and unconscionable," he added legally (*TP*, 140).

2.3 Tautology, contradiction and the limits of language

On the whole, Flann O'Brien makes fun of the law by taking to the furthest extent its tendency to use language redundantly. This is particularly evident in the sentences uttered by the Sergeant:

> "[...] or got the real informative information [...]" (*TP*, 79).
>
> "[...] we are watched and followed and dogged by a member of the gang" (*TP*, 81).
>
> "[...] put your hands in under its underneath and start feeling promiscuously the way you can ascertain factually if there is anything there in addition to its own nothing" (*TP*, 82).
>
> "[...] if you lived here for a few days and gave full play to your observation and inspection, you would know how certain the sureness of certainty is" (*TP*, 89).
>
> "I have to ride long rides on my constabulary ridings" (*TP*, 101).

Some of these statements are utterly tautological: "The Sergeant spat spits on the dry road. 'We are going where we are going [...]'" (*TP*, 80). Tautology is popularly recognized as a distinctive constabulary practice inspired by the habit of accumulating a plethora of, generally unnecessary, circumstantial details.

This customary procedure is indirectly acknowledged by the narrator himself, for instance when he replies to one of Mac-Cruiskeen's absurd remarks about bicycles and constabulary ridings in search of bicycle thieves that he thinks the whole procedure is "extremely acataclectic" (*TP*, 77). "Acataclectic" refers to verses whose final syllable is unstressed; now, since in English poetry lines are mostly iambic, the term has come to mean something obvious and self-explaining. "[...] robbery and murder are against the law" (*TP*, 48) is an example of this kind of statements.

Beside tautology, we find contradictory statements, such as "It might be there and it might not" (*TP*, 83); or "Your talk [...] is surely the handiwork of wisdom because not one word of it I do understand" (*TP*, 86). We also find counterfactual conditionals, such as "If I had not lost my American gold watch it would be possible for me to tell the time," in this case followed by a statement that, rhetorically, works as anticlimax: "*You have no American gold watch*" (*TP*, 54).

We may argue that, like many twentieth-century thinkers, Flann O'Brien denies the principle of non-contradiction. Talking about tautology and contradiction, the philosopher that comes to mind is Wittgenstein, according to whom the former has no truth-condition, for it is unconditionally true"[23] while the latter implies a saturation of logical space (*TLP*, 4.461). On the other hand, tautology and contradiction are not merely senseless: they are "part of the symbolism, in the same way as 0 is part of the symbolism of Arithmetic" (*TLP*, 4.611). Symbolism caught at its point of dissolution." Tautologies, according to Wittgenstein, "describe the scaffolding of the world, or rather, they present it." (*TLP*, 6.124). In *The Third Policeman*, contradictions and tautologies suggest this point of dissolution, the gibbet constructed by language, frightening and sublime, suspended in a perfect sky, like the one that awaits the protagonist of the story: "Through the window I could see the scaffold of raw timber rearing itself high into the heavens [...]" (*TP*, 157).

After all, as the practical Mr Gilhaney asserts, "there is a charm about a scaffold if it is well-made and satisfactory" (*TP*, 116). While the philosopher denies the possibility of describing the experience of death through language and stops at the threshold of incommunicability – rejecting a mystique which goes beyond human experience by taking language along with it – the writer continues his metaphorical journey through death by writing his novel, by telling us his fable of law. "You don't mean to say that you believe in this eternity business?" says the Sergeant. To which the protagonist (and, I would add, also the reader) replies: "What choice have I?" (*TP*, 129).

23 Ludwig Wittgenstein, *Tractatus logico-philosophicus*, (New York: Harcourt, Brace & Company, Inc., 1922), 4.461. Further references abbreviated as *TLP*.

In an afterlife that mirrors human sense of guilt, argumentations can be found about anything (from houses to bicycles and robbers), even by resorting to *argumenta ad absurdum*. As Joe, the personification of the protagonist's conscience remarks, "Apparently there is no limit [...]. Anything can be said in this place and it will be true and will have to be believed" (*TP*, 88). Still, the "inexorable logic" at the core of *The Third Policeman* is that any attempt at describing death non-metaphorically is bound to remain frustrated, "a lump" that swells "tragically in my throat" (*TP*, 106). The idea of death as a dimension in which reality simply ceases to exist can only be represented through figures of speech and other rhetorical devices that stress the limits of language. Paralexis, in which the narrator avows his inability to describe what he sees; chiasmus, with clauses that annul each other in an endless play of reflections; a paroxysm of questions and negations, which are certainly comical but also suggest a labyrinthine view of language. In the end, are not these the only rights of a defendant? The right not to answer questions and the right to deny every allegation until evidence is found? In this, language faithfully mirrors the human condition in the face of God's law.

Although *The Third Policeman* actualizes the immense creative potential of language, it is ultimately a novel about its limits. It shows to what extent the writer can "stretch" words, and in so doing, both extend their spectrum and "snap" them. Along with the plot, language itself turns into a loop. The story ends exactly as it started; language can either endlessly repeat itself or cease to mean, dying into "a hollow laugh" (*TP*, 164). This is the closest image of eternity the writer may attain. As for the anguish of death, it goes beyond any possible fable of law, even beyond language. "The box is full of noise," we read in the final part. The "incommunicable poignancy" (*TP*, 106) of death can only be expressed by a scream. At this point, even the existence of the syntagmatic and paradigmatic axes of language as a necessary condition to produce meaning is denied.

> Three or four words compressed into one ragged shout. I could not be sure what it was but several phrases sprang into my head together and each of them could have been the contents of the shout. [...] What happened eventually was not a shout but a shrill scream, a sound not unlike the call of rats yet far shriller than any sound which could be made by man or animal. Again I thought that words had been used but the exact meaning of them or the language they belonged to was quite uncertain (*TP*, 111–112).

In this inarticulate sound or incomprehensible foreign tongue lies the (unattainable) solution of the riddle: "If you could say what the shouts mean it might be the makings of the answer" (*TP*, 114).

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