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Complexity Made Easy: Representations of Power in Multiple Media by Gardner, Inc.

Preface

My approach to examining multimedia writing is that of the *bricoleur*<sup>1</sup>, which takes me into various places in search of materials. This is how I found myself in the Harry Ransom Center, looking at an image of one of the most prolific writers in American history, Erle Stanley Gardner, who sat with a Dictaphone, sounding out a novel.<sup>2</sup> I had been looking for clues as to how writers wrote in

multimedia prior to personal computers, and I was particularly interested in audio as part of the process. So it was the Dictaphone that first caught my eye. But the Dictaphone is just a piece of



Figure 1.1 Gardener with his Dictaphone.

machinery. Something else about the image—something I could not identify—made me pause and return the next day for another look. Roland Barthes calls this something “the *punctum*.” It is that thing that “holds me, though I cannot say why.” It is the *punctum* and its “certain but unlocatable” effect that forces a pause. And the inability (momentary or prolonged) to talk about it, to name it, is important: “What I can name cannot really prick me,” Barthes writes. “The incapacity to

name is a good symptom of disturbance.”<sup>3</sup> I cannot name the *punctum* in the image of Erle Stanley Gardner, but I can describe the image. He is sitting, surrounded by all the artifacts of a predigital professional writer. But one artifact is missing. He is surrounded by books, card catalogues, and filing cabinets, but he is not hunched over a typewriter. He is reclining in what appears to be a very comfortable chair, with a contemplative look on his face. He cradles the Dictaphone’s handpiece like someone who is holding a TV remote control and not quite committed to a particular show. He is relaxed, but at the ready. But what is he ready for? Perhaps the *punctum*, the thing we cannot name, is this: Is Gardner at work or is he just relaxing? The answer to this question determines, in part, the power we afford to writing as an activity, as distinct from the value of the literary product.<sup>4</sup>

By profession, Gardner was a lawyer. So was he writing *as* leisure, or writing *for* leisure? In the former sense, it is a diversion, a form of entertainment for the writer (and presumably for the consumer). But in the latter sense, writing is an investment for the writer.



Figure 1.2 Gardner with his Typewriter.

To explore this question further, we might look at another image of Gardner, this time at a typewriter.<sup>5</sup> Both images seem posed, but in the earlier image at the typewriter, Gardner seems frozen in a more unnatural, uncomfortable position. He is looking straight at the camera, not at his text or even his fingers. The caption suggests that he is playing at work: “The creator at his typewriter. In most cases, Erle Stanley Gardner dictated his books and let his pool of secretaries do the finger work.”<sup>6</sup> This is true of his novels,

but as Dorothy B. Hughes points out in *Erle Stanley Gardner: The Case of the Real Perry Mason*, Gardner’s pulp fiction was “pounded out” on his typewriter after work. His early earnings

clearly put his writing in the amateur realm. But by the time his first novel was published in 1933, he could have lived off his income from writing.<sup>7</sup> And so we have two images of Gardner as a writer: one of a hack, pounding out a living in the pulp mags, and the other of an author/CEO, dictating to his secretaries. Gardner's notes do little to privilege one image over another. Hughes explains his conflicting notes:

Gardner made a serious start at writing fiction in 1921. He has two differing versions and his two sets of autobiographical notes as to why he decided to try to write. In the 1959 version he explained that for virtually the first time in his life he had some leisure on his hands. He had long ago decided that unless a person was independently wealthy, only writers, who could take their work with them, or owners of mail order businesses requiring little individual attention could be completely independent. In the later 1969 version, he says that he had heard there was good money in writing, and why couldn't he write?<sup>8</sup>

For Gardner, then, writing represented leisure, independence, freedom to travel, and capital. His mixed motivations read like the twentieth-century American dream, making a good living by living well. It is in the realization of that ideal that the cultural significance of his work becomes obvious. The works themselves maybe light, but the text he was writing was extensive, expansive, mutable, profitable, and powerful.

Although we may not be able to distinguish between work and leisure as it relates to Gardner, we can distinguish between the work and the text. In his essay, "From Work to Text" Roland Barthes differentiates the work from the text, suggesting that "the work can be held in the hand, the text is held in language, only exists in the movement of a discourse."<sup>9</sup>

The text I am studying is not one that we can hold in our hands. In fact, each time we try to hold onto it, we'll find that it slips out of our grasp. This slippage is common to all texts, but it is pronounced with Gardner's text because of his volume, the collaborative nature of his process, and the multiple media streams involved in the creation and dissemination of his texts. Approaching the entire web of text created by Gardner is daunting. He wrote 82 full-length Perry Mason novels. And he had sold more than 300 million of those by the late 1970s.<sup>10</sup> That is merely the figure for his best-known work. It leaves out much of his pulp fiction and his work under the pseudonyms A.A. Fair, Kyle Corning, Charles M. Green, Carleton Kendrake, Charles J. Kenny, Les Tillray, and Robert Parr. So volume undermines attempts to master Gardner's work. Furthermore, we know that others are doing much of the work (i.e. typing) necessary to create the works (i.e. books, VHS tapes, DVDs,) that comprise Gardner's huge oeuvre. For example, in addition to secretaries who did the actual typing, Gardner employed producers and television writers to adapt his works to TV. Every TV episode was a costly production of at least \$100,000.<sup>11</sup> Gardner's writing process began in collaboration and with multimedia in mind, with the text to be transcribed and disseminated as far and wide as it would go.

## Introduction

I began with a general question about what we might learn about multimedia writing by looking at Erle Stanley Gardner's writing process. Just musing about this process leads to at least three practical questions: 1) How does one look at a multimedia process after it has ceased? 2) What manageable slice of the massive Gardner oeuvre should be represented? 3) How does one represent a slice of the process to an audience? The first question seems best answered by a close reading of various permutations of one chapter through multiple media

alongside archival and biographical evidence. The second question would be best answered by a segment of the body of work that reflects Gardner's own writing process through his characters. More specifically, the act of dictation appears in (at least) one of Gardner's Perry Mason novels. It seems possible to glean some additional information about Gardner's writing process by watching this particular scene develop across multiple media. Answering the third question surely requires a presentation environment that accommodates multimedia. To that end, multimedia versions of this scene are presented on a Web site titled "Chasing a Tale Through Erle Stanley Gardner's Fiction Factory." On the Web site, visitors will find audio of Gardner dictating this scene, excerpts from the manuscript, a reproduction of a popular version of the books, excerpts from the teleplay, a video clip from the TV show, more analysis of the texts, and technical notes about the production of the site.<sup>12</sup> What follows will be a close reading of various multimedia permutations of chapter six of *The Case of The Spurious Spinster*, which in the original dictation and book includes a scene where Perry Mason uses dictation to coax information out of a taciturn fellow. I'll trace the scene from the original audio dictation, through a manuscript taken from the dictation, to a popular copy of the book, a version of the teleplay, and a video of the TV show.

### The Dictation

The audio dictation of this chapter is more than 40 minutes long and contains more than 10 minutes and 30 seconds of material before it reaches the point where the book version of the chapter begins.<sup>13</sup> The length is due largely to a back-and-forth dialog between Mason, his secretary Della Street, and an old miner named Ken Lowry. In a segment just under 15 minutes long, Gardner introduces Perry Mason to miner Lowry. Lowry had refused to talk to him about a defunct mine that was still reporting profits on the books of a

company managed by a man named Endicott Campbell and owned by a wealthy woman named Amelia Corning of South America. Both Corning and Campbell have disappeared and Mason and Street have gone to the Mojave Monarch Mine to find out what Lowry knows. Lowry refuses to “talk business with strangers.” Three factors urge him to change his mind and begin talking. All three factors can be attributed in part to Street. Lowry first starts to crack when she exhibits “a quick flash of generously displayed nylon.” He cracks more when she begins to take dictation at the request of Mason. And he talks even more when she suggests that he is not his own boss or an independent man. (Mason praises Street for the latter, saying, “That was good psychology.”) While all three factors contribute to getting Lowry to talk, the dictation has the most profound effect. Just before she begins to take the dictation, Lowry says, “Nope, I’m not talking” and right after the dictation, Lowry says, “Now wait a minute...since you are writing that down, you just put in there that I said I’m not covering up anything. I’ve simply been instructed not to discuss the matter with anyone and particularly with Perry Mason.” Mason then asks who gave those instructions and Lowry tells him it was Campbell. Since Campbell is, at this point in the story, suspected by Mason of defrauding the company, that information leads to a line of questioning that later gets Lowry killed but gives Mason the leads he needs.

### The Manuscript

As the audible word gets transcribed by Gardner’s secretaries, missing are a glimpse of fear from Perry Mason and a whole lot of speculation about the case. Those who listen to Gardner’s dictation get a more human Perry Mason, one who is both scared and wrong about the details of the case.<sup>14</sup> But by the time it reaches an early version of the manuscript, the details, as well as his Mason’s flash of fear, are gone.<sup>15</sup> In the manuscript, Mason and

Street use conversation, sexuality, and “psychology” to get Lowry to talk.<sup>16</sup> All of these elements remain largely intact in the 1963 Pocket Book version of the printed book. In addition, the dictation scene remains intact.

### The Book

Here is the dictation scene as it is printed in the book:

There was silence for several seconds, then Lowry again shook his head.

‘Nope,’ he said, ‘I’m not talking.’

‘All right,’ Mason said to Della Street, ‘get your notebook, Della.’

Della Street took a notebook out of her purse.

‘Put down the date and time,’ Mason said, ‘and take this statement: this is dictated in the presence of Ken Lowry, manager of the Mojave Monarch. We called on Mr. Lowry and asked him to tell us something about the operation of the mine. We pointed out to him the young woman was being charged with crime, that she was innocent; that circumstances have conspired against her and that she was quite possibly the victim of a frame-up. Mr. Lowry would make absolutely no statement. He wouldn’t tell us anything about the operation of the mine, he wouldn’t divulge the location of the mine, he wouldn’t tell us how long it had been shut down; he refused to discuss anything, thereby indicating his own bias and that he was trying to cover up the true facts.’

‘Now wait a minute,’ Lowry said. ‘Since you’re writing that down you just put in there that I said I’m not covering up anything, that I’ve simply been

instructed not to discuss the matter with anyone particularly with Perry Mason.<sup>17</sup>

At the beginning, Lowry will not talk. But then Mason calls on Street, who is ready with her notebook. Mason seeks to ground the words in temporal reality by beginning with the date and time. He also seeks to implicate Lowry by including him in the metadictation. Then he repeats the details of the last few minutes. But in the repetition and recording of the events, Mason turns Lowry's taciturnity into evidence of bias and cover-up. By speaking the words aloud and having Street record them, Mason is, in a sense, creating the "true facts." But there is also a performative quality to this act of dictation. Speech for the record has more power than unrecorded speech. Lowry knows that and it makes him nervous. He wants to revise the record to eliminate the implications of bias and cover-up that Mason has embedded in the account.

Gardner's dictation of Mason's dictation suggests that dictation is—for Mason and Gardner—a powerful speech act. The recording of Gardner's words bring about, and encodes, a text. In the same way, Perry Mason's dictation to Street is brings about and encodes a text. Gardner's text is a fiction but Mason's text is an inscription of the "true facts" and an accusation against those who would obscure them. Lowry's recognition of the power of dictation brings about the turning point in a case. It is not only Gardner's characters who recognize the power of dictation. Hughes suggests that it was dictation that allowed Gardner to make the jump from pulp magazines to novels:

Between his commitments to the law and to the magazines, there was never enough time in which to write a novel. Not until it occurred to him that he could dictate one, as he did the real-life cases in his office, did he make the



grade. It took three and a half days. He admitted freely and frequently that it would be more accurate to say four days, as he spent an initial half day ‘thinking up the plot.’<sup>18</sup>

Dictation was, for Gardner, the key to professionalization, both in his law practice and in his novel writing. But if dictation held power for him, that power only went as far as the printed book. In the TV version, the entire dictation scene at the mine is gone.

### The Teleplay

Della Street and Perry Mason have been written out of this scene in the teleplay.<sup>19</sup> They are no longer at the mine in the desert talking to Lowry. Instead, Mason sends his private investigator Paul Drake to do the talking. An examination of the teleplay highlights Drake’s fast, aggressive style. He doesn’t have to ask who Lowry is, as Mason does. Rather, Drake tells Lowry who he is. “Your name is Ken Lowry. You’re the manager of this mine, supposedly. Only it doesn’t seem to be much of a mine anymore, does it.”<sup>20</sup> Notice this last sentence is not punctuated with a question mark in the script, even though it ends with the conventionally interrogative “does it?” When Lowry inquires about the authority underwriting his badge, Drake ignores his question. There is little time for questions. The teleplay of this scene is a mere four pages. The dictation of this chapter was more than 40 minutes and the printed chapter comprised twelve and a half pages. In the book chapter there are lots of questions, and not just direct questions to Lowry. Mason asks a gas station attendant “Do you happen to know a man named Lowry? Ken Lowry?”<sup>21</sup> When the attendant points out Lowry, Mason goes over to him. When Lowry is reluctant to talk Mason asks, “if you don’t talk, will you listen?” A few lines later, Street asks, “How do you do, Mr. Lowry?” and then Mason asks, “Will you give us a few minutes?” and “Where can

we talk?” When Street suggests they get into the car to talk, she does so in the form of a question, “Why can’t we get in the car with Mr. Lowry and talk there?”<sup>22</sup> But with only Lowry and Drake in the scene in the TV version, the questions, pleasantries, and suggestions that come with polite conversation are replaced by confrontation and accusation. Lowry says “You’re not funny. Get out of my way,” to which Drake “(not moving)” replies, “Not until you answer me!” Dictation was, in the book, the most overt display of power in the whole scene. But the teleplay reveals a more threatening, physically coercive power in which Drake refuses to let Lowry pass without talking.

### The TV Episode

That physical power is even more evident on the small screen. In most of the solo shots of Drake, William Hopper’s wide shoulders disturb both the left and right edges of the frame.<sup>23</sup> In contrast, shots of Lowry (Michael Harvey) are pulled back slightly, and both of his shoulders never touch the edges of the frame at the same time, making him seem smaller. Instead of squaring up to the camera like Drake, Lowry—in his solo shots—seems to be leaning on the right side of the frame. Near the end of the scene, he shifts his weight and wobbles from the right to the left edge and back, but he never fills up the screen. The blocking for the scene has Drake and Lowry coming out of a shack near the mine. As Lowry charges off, saying he doesn’t have time to talk, Drake pursues, threatening him with jail time. “You got time to stay out of jail, haven’t you?”<sup>24</sup> Drake says. Drake follows up his sarcastic remark with the authority obtained by the flash of a badge and a recitation of facts. Drake doesn’t need to coax the information out of Lowry. He already has it. Drake proceeds with an accusation. “To me you look like the guy responsible.” Drake switches back to sarcasm when he says, “Every month you’ve been sending in a payroll bill of almost thirty

thousand dollars. Then the Corning company sends you the money. Who do you pay it to, gophers?" The sarcasm is answered by Lowry, "You're not funny, mister. Now, get off my back." The line has changed from the teleplay so that the private investigator is no longer blocking the miner's path. Now he is literally behind him, and figuratively on top of him. Drake's answer doesn't change from "Not until you answer me!" At this point, Lowry tells him everything he knows. The whole scene takes about 1/40th the time it took Gardner to dictate originally. Gone is Street's "quick flash of generously displayed nylon." Gone are the psychological insinuations about Lowry's independence. Gone is the dictation for the record that establishes the true facts. In the place of these subtle displays of power that unfold over a relatively long period of time is a large, pushy, fast-talking, sarcastic private investigator who already knows all he needs to know. As the scene moves from print to screen, the power of dictation present in the book is not gone; something still has to get Lowry to talk. But that power has been transferred. On TV we have the power of aggressive physicality and aggressive dialog. By the end of the book chapter, Lowry is saying, "I'm awfully glad I met you, and this secretary of yours. I think you've given me some pretty darn good advice. I'm feeling just a lot better right now than I have been feeling all day."<sup>25</sup> But by the end of the TV show, we see Lowry practically threatening Drake, saying, "I aim to tell plenty of people" with a particularly plosive "p" in plenty. His words are punctuated by the sound of the distinctive Perry Mason horns. The four pages of script translate to about two and a half minutes on the screen.

#### The Erle Stanley Gardner System

If key elements on the page, like subtle displays of dictatorial power, do not translate well to electric media, how does a writer control his product? As Mason migrated from book

to film to radio to TV, multimedia authorial control is precisely what Gardner learned. The Perry Mason movies were “embarrassing.”<sup>26</sup> And so he tried to exert more control over the characters in the radio shows. As Hughes notes, “With all the reasons for wanting to sell the radio rights, he was firm about not letting his characters be falsified, as he contended they had been by the movies.”<sup>27</sup> But this authorial control was not easily wrestled from the radio producers and sponsors. He sold the radio rights to soap opera sponsor Procter & Gamble, who exercised some control over the content.<sup>28</sup> Again, Gardner could not maintain control of his characters:

When the sponsor brought in another writer to punch up the Mason character, Gardner felt his control of the show (he had ‘veto rights’) slipping away. He came to dislike the show’s writing, the plots, the production, even the ads. And he must’ve been qualified to judge. He monitored the program every day, taking notes—not many of which were complimentary.<sup>29</sup>

He had tried to write for the radio soap opera, but confessed that he was not a adept in that medium. “As a soaper, I stunk,” he said.<sup>30</sup> Still, despite not being able to write in the medium, he “was determined to keep control the radio show.” But for all his copious notes and veto power, he could not regain control of the show from the sponsors. “In the end he wasn’t able to; it wasn’t the way things were done.”<sup>31</sup> Gardner learned too late how to navigate the power structure of radio, but it was not until transitioning Mason to TV that he could apply the lessons. “He would not give full control of his books in another medium until television, when he would form his own company to produce the Perry Mason show.”<sup>32</sup>

Returning to the TV version of the story in question, we can see that Gardner had, by this point, regained authorial control of his characters.<sup>33</sup> Or, more precisely, he had

learned how to navigate the power structures in the new medium. He wrote that the adaptation of *The Case of the Spurious Spinster*—the name of which he changed back to the original (pre-book) *The Case of the Mystified Miner*—was the best he'd ever read. "This is one hell of a good script, and is one of the best jobs of adaptation I have ever seen. In my opinion it is going to make a bang-up show."<sup>34</sup> So the transference of power from Mason's dictation to Drake's more aggressive methods is made under Gardner's authority, as he exercised both oversight and approval. The pages are white and blue so we can see that they haven't undergone a lot of revision during the teleplay editing. (Blue pages conventionally mark round two of revisions.) The bulk of the changes happened during the adaptation to TV. The show had to fit into an hour block of time as determined by scheduling established by ad revenue. So it had to be compressed. This compression required characters who did not use the slowly unfolding conversational tactics of Mason and Street.

Dictation is not an innocent act, free of aggression and threat. We must take into account the Oxford English Dictionary's definition of dictation as "the exercise of dictatorship."<sup>35</sup> Both Mason and Gardner must have secretaries to dictate to. Gardner had the three Walters sisters.<sup>36</sup> A lot could be said about how male characters dictating to female secretaries in the media reinforce the gender bias of the power structures of twentieth century America. But it is also interesting to put gender aside (for the moment) and examine what the office of the secretary represents. When Mason says, "Della, take out your notebook," he is not just saying, "I need to write something down and I don't happen to have anything to write with or on." Rather, he is performing a powerful act for Lowry to behold. When Mason needs to write something down, he has someone at his side who will comply; Lowry has no such person. The implication is that he also has someplace to file the dictation. The words will not float around, divorced from significance. His words will be fed

into the existing bureaucratic structure that is the court, where their full power can be realized. In this case, the person taking the dictation represents agency. Mason has it. Lowry does not. In some ways, the dictation is more powerful than Drake's sarcasm and physical presence. Lowry stands up to Drake. Lowry tells him to get out of the way and that his sarcasm is not funny. But the forms of power Mason and Street display are more insidious. They actually have Lowry believing by the end that they have done him a favor. In fact, his candidness with Mason and Street gets him killed in the book, just as his candidness with Drake gets him killed on TV. The dictation in the book does not represent a better or more humane form of power than Drake's straightforward display of power on TV, but the book format allows for a more complex display of power.

It is tempting to transfer the complex representation of power afforded dictation in the book to Gardner's real-life dictation. It was, after all, the exercise of the very same dictation skills he used as a lawyer that allowed him to begin writing novels. Were it not for dictation, he may have spent the rest of his days as a lawyer or a pulp fiction hack. But, although the act of dictation is powerful, it is not, in either case, the source of the power. Dictation for Gardner was a sign of agency. His real power came from his ability to navigate and adapt to various media systems. Gardner's agency—as happens with displays of power—would be challenged. As he produced more and more books, people began to suggest that he used ghost writers.<sup>37</sup> Thayer Hobson put up \$100,000 payable to anyone who could prove the rumors true. (No one did.)<sup>38</sup> Gardner did not use ghost writers, but he did create what many have called a “fiction factory.” The term comes from the pulp fiction writer William Wallace Cook, who wrote a book called *The Fiction Factory* (1912) that greatly influenced Gardner. Cook's book is where Gardner came up with the goal of writing 66,000 words a week.<sup>39</sup> In the book *Perry Mason: The Authorship and Reproduction of a Popular Hero*, J.

Dennis Bounds writes that “An examination of his notes on the creation of Perry Mason reveals a writer in search of a ‘machine’ or formulaic process by which the writer’s only effort would be to feed the information, flip a switch, and await the outpouring of the story.”<sup>40</sup> This approach to writing might have given rise to rumors that Gardner hired others to write for him. But this is a misunderstanding of the context in which the term was used.

Hughes clarifies:

By ‘fiction factory,’ he did not mean that he hired other persons to turn out a reasonable replica from his story patterns. When he first used the phrase, he was referring to his writing per se, no more than that. Even as late as 1967, when interviewed by Charles Morton, an editor of *The Atlantic Monthly*, Garner spoke of ‘my one-man fiction factory.’<sup>41</sup>

Although Gardner originally used the term “fiction factory” to refer to his style of writing, the term’s meaning eventually expanded to encompass his whole writing process. As Hughes writes:

Through the years the fiction factory assumed a further meaning: he dictated into machines of various kinds, others typed what he had dictated, he edited for continuity of plot, made revisions, and the manuscript was then retyped, proofread by others for final typing, and so on in an assembly line until the book was in hand. This procedure enabled him to turn out the extraordinary amount of material for which he was justly famous.

When he started writing, there was no such organization.<sup>42</sup>

Gardner was, in a way, writing that organization into place. He didn't just write books. He dictated narratives and characters that could be fed into and processed by multiple media systems. He took Cook's metaphor of the factory and applied it to himself. But Gardner is actually a post-industrial figure. His system is at first adhococracy (in the radio days when he didn't understand "the way things were done") and then bureaucracy (when he had created a production company, hired producers and writers, and established procedures that enabled his prolificacy). But it is never a factory. Although Cook used it in 1912, the factory metaphor is more aptly applied to publishing in the handpress period, when there was less separation between authors and the producers of books. The factory metaphor suggests that Gardner was producing a material good when his real contribution was the creation of a process.

Though he was not directly producing a material good, the process he authored had wide-ranging and real-life consequences. In some cases, the dissemination of Perry Mason that was enabled by this process actually changed the way cases were argued in real courtrooms. In an article titled "The Perceived Impact of Crime Scene Investigation Shows on the Administration of Justice," Thomas Hughes and Megan Magers note that:

It has also been asserted in the past that media representations have impacted the criminal justice system. For example, the television show Perry Mason was said to have led to lawyers approaching witnesses during questioning, a practice the show used to fit both actors into a frame at the same time.<sup>45</sup>

Thomas Hughes and Magers are referring to a 2004 article in *Time* that was reported by Amy Lennard Goehner, Lina Lofaro, and Kate Novack. The reporters quote Christopher Stone, a



director of the Vera Institute of Justice, a nonprofit that promotes innovation in the justice system:

When Perry Mason first aired, lawyers were not allowed to approach witnesses to question them...But you couldn't fit Mason and the witness in the same frame, so the directors had Mason walk over and lean on the witness rail. Then juries expected lawyers to do that, and if they didn't, jurors thought something was wrong.<sup>44</sup>

According to Thomas Hughes, Magers, Goehner, Lofaro, and Novack, the physical necessities required for a desired camera shot altered the way real people act in real courtrooms.

So, returning to the question of what we can learn about multimedia writing by looking at Gardner's process, we can see his deployment of an increasingly efficient system—even if it only churns out ordinary entertainment—changes the way people interact in real life. Sometimes the changes are authorized. But other times, changes are byproducts of the adaptation. The dictation scene might have been removed simply to get the episode to fit in the one-hour prime-time TV show slot, just as the decision to have Mason approach the witness stand was pragmatic, rather than authorial. But regardless whether the dictation scene was removed based on principles or pragmatics, the consequences remain. On TV we see power exhibited mano-a-mano with Drake and Lowry; in Gardner's original spoken version through to the book, the exercise of power is a more complicated affair. This should not suggest that complexity is inherent to the book or impossible on TV, but it should bring up questions about the ways in which complexity is sacrificed for production values.

## Notes

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<sup>1</sup> For a good example of *bricoleur* as applied to rhetoric, see Maurice Charland, "Finding A Horizon and Telos: the Challenge to Critical Rhetoric," *Quarterly Journal of Speech* 77 (1991): 74. Charland describes a *bricoleur* as "a kind of cultural tinkerer whose art consists of disassembling (deconstructing?) certain formations in order to try out new constructions. In this to and fro of assembly and disassembly, the critics ear would remain alert to the responses of audiences that are only becoming." For an extended discussion of bricolage as a methodology, see Sherry Turkle and Seymour Papert, "Epistemological Pluralism and the Reevaluation of the Concrete," *Journal of Mathematical Behavior* 11, no.1 (1992): 3-33. Also available online at <http://www.papert.org/articles/EpistemologicalPluralism.html>. Also see Sherry Turkle, *Life on the Screen* (New York: Simon & Schuster, 1995), 50-73.

<sup>2</sup> Hughes, Dorothy, *Erle Stanley Gardner: The Case of the Real Perry Mason* (New York: William Morrow, 1978), 14. Hughes points out that Gardner dictated his novels, but not his early short stories.

<sup>3</sup> Roland Barthes, *Camera Lucida: Reflections on Photography* trans. Richard Howard (New York: Hill and Wang, 1981), 51.

<sup>4</sup> Gardner did not think of himself as literary, or even a competent writer. In fact, he wrote in his notes "I want it understood that I have no natural aptitude as a writer. In fact, I don't consider myself a very good writer." Quoted in Hughes, 73.

<sup>5</sup> Brian Kelleher and Diana Merrill, *The Perry Mason TV Show Book* (New York: St. Martin's Press, 1987), 2. This image is copyrighted 1981 and is used in the book courtesy of The University of Texas at Austin.

<sup>6</sup> *Ibid.*, 2.

<sup>7</sup> Hughes, 13. Hughes states that "In the first year of writing, 1921, he earned only \$974, less than he made in a month as a lawyer. In his fifth year, his earnings had risen to \$6,627. By the early thirties, his sales from writing had mounted to more than \$20,000 yearly, a sizable income any day and particularly so in those depression times. At the pulp payment of a few cents a word, this meant a tremendous number of words pounded out on his typewriter night after night. He was prodigiously productive. The quota he set for himself was 1,200,000 words a year, or a 10,000-word novelette every three days, 365 days a year." These figures are at odds with Gardner's 66,000 word per week goal mentioned elsewhere.

<sup>8</sup> Hughes, 73.

<sup>9</sup> Barthes, 157.

<sup>10</sup> Hughes, 14.

<sup>11</sup> Kelleher and Merrill, 15.

<sup>12</sup> This Web site is currently an unpublished collection of electronic files on DVD-ROM.

<sup>13</sup> Erle Stanley Gardner, dictation from *The Case of the Spurious Spinster*. The Harry Ransom Center (compact disc).

<sup>14</sup> *Ibid.*, Audible in the dictation is the following: "I'm just a little it... Well, if you want to know the truth, I'm just a little bit frightened." This does not appear in the original manuscript or book.

<sup>15</sup> Erle Stanley Gardner, letter to writer, January 4, 1962. Erle Stanley Gardner Papers, Manuscripts Division, Harry Ransom Center, Austin. We know this is an early manuscript because it is titled *The Case of the Mystified Miner* rather than *The Case of the Spurious Spinster*.

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Although Gardner changed it by the time it reached the book, the original title was reinstated for the TV version as documented in a letter from Gardner.

<sup>16</sup> Erle Stanley Gardner, manuscript for *The Case of the Mystified Miner*. Erle Stanley Gardner Papers, Manuscripts Division, Harry Ransom Center, Austin.

<sup>17</sup> Erle Stanley Gardner, *The Case of the Spurious Spinster* (New York: Pocket Books, 1963), 76.

<sup>18</sup> Hughes, 14.

<sup>19</sup> Erle Stanley Gardner, teleplay for *The Case of the Mystified Miner*, Erle Stanley Gardner Papers, Manuscripts Division, Harry Ransom Center, Austin.

<sup>20</sup> Ibid.

<sup>21</sup> Gardner, *The Case of the Spurious Spinster*, 72.

<sup>22</sup> Ibid., 73.

<sup>23</sup> “The Case of the Mystified Miner,” *Perry Mason*, Season 5, Episode 21, first broadcast 24 February 1962. VHS. Directed by Francis D. Lyon. Terre Haute, IN: Columbia House Video Library, 1996.

<sup>24</sup> Ibid.

<sup>25</sup> Gardner, *The Case of the Spurious Spinster*, 83.

<sup>26</sup> Kelleher and Merrill, 8-9.

<sup>27</sup> Hughes, 226.

<sup>28</sup> Kelleher and Merrill, 9-10.

<sup>29</sup> Ibid.

<sup>30</sup> Quoted in Kelleher and Merrill, 9.

<sup>31</sup> Hughes, 226.

<sup>32</sup> Hughes, 226

<sup>33</sup> Gardner’s contentment with the adaptation suggest that there are multiple authoritative versions of this single story. For a discussion of the authority of different versions of Gardner’s work, see Dennis J. Bounds, *Perry Mason: The Authorship and Reproduction of a Popular Hero* (Westport, Connecticut and London: Greenwood, 1996), 160. Bounds suggests that the TV version of Mason is, in fact, the most authoritative version. But he also suggests that Raymond Burr was as responsible for the “writing” of that character as Erle Stanley Gardner.

<sup>34</sup> Gardner, letter to writer.

<sup>35</sup> Oxford English Dictionary Online, “dictation,” <http://www.oed.com/> (accessed December 7, 2008).

<sup>36</sup> Hughes, 16-17.

<sup>37</sup> Hughes, 15.

<sup>38</sup> Hughes, 15-16

<sup>39</sup> Bounds, 33.

<sup>40</sup> Bounds, 33.

<sup>41</sup> Hughes, 16.

<sup>42</sup> Hughes, 16.

<sup>43</sup> Thomas Hughes and Megan Magers, “The Perceived Impact of Crime Scene Investigation Shows on the Administration of Justice,” *Journal of Criminal Justice and Popular Culture* 14 no. 3, (2007): 260.

<sup>44</sup> Amy Lennard Goehner; Lina Lofaro; Kate Novack “Ripple Effect: Where CSI Meets Real Law and Order” *Time*. November 1, 2004. Also available online at <http://www.time.com/time/magazine/article/0,9171,749437,00.html>.