FICTIONAL REALITY AND THE PORTRAYAL OF JUSTICE IN MODERN SOCIOLOGY AND CONTEMPORARY NOVELS

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ABSTRACT

Social justice is a popular subject of discussion in sociology, politics, jurisprudence, as well as popular novels. The outcomes of its proceedings are equally curious because that which is “just” depends upon such variables as defining the direction that justice needs to take; allocating authority to enforce it; and public reaction to its consequences. This article represents a layered investigative journey into the portrayal of justice in nine popular series novels because its fictional enactment represents the way that the population would like to see it enforced, but does not. Since the body of the material reviewed here are works of fiction which incorporate known data a new expression is offered. Fictional reality refers to the ways in which novelists weave fair knowledge about modern justice into stories which please their audiences, and this article explores the means by which that melding occurs.

“You want justice done, you got to get it yourself.”
(James Lee Burke, In the Moon of Red Ponies)

“That’s what the notion of ‘justice’ was all about anyway: setting up.”
(Sue Grafton, A is for Alibi)

“I don’t think Barbara Daggett gave a damn about seeing justice done, whatever that consists of.”
(Sue Grafton, D is for Deadbeat)

“First food, then justice. That’s the proper ordering of world events.”
(Sue Grafton, J is for Judgment)

“You can’t leave justice to others.”
(Nora Roberts, Northern Lights)

INTRODUCTION

If these statements by three popular novelists are correct then our system of justice is the subject of serious public despair and ridicule. A common understanding about social justice is that it exists when that which is morally “right” prevails over that which is morally “wrong” in a legally-contested process. While such proceedings are intended to be swift and sure, they are often slow with uncertain outcomes, leaving the population both unhappy with it, and scornful of it. Contemporary writers such as James Lee Burke, Sue Grafton, and Nora Roberts understand these mixed concerns and capitalize on them by writing books wherein justice is depicted in ways which they would like to see it fulfilled. A novel, then, becomes “an internal search for truth that the author shares” writes Jeff Rovin (2005 233), author of books in a Tom Clancy-created series.

James Lee Burke created the series of books featuring Deputy Sheriff Dave Robicheaux (1987-2003, 2005, 2006) and the shorter series about Billy Bob Holland from which the above statement was taken; Sue Grafton wrote the best-selling “Alphabet” crime books starring private detective Kinsey Milhone (1983-2005); and Nora Roberts created many stories whose genres are difficult to classify. One of the reasons that these authors, and others to be identified shortly, frequently top best-selling lists is that they integrate geo-politics, geography, sociology, abnormal psychology, forensic criminology, moral entrepreneurial roles, humor, and romance into their stories. A second reason for their popularity is that the books fulfill our thirst for an ideal system of justice as we are taken on journeys into the unreal-real world of literature – that of fictional reality.

This article represents an excursion into that world wherein celebrated heroes do not fit some stereotypical images. They no longer ride white horses, use silver bullets, follow the rules, and have the full authority of the law behind them. As this journey begins there are several destinations which await our arrival. First, there is need to discuss the logic behind the choice of series novels instead of stand-alone books; this trip requires the identification of the authors and series chosen for examination. The second stop on this trip identifies the several ideal types of justice which are portrayed in the books, and special emphasis is then placed on the moral entrepreneurial roles of the books’
characters. The third destination for this excursion is an analysis of the near-autobiographical method by which several of the writers have been able to create likable and believable fiction. Authors can accomplish this task by keeping our emotions peaked with aversion, sensuality, and tension carrying us to the last pages of their books.

When this article is completed we will be able to better understand how selected novelists enlist wide readership simply by providing surrogate images of a justice system which works. As this journey into the melding of fiction and fact begins there is need to identify the means by which series novels were chosen for use here, as well as listing the specific ones which were selected – a literature review.

NOVELS: TYPES AND CHOICES

Excluding genres, novels fall into one of two categories - series or stand-alone books. Each has particular appeals for the authors and their audiences. Each has designated properties. Each has certain limitations. Each contains different types of storylines and characterizations. Each can be related to sociological methodologies, all of which need to be discussed before the chosen authors and their books are presented.

SERIES AND STAND-ALONE BOOKS

A series of novels is one in which there is a set of characters, locales, or events which have recurring presence from one book to the next. Characters change over time by growing older, suffering illnesses, having family members and friends emerge and die, and moving from one place to another as jobs require. Series fans read the latest installment as soon as it is available, then anguish for months or years until the next one is published. Fans may also mourn or feel betrayed when the series ends by design or by the death of the author. Friendships with the characters grow as does a like-mindedness with the author and fellow believers. Dave Robicheaux, for example, is discussed among readers as if he is a real person: Fans of his might purchase baseball caps and t-shirts emblazoned with the logo for the "Robicheaux Bait and Dock” shop from an internet source. Borrowing from sociology’s methods, there is a longitudinal quality to series books because they portray their characters over an extended period of time even though each episode in the series is a story unto itself – as in static dynamics.

In comparison, stand-alone books have a kinship with cross-sectional studies in sociology. They represent a snapshot story taking place within limited boundaries rather than ones which are not so restricted, but which can often work to the advantage of a reader. Since there are no intended links to preceding or succeeding books the reader is free to explore other authors or genres without feelings of guilt or disloyalty, free to have alternative literary experiences without becoming bored by stylistic or thematic duplication.

While readers are free to choose their own forms of amusement, it should not be concluded that they are restricted to one type of book over another. I read series and stand-alone books, many of each, because they are both appealing even though they may contain similar thoughts, for which two illustrations are provided. The opinion about social justice provided by Nora Roberts at the beginning of this piece is virtually identical to those of James Lee Burke and Sue Grafton, but the book is not one of a set. Likewise, Sandra Brown’s Fat Tuesday (1997), starring Burke Basile as a New Orleans’ cop, contains probative methods similar to the ones contained in James Lee Burke’s books, but her piece is not part of a set, either.

The stories chosen, and the people in them, are fictional. Yet, as we read we define subjects and their actions as having an existence beyond mere fantasy. We voluntarily suspend our intellectual understanding of fiction and treat it as being real – a luxury in which we engage for purposes of entertainment. We are just literary junkies and voyeurs as we delve repeatedly into the lives of imaginary people, illusory justice, and the lives of the books’ creators. So, just why were the books chosen, and which ones were selected?

THE AUTHORS AND THEIR SERIES

The series books which were chosen for use here were originally read for recreational purposes. It was later determined that an organized investigation of them might be possible which promoted three dominant reasons for their selection.

The first and obvious one is that they represent a convenience sample from private
libraries or they were borrowed from public facilities. The second reason is that the books deal with different types of justices being accomplished and they contain different types of moral entrepreneurial roles to fulfill justices. Third, most of the authors who were selected have personal stories, or near-autobiographies, which are particularly suited for their creations. The series do not represent random sampling because they were not given numerical assignments from which they were chosen. The series do not represent an effort to exhaust all possible options because that would be an impossible task and it would negate any possibility for a relatively short undertaking. Given such reasonings, the authors and their creations are identified in alphabetical order.1

Nevada Barr’s Anna Pigeon

Nevada Barr has written thirteen Anna Pigeon stories (1993-2005). Anna is a middle-aged widow who left New York City for a career in law enforcement with the National Park Service. Crime has left the cities, has transferred into our national parks, and has contaminated them. As with most crime-mystery novels the most significant crime which she investigates is murder; but who would want to read many books about a ranger who issues camping licenses to visitors and issues them citations for littering? In order to make good stories there are often raw greed factors which precipitate human harm or damage the ecologies of the parks which she has sworn to protect. Anna gets assigned to many parks across the country from the Natchez Trace, to the Dry Tortugas, to islands of Georgia and Minnesota, to caverns in the southwest, to mountain ranges in California. She battles an alligator, near drownings, the confines of a pitch-black cavern, the ravage of a forest firestorm, and her use of alcohol.

Alafair Burke’s Samantha Kincaid

Alafair Burke, a newcomer to the trade and daughter of James Lee Burke, has penned three Samantha Kincaid books (2002-2005). Samantha is a Deputy District Attorney in Portland, Oregon who investigates the cases she is assigned. Burke’s books have been tightly and precisely written but we are beginning to acquire insight into an uncomplicated ethical obligation of “Get bad guys, don’t get good ones” (A Burke 2005 214). This succinct philosophy parrots the thinking of her successful dad when he describes a “bust ’em or dust ’em” ideology of police work (JL Burke 2005 213) for Robicheaux and his buddy when they were homicide detectives in New Orleans. Given the similarity of lines and near-simultaneous publications of two of their books in 2005, it is not hard to imagine the influence that father and daughter have on each other. The confluence of their work is even more noticeable as we read of Robicheaux’s book-daughter, Alafair, who has a prominent presence in his stories.

James Lee Burke’s Dave Robicheaux

James Lee Burke’s sabulous Dave Robicheaux stories are an all-time favorite among this bunch. Dave Robicheaux is now a more-than-middle-aged Deputy Sheriff in Iberia Parish, Louisiana. He and his sidekick Clete Purcel have come to roost in bayou country after controversial careers in the New Orleans Police Department. Resentful of outside assistance from such an agency as the Federal Bureau of Investigation, he and fellow cops jeer the Feds as “Fart, Barf, and Itch” (JL Burke 1995 315; 2006 66). Beyond the commonplace obligations of a policeman (JL Burke 2006 82-83), disputes surround him as he fights crime, authority, alcoholism, and the demon memory from a harsh combat tour of duty in Viet Nam. Like Anna Pigeon, most of the crimes he investigates are murders, but there are often deeper wrongs for which murder is only a symptom. Organized crime infiltrates his turf. Corporate greed sponsors environmental pollution. Vice trafficking targets unwary citizens. It is upon the already-poor that abusive elitists impose even more “hunger, fear, injustice, and oppression” (The Episcopal Church’s Book of Common Prayer 1979 392). He fights all of these social ills with a moral certainty which contests his empowered duties. He, too, could be labeled as an advocate for localized liberation theology as he fends for people who cannot do so for themselves - a paladin. When manipulative, arrogant, and imperious power brokers feel that they are above the law and cross his path he makes them aware of the errors of their ways. He may not kill them, but does greater harm than that which mere death accords: He ruins them by provoking downward mobility. While all this is happening he receives public condemnations for his aggressive methods and simul-
taneous private approvals for their results.

**Patricia Cornwell's Dr. Kay Scarpetta**

Patricia Cornwell introduced us to Dr. Kay Scarpetta (1991a-2005) as the chief medical examiner for The Commonwealth of Virginia. Her duties at that time included overseeing the office, giving legal testimony as needed, conducting autopsies, and investigating possible homicides with her friend, Pete Marino, a Richmond police officer. Over the years she has developed political rivals, helped raise an adventurous niece, been stalked and intimidated by *le Loup-Garou*, retired, entered into a private business venture of security, and returned to her old haunts. Her life, like yours and mine, has changed and such ebbs and flows cannot really take place in stand-alone books, but are staples of series.

**Janet Evanovich's Stephanie Plum**

Janet Evanovich has now written twelve numbered books starring Stephanie Plum (1994-2006) as the bumbling bond enforcement agent, or bounty hunter, of Trenton, New Jersey. Plum's lack of job skills provides many laughs in her capers with a former hooker, a transvestite, her funeral-lovin' and gun-totin' grandmother, a cousin who is also her sleazy boss, two competing alpha males, and a vintage powder blue Buick. While her job is to capture bail jumpers we find that she is more likely to be stalked by them as they destroy her cars than she is to nab them. Evanovich encourages readership by inviting her fans to submit potential titles for her forthcoming books, and publicly thanking the submitter (2006).

**Sue Grafton's Kinsey Milhone**

Sue Grafton's Kinsey Milhone has been a private detective for twenty-two years. Kinsey was orphaned as a young girl, raised by an austere aunt, was a police officer, and is periodically contracted by a California insurance company to investigate possible fraudulent claims. As a side business she is also contracted to look for missing people, to tend a parolee, and is ultimately involved in murder investigations such as a true Jane Doe case upon which the book *Q is for Quarry* (2002) is loosely based. Grafton's prolific writings are matched only by reader curiosity about her next book "T" and how she will conclude the abecedarian series when she reaches the letter Z.

**Jack Higgins' Sean Dillon**

Jack Higgins' Sean Dillon books (1992-2005) chronicle the life of a former assassin for the Irish Republican Army who had a paradigm shift, and is now working for a special intelligence agency within the British government. Having ranked high on an Interpol "most-wanted" list, Dillon was taken into custody by other British agents who recognized and needed his particular skills. Realizing that co-operation was a better option than incarceration or execution, Dillon neutralizes such threats to world order as neo-Nazism, oil cartels, and alliances between Irish nationalists and a Russian mafia. Higgins' continued popularity is measured by new book sales and library usage.

**Oliver North's Peter Newman**

Oliver North's military and governmental careers are matters of record, so it is no wonder that he could create, with some help, Peter Newman, U.S.M.C. (2002-2005). Newman is a career officer who is enlisted to interdict into international nuclear and electronics crises by recruiting military specialists and local partisans to combat militant terrorists and corrupt politicians who would harm him, his family, and his country. While the series currently contains three books they are, perhaps, the most serial of the ones used for this project because the stories are definitely linked to each other. However, the Epilogue to book three suggests that there may be no more because Newman has been assigned command of the training center at Quantico, removing him from harm's way.

**Kathy Reichs' Temperance Brennan, Ph.D.**

Finally, Kathy Reichs is a forensic anthropologist who is employed by a southern university and the Montreal police department just as her Dr. Temperance "Tempe" Brennan is (1997-2006). Brennan is an expert scientist who is called by public agencies to determine the classifications of recovered skeletal remains, to assist local police, and to bring closure to human death. Throughout the series Brennan has encounters with outlaw bikers, military misconduct in Guatemala, religious zealots, burking for illegal organ harvesting, and is the conflicted prize of competition between another dyad of al-
Commutative Justice

According to Pollock commutative justice associated with transactions and interchanges in society when one person feels unfairly treated ... for example when one is cheated in a business deal or when a contract is not completed. (1994 50)

Commutes an effort to "level the playing field" ensuring that all people have fair or equal opportunities to participate in a competitive society. A generous extension of the thought means that people, groups, or organizations which have unfair or unequal advantages, and abuse them, should be reduced in stature and power. Their protections and rewards need to be re-allocated or re-distributed to others in order to prevent feudal monopolies or controlling groups from hurting others who are not similarly favored.

Corrective/Substantive Justice

Corrective justice is concerned with the distribution of punishment or the principle of "just desserts" in the tradition of classical criminology (Pollock 1994 50). Its cousin substantive justice has the presumptive definition that procedural findings are based on such ideals as fairness, equality, and impartiality during investigative processes (Cahn 1968). Disciplinary and probative activities are to be conducted with the utmost discretion and made available for public scrutiny.

Social Justice: Types and Entrepreneurial Roles

Social justice is a complex matter with several tandem conflicts. It has an ideal and an actuality. It is a process and a product. It is something which is achieved and is missed. It is revered and is reviled. It is static and is dynamic. It has real-life drama and is portrayed in fictional form. Its co-existent divisions may work against each other.

Justice also has diverse shapes and goals in the same way it contains dualities. This section of the article presents those ideal forms and the roles of moral entrepreneurs within them. Such information is provided in order to show how each of the series' main characters fit into our justice system, even if such placements exists only in the combined imaginations of creative novelists and their eager audiences.

Types of Justice

Scholars have long been interested in the forms and functions of justice. Such writers as Cahn (1968), Montada (2001), O'Connor (2004), and Pollock (1994) have sifted through much literature and have categorized justice into its several ideal varieties to include distributive justice, corrective/substantive justice, commutative justice, procedural justice, and vigilante justice which receives special attention. These are presented in summary fashion, followed by their entrepreneurial roles, and are subsequently combined for application to this article.

Distributive Justice

Pollock defines distributive justice as being concerned with "allocation of the goods and burdens of society to its respective members" (1994 50). In other words, it represents an effort to "level the playing field" ensuring that all people have fair or equal opportunities to participate in a competitive society. A generous extension of the thought means that people, groups, or organizations which have unfair or unequal advantages, and abuse them, should be reduced in stature and power. Their protections and rewards need to be re-allocated or re-distributed to others in order to prevent feudal monopolies or controlling groups from hurting others who are not similarly favored.
Vigilante Justice

Vigilante justice has been romanticized throughout mass media history; has almost always been portrayed in a negative vein; and is apparently lacking a wide knowledge base. A commonly-held definition about vigilantism is that people take the law into their own hands (O'Connor 2004 1) as they skirt the law or try to accomplish for the law that which it has been unable to do on its own.

Case studies of public lynchings, for example, have often been used to create our images of its enactment. While case studies are always significant, they are limited in their abilities to explain wide-ranging causal variables, and a number of questions illustrate this concern: With what types of justice are vigilantes concerned? Have legislators made the wrong laws and punishments? Have police failed to protect society? Have judges and juries made the wrong decisions? Are certain groups of people criminal solely because of membership? Are vigilantes concerned with what might happen to them? What are the moral foundations for their actions? Each of these questions has unique answers but the ability to generalize beyond identified circumstances is specious.

Besides, as is argued, a certain amount of self-appointed law enforcement is a necessary ingredient for fictional reality's enforcement of justice. The types of justice presented here do not stand purely as abstractions. They have ingredients, and the most notable of them is that they are comprised of people whose responsibilities are to make sure that justice happens. Broadly defined, these actors are called moral entrepreneurs.

JUSTICE'S MORAL ENTREPRENEURS

Becker (1963) provided us with the term moral entrepreneur which represents a person who has an active and a devoted interest in the direction of moral stability within a population. He refined this classification to include several specific occupations which dutifully enact their moral nets (Davis & Stasz 1990) upon a community. Rule creators, or rule makers, are legislators who create laws for people, and these guidelines are intended to reflect the interests of the common good. Rule enforcers are the policing agents who oversee the actions of people to determine if their behaviors seem to be in accord with the rules which have been imposed upon them.

Without deconstructing the scholarship of Becker, O'Sullivan (1994) further enlarged moral entrepreneurialism by identifying the rule interpreters. These people sit in antagonistic settings listening to ideological and substantive debates, and then determine the course of justice's differential distribution. Occupations in this status may be of a full-time nature such as sitting judges, or part-time jurors, both of whom are empowered to make per-case decisions about the applicability of laws and challenges of wrong-doing.

Three more entrepreneurial statuses are offered – two of which were created for this use, and the third has an obvious presence. Rule users are exemplified by attorneys who represent both sides in a litigious setting, representing the accusers and someone who is being accused. They use the same laws, the same evidence, the same testimonies, and the same rubrics of presentation and decorum but for different purposes. They are commonly called prosecutors and defense attorneys. Another entrepreneurial category is the rule abuser as someone who is empowered to enforce the law but who does it with such zeal that social and legal tolerances are stretched to their fullest extent. The rule abuser becomes a de facto or a de jure vigilante, but with righteous intentions and some legal backing.

The third entrepreneurial role stands by itself: The rule breaker is someone who violates the standards of acceptable social behavior. This person has an alternative and personalized moral vision which is innovative in nature (Merton 1968), but is curtailed by rule creators, rule enforcers, rule interpreters, and some rule users. Those approved and licensed entrepreneurial statuses and roles are designed to prevent the deviant or criminal enactment of individualized ethics.

Now that the ideal forms of justice and their entrepreneurial occupations have been established it is time to continue discussions about the portrayal of justice in series novels by reprising the series' main characters occupational roles, identifying the types of justices with which they are concerned, and appraising their entrepreneurial roles. In most cases the illustrations will be combined due to similarities of occupational roles, but there
will be a singular analysis.

BOOKS' CHARACTERS, JUSTICES, AND ENTREPRENEURIAL ROLES

The numerous serial novels written by nine authors were read in preparation for this article. Time is now taken to share findings about how Anna Pigeon, Samantha Kincaid, Dave Robicheaux, Kay Scarpetta, Stephanie Plum, Kinsey Milhone, Sean Dillon, Peter Newman, and Tempe Brennan fit into the justice system based on their occupations and entrepreneurial obligations.

Anna Pigeon and Dave Robicheaux

Anna Pigeon and Dave Robicheaux are both cops, but with different jurisdictions. Anna Pigeon is a law enforcement ranger within the national park system and the tracts in which she serves. She is a federal officer, but does not have the wider scope of authority which other national, state, or county agencies have. With regard to her job description her duty was to report her findings to local authority, turn over anything she had, be available for interviewing should they deem necessary, then butt out, be a private citizen. (Barr 1999 253)

But that would create boring books.

Dave Robicheaux's provincial responsibility is technically limited to Iberia Parish, Louisiana. Nevertheless, he boldly takes his criminal investigations into other parishes or into other cities like Baton Rouge and New Orleans, even without appropriate invitations or notifications.

Pigeon and Robicheaux are rule enforcers who fight rule breakers in their territories so they are both involved in procedural justice. They are legally entitled to investigate crimes, gather evidence and testimony, and make their allegations available to prosecutorial officials. While murder is usually the crime which prompts their involvement it is often just the crime de jour, prompting Pigeon and Robicheaux to delve more deeply for root causes in their pursuits for distributive justice.

The role of Anna Pigeon is exaggerated in order to make good stories, but she follows the rules. The duties of Dave Robicheaux are also magnified, but he has issues with authoritative guidelines. He was excused from duty in the New Orleans Police Depart-

ment because of his unorthodox methods. During his employment in Iberia Parish he is fired several times because those methods have stayed with him, and he is re-hired because those methods are effective, nonetheless. Even though Robicheaux is an entrepreneurial rule enforcer because of his vocation he can legitimately be called a rule abuser as well. He fights crime with equal force and tenacity, going so far beyond some moral inhibitions that he recognizes his own vigilantism.

...I couldn't be mad at Clete. He was the first person to whom I always took my problems, and in truth his violence, recklessness, and vigilantism were simply the other side of my own personality. (JL Burke 2005 45)

His unconventional-but-effective methods have resulted in a checkered career, but he has found the perfect and like-minded partner to assist him. Clete Purcell is now a licensed bail bond officer and private investigator so he can cross jurisdictional boundaries with impunity in the course of duty which Robicheaux cannot do, so they often work together to commit mayhem and wreak havoc on bad guys. Their commonality extends beyond the professional realm because they love each other, but not in an unhealthy way. Robicheaux and Purcell speak of their bond as: “The Bobbsey Twins from Homicide ride again” (JL Burke 2006 223); “The Bobbsey Twins from Homicide are forever” (JL Burke (2006 253); and “The Bobbsey Twins from Homicide stomp ass and take names and are here to stay, big mon” (JL Burke 2006 354).

It was stated earlier that Dave Robicheaux could be called a liberation theologian for reasons the readers of this article can discern for themselves. The same label could be attached to Anna Pigeon for the equal reason: They hate injustice and want to stop it.

Stephanie Plum and Kinsey Milhone

Stephanie Plum describes her job in simple terms:

I enforce bail bond requirements. That's the extent of my authority. (Evanovich 2004 62)

Kinsey Mihone makes similar statements:
Cops have some leverage. A P.I. has none. (Grafton 1987 113)

I may be a licensed PI, but that cuts no ice with local law enforcement. The quickest way to alienate the cops is to tramp on their turf. (Grafton 2005 272)

Bounty hunters and private investigators have limited enforcement duty, but Evanovich and Grafton have created fake police officers to attract attentive audiences.

Stephanie Plum’s job is to track bail skippers, take them into custody, and remand them to the court so that dispositions of their cases can occur. Her job, then, is basically involved with corrective justice because her clients have broken some law and she ensures appearances in court. Her clients, however, feel as if they have been unjustly accused. They have gotten a “bum rap,” so they are recipients of commutative justice.

Bounty hunting, or skip tracing, is actually the duty of police departments, but they eschew it, voluntarily licensing other people to do their work. While Plum is technically a rule enforcer under these circumstances, her work is really more of a vigilante nature, but with the consent of police officers.

Humor is added and she is woven into complex webs with clients. She tries to track them and apprehend them; but since they feel unjustly abused by the legal system they vent their frustrations on Plum by tracking her and specifically targeting her cars. Some people might call the frequent destruction of her cars as symbolic death or rape, but an average reader of this popular form of “beach reading” might not be so inclined. The police officers with whom she has frequent contact take unprecedented joy in her bad luck because it only strengthens their belief that law enforcement should be left to the professionals rather than with amateurs.

As a former police officer Milhorne would have learned one immutable fact: The public is obliged to pay attention to the police and their questionings. The public is under no obligation, however, to pay any consideration to the work of private investigators who have no official rule-enforcement power. Such a detail neither disturbs Milhorne’s self-image nor does it interrupt her work which has a definite vigilante quality to it in that she does for the police that which they have been unable to do for themselves.

The crusty police officers with whom she has contact view private detectives as intruders who would question their skills and interfere with their work. Milhorne walks a tightrope in her dealings with them. The police can provide official information on an “off the record” basis; can provide her with certain legal protection and assistance; but they are not required to “serve and protect” her in any way which is different from other citizens.

If Milhorne only investigated insurance claims and did not get involved in crime-fighting then Grafton’s writing career would likely have been short-lived. The vigilant nature of Milhorne’s work has ensured that Grafton will continue her series, to such an extent that real-life police have enlisted Grafton to publicize information about a case which remains unsolved, thus affirming the belief in the viability of fictional reality.

Sean Dillon and Peter Newman

Dillon and Newman are the most notable vigilantes of the nine series’ major characters. Neither of them carries a badge, and while Newman’s career in the military does involve protecting national security his duties exceed normal responsibilities. Both men are employed by special agencies of their respective governments, but those agencies would disavow their actions if caught, leaving Dillon and Newman to fend for themselves – Splinter Cell-style (Michaels 2004) – if captured or identified as outlaws. Newman’s tenuous legal status is particularly evident in the third book because there he operates under auspices of a Presidentially-appointed star chamber to mitigate certain nuclear and human high-value targets because the normal rules against assassination no longer apply; but, the cabal’s constitutional authority is as suspect as his protected rights.

Although the operatives have different immediate imperatives, they are both working to preserve distributive justice by preventing abusive reigns of power. One of the several objectives in the Dillon stories is to deter the nastiness of Hitlerian Germany from renewing its place in history, and other recurring stories address his efforts to prevent a single family from gaining a stranglehold on world-wide petroleum distribution. Newman’s goals are to prevent nuclear terrorism from

Volume 34 No. 2 November 2006
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Once a conviction is obtained either by verdict or plea - sentencing should be easy. Defense counsel says his thing, I say mine; judge does what he wants. (A Burke 2005 214)

Prosecutors and police officers are supposed to work as a team to defend citizens from criminals. Sometimes police officers become corrupted, abuse the law and civic responsibility, testify (A Burke 2005 138), or take others into custody in order to detract attention from themselves. They have become rule abusers and it is Kincaid's duty to investigate them and prosecute them just as she would any other rule breaker.

As a prosecuting attorney Kincaid's obligations stand in opposition to defense attorneys whose rule user job requires a moral vision which contradicts Kincaid's. Even so, the inimical jobs of prosecuting and defending attorneys require that they present their cases before sundry rule interpreters who make the ultimate decisions about the directions which justice takes. Kincaid directly addresses this entrepreneurial triad.

Kincaid's occupation represents clear examples of entrepreneurial interaction and the mingling of justices which can be shown with Venn diagrams: They overlap, invading the boundaries of each other. Those amalgamations can also be exemplified through emergence of a new popular culture term - co-opetition.

This word was first noticed during the broadcast of a NASCAR race and it refers to the friendly competition between racecar drivers. All of them want to win, but sometimes they will help team members or friends, all rivals, obtain an advantage on the track. Kincaid, and other moral entrepreneurs, want to win, but sometimes they must relinquish a particular advantage in order for justice to prevail.

Whether or not the nine authors are specifically familiar with the sociological and popular culture expressions used here is speculative. It is noted, though, that they are familiar with the concepts behind the terms, and such comprehension has made all of them commercially successful. Their achievements may also be founded upon an empathetic and experiential "been there, done that" empiricism which now deserves attention.
SOCIAL SCIENCES AND FICTIONAL REALITY

The ability to create compelling stories requires an active imagination, of course. Plots must be credible. Characters must seem like people whom the readers would know. Places and events may be easily identified. Many of the data contained in fictional reality can be acquired through traditional library research methods. Many feel, however, that a good story is ultimately dependent on the author's life. The writer is so intimately familiar with the storyline, the people who are portrayed, and the places that are visited, that the written word and the written world are merely an extension of the writer's self. This point is substantiated with discussions about research methods in cultural anthropology and sociology with their relevance to recreational literature.

ETHNOGRAPHY, AUTOETHNOGRAPHY, AND NEAR-AUTOBIOGRAPHY

Ethnography is the field methodology of cultural anthropology. Based on the work of embedded researchers it allows us to view the lifestyles of populations with which most of us would not be familiar were it not for the George and Louise Spindler Case Studies in Cultural Anthropology from Holt, Rinehart, and Winston. It is a qualitative and humanistic approach to social population research which allows us to envision the daily activities of subjects, described by them, and interpreted by specialists.

In pure ethnography the researcher uses the voices of insiders to tell the peoples' stories using the perspective of the third-person singular or plural as the Yanomamo..., the Danis..., or the Swazi..., for example. A variation of ethnography is autoethnography wherein the researcher describes life as seen by the combined points of view provided by the first-person and third-person singular as "I-the-hunter," "I-the-biker," or "I-the-stripper," for example. Because the researcher has unique experiences as everyone else does, the analyst becomes the object and the subject of investigation as O’Sullivan (2002) showed in his article about industrial labor-management conflict.

Autoethnography allows the writer to describe and interpret that which is seen personally. It is a life-story approach which is useful for some types of social research, but that term is too arcane for this project, so that methodological term is replaced with near-autobiography for several reasons. None of the author's books are declarative accounts about their lives. Similarly, they do not combine the first- and third-person voices as in "I-the-lawyer," for example. Their stories are near-autobiographies written with prosaic and fact-based qualities which support this research, as is paraphrased from Roberts (2000 306).

The novelist eases into the story because it is a familiar one. The main person portrayed is someone whom the author knows, intimately, as are the secondary characters. The author's experiences, feelings, and beliefs are transferred to the readers via the storyline and the people in it.

People whom the novelists know are renamed or become combined portrayals. Community names or locale names may be changed, but they may retain their familiar identities. Local economies and political currents, as well as global economies and geopolitics, serve as infrastructures for the books. The author's hometown, favorite cuisine, sub-cultural lingo, community patois, and local atmosphere become those of the lead character whose sense of justice appears to reflect that of the author. The writer's lifeflory becomes the biography of the protagonist. The novelist is embedded in a private domain and chooses to make it public province with fictional and not-so-fictional stories woven into the fabric of fictional reality.

WHO WAS WHERE, AND WHAT DID THEY DO?

Seven of the authors have personal stories which made them especially qualified to create their novels, their characters, and provide sufficient foundation material to make their yarns seem believable. Information about the writers was obtained from several sources which include dust-jacket bioburbs, the writers' internet home page sites, Wikipedia listings, as well as e-mail communications with two of the writers. These novelists are discussed in alphabetic order, concluding with Kathy Reichs who seems to have written four of her novels just for use here.

Nevada Barr

... Anna Pigeon is a direct reflection of her creator.
Both are (or have been) law enforcement rangers in their forties. Both have a sister named Molly. Both fled the big city in favor of the National Park Service. (Davies 2004 3)

Barr has served as a ranger in at least two of our national parks: Track of the Cat (1993) takes place in the Guadalupe Mountains National Park in Texas; then Deep South (2000) and Hunting Season (2002) occur along the Natchez Trace in Southern Mississippi.

Barr was apparently introduced to the National Park Service as an occupation because her first husband was involved with the agency’s responsibility, and that alignment “...raised Barr’s interest in conservation and wildlife” (Davies 2004 1) which are endemic portions of her plots. If she has not served as a ranger in the other books it seems fairly obvious that she has visited them extensively; just as she has provided us with sufficient amounts of information in the ACKNOWLEDGMENTS sections to let us know that she has done her homework.

Alafair Burke
The real Alafair Burke was named after her great-grandmother; was raised in southern Louisiana; attended Reed College and law school at Stanford University; became a public prosecutor in Portland, Oregon; took a staff position teaching law at Hofstra University; and became a novelist like her dad. The fictional Alafair Robicheaux was saved from drowning in a plane crash; was adopted by Dave Robicheaux; attended Reed College and law school; then became a public prosecutor in Portland, Oregon (JL Burke 2005). The real Alafair’s father writes about a sheriff’s detective, and her fictional “daughter,” Samantha Kincaid, has a dad who is a retired police officer. With such information it is easy to identify Samantha Kincaid’s ancestry. She is a descendent of three Alafairs, as Alafair Samantha Burke has confirmed with me. Her dad’s maternal grandmother Alafair Holland Benbow, Alafair Burke, and Alafair Robicheaux.

Burke’s ability to write keenly and knowledgeably is due to the fact that she can use the voice of an occupational insider. A prosecuting attorney who regularly interacts with other rule users, rule enforcers, rule interpreters, rule breakers, and rule abusers is in an ideal position to portray the backstage arena of negotiation in pursuit of justice. A prosecuting attorney has an alliance with the local morality of a community (O’Sullivan 1994) to pursue justice for the greater good of all – to nab criminals even if they are local officials, to debate with defense attorneys, and to sway the opinions of judges and juries. A prosecutor-turned-novelist can create vivid images of investigations, interrogations, and degradation ceremonies. A prosecutor-turned-novelist who is the daughter of an accomplished writer can learn much at home.

James Lee Burke
As the author of fifteen Dave Robicheaux books, a second but shorter series, and several stand-alone novels, Burke has received numerous literary awards. He was born in Houston, Texas and after having had many jobs settled into writing as a career. He is intimately familiar with the fragile and fruitful environment of coastal Louisiana and Texas; and Jim has told with me that both he and Robicheaux are well aware of the dangers of alcohol abuse, and they take appropriate steps to avoid them. Burke vows that Robicheaux is not his reincarnation, but reflects more of an experiential self who shares many of the same emotions and morals as he does.

Robicheaux’s father was an alcoholic and Robicheaux is a recovering one. Robicheaux, like Burke, was raised in the deep south gulf coast region. Both men love bayou country and balk at people who would abuse it. Robicheaux has held many jobs like his creator, and one of those occupations was board-road construction, or oilfield “swamping,” for heavy vehicles which I did once between semesters. It is hard, dirty, dangerous, and low-paying work. Burke and Robicheaux both live in Iberia Parish, have daughters named Alafair, and each ponder the strengths and frailties of human nature and our system of justice.

Throughout the series there are several themes which are intense issues for Burke and Robicheaux. They are environmentalists committed to protecting coastal wetlands. They both disdain the persistent ante-bellum two-caste system wherein the aristocracy, or aristocrat wannabes, abuse the masses at will, so the writer and his creation are both champions for the underdogs. Burke and
Robicheaux are also keenly aware of the effects of alcoholism and the nature of Louisiana politics.

Alcoholism and sobriety compete for one’s self-esteem, self-image, and self-portrayal in opposing ways. Robicheaux admits that sobriety and stupors can be equally scary and tenuous places when he states that

For the recovering alcoholic introspection and solitude are the perfect combination for a dry drunk. (JL Burke 2005:29)

Similarly,

there is no possession more valuable than a sober sunrise, and any drunk who demands more out of life than that will probably not have it. (JL Burke 2006:60)

Louisiana politics has had a notorious reputation from the days preceding Huey Long to the modern era. Political positioning is not so much of a job or a public service as it is an engrained lifestyle, especially when it takes place south of Baton Rouge and Interstate 10. It seems to be reserved for people who would sell their souls and morality, then skew justice and the state, for personal privileges and stations of power as Robicheaux muses on this condition.

The person who believes he can rise to a position of wealth and power in the state of Louisiana and not do business with the devil probably knows nothing about the devil and even less about Louisiana. (JL Burke 2005:95)

Throughout the series, and especially in Pegasus Descending (JL Burke 2006:66-67), we read of the corruption existing between politics, crime, avarice, vice, and justice turned upside down which Robicheaux abhors and faces as a cop.

I do not know how much of James Lee Burke is actually reflected in Dave Robicheaux and his quests for justice. There are more than enough allusions and proverbs in the books, though, to suggest that the mirroring is substantial. Readers would like to learn more, but for now must wait until the next chapter in his life is published.

Patricia Cornwell

Patricia Cornwell has written several non-fiction books as well as two series of novels, from which the Kay Scarpetta stories were chosen for use here. To date, there are fourteen books about the life and work of the now-former Chief Medical Examiner for the Commonwealth of Virginia. Cornwell is a novelist, not a medical doctor, so Scarpetta is not the writer’s reincarnation. The series is loaded with vivid descriptions of autopsies, forensic methods of investigation, and the weltanschaung of crusty and seasoned police officers, such as Scarpetta’s dedicated friend Pete Marino which were produced by a good imagination and related research.

Cornwell is often credited for her accuracy and expertise, an expertise acquired by working at the Virginia Chief Medical Examiners office, where she witnessed hundreds of autopsies. Cornwell also worked for three years as a Voluntary Police Officer and would often work the arduous midnight shift. She has undertaken intensive training at the FBI Academy in Quantico, Virginia, and has run the ‘Yellow Brick Road’ a grueling obstacle course for recruits... (Rabago n.d. 1)

To that end, Cornwell speaks of herself:

It is important for me to live in the world I write about... If I want a character to do or know something, I want to do or know the same thing. (Cornwell 2005b)

Whether or not the stories are based on actual or composite cases is a matter of conjecture. There is, however, a consistent rumor that one of her recurring villains is similar to an actual serial killer, but Cornwell has never verified that suggestion (Rabago n.d. 1-2).

Cornwell’s popularity as a storyteller is evident by her wide audience, and she has earned numerous awards from mystery writers’ associations. The bio-blurb data from her book Trace (Cornwell 2004) also indicate that she

has helped establish the Virginia Institute of Forensic Science and Medicine, the first forensic training facility of its kind in the nation, and serves as the Institute’s Chairman of the Board.
It would seem, then, that Cornwell is an avid student of writing and science, allowing her to combine fact and fiction into enjoyable formats.

**Jack Higgins**

Jack Higgins is one of the pen names used by Harry Patterson (Wikipedia 2005a), but the readership world has become more comfortable with the pseudonym. His most recent book *Without Mercy* (2005) contains the following bio-blurb statement.

Higgins, who lived in Belfast until he was twelve, had several close calls with bombs and gunfire at an early age. After leaving school at fifteen, he served three years with the Royal Horse Guards in Eastern Europe during the cold war. Subsequently, he was a circus roustabout, a factory worker, a truck driver, and a laborer before entering college at age twenty-seven. He has degrees in sociology, social psychology, and economics from the University of London, and a doctorate in Media from Leeds Metropolitan University.

Higgins seems to be a man of many talents, several of which have prominent places in his books. He is an accomplished scuba diver and there are several occasions in the stories where Dillon uses that skill to his advantage. Higgins, a former soldier, would be knowledgeable about guns and ballistics, as is Dillon. There is, though, another major element of Higgins' background which he uses to good advantage in the series.

Dillon is "...a walking contradiction – warm and humorous, yet he kills at the drop of a hat" (Higgins 2005 17). Dillon is a hired gun who is paid to support social movements, but he is most prominently known in the series as a former IRA terrorist who once plotted an unsuccessful assassination of a popular British Prime Minister. Higgins' background naturally led to the creation of Dillon through his formative years in Northern Ireland where he witnessed the effects and the tactics of urban and freedom terrorism. In the beginning of the series there was no love lost between Dillon and anglophiles, but he was persuaded to think otherwise and uses his crafts to strike against anyone who poses a threat to international political and economic stability – even against his former IRA associates. When international terrorists or worldwide gangsters hurt his friends he executes a dark combination of distributive and corrective justices upon them because that is his job. At the same time he exacts an even darker and merciless vigilante justice upon those enemies due to deep loyalty to his friends.

Higgins and Dillon are worldly and savvy men whose practical understandings of geopolitics and global economics extend far beyond theoretical understanding. Both men are also students of history in that two of the books in the Dillon series address the possible revival of Nazism, and one of these recalls Martin Bormann's escape from Germany at the end of World War II. Dillon's failed assassination effort is based on an actual attempt on the life of former Prime Minister John Major. Given all that, I wonder what Higgins' classes were like when he taught, and am I especially curious about how many of his world views on social justice are projected in Sean Dillon? They are probably substantial.

**Oliver North**

The American public was first introduced to Lt. Colonel Oliver North, U.S.M.C., during the televised debates on congressional inquiries into the Iran-Contra Affair during the presidency of Ronald W. Reagan. We were told that Lt. Col. North, a graduate of the U.S. Naval Academy at Annapolis, Maryland, had served in Viet Nam and in other global hotspots, and was a military and intelligence advisor in Washington, D.C. He now serves as a war correspondent and military analyst for mass media networks.

There are many allegations about covert operations in which Lt. Col. North has either been a participant or an architect, but I am not positioned to either substantiate them or refute them. I feel that it would be safe to assume, though, that Lt. Col. North was aware of the kinds of operations in which Peter Newman was engaged, so the fictional U.S. Marine and his work may also be composite constructions.

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There are another element in the lives of Lt. Col. North and now General Newman where in art reflects reality. Biographical data state that Oliver North was raised as a Roman Catholic but now participates in evangelical Christian activities (Wikipedia 2005b). Newman's Christian wife, and their combined beliefs and work in Christian outreach
programs, became important elements as the series progressed in at least two integrated ways: Religious conflict is an endemic ingredient to international terrorism, and potential harm to his family supersedes Newman’s loyalty to country. Newman’s senses of national loyalty and and preferred forms of justice may be cautiously inferred, but I am better able to guess at North’s by simply looking at his military education, his length of military duty, and the oath to which military people give allegiance. All U.S. military personnel, officers and enlisted, pledge to defend their country against all enemies, foreign and domestic. Oliver North and Peter Newman were so sworn, and they did so in reality and in fiction.

Kathy Reichs

Dr. Kathy Reichs has her Ph.D. in physical anthropology from Northwestern University, teaches at the University of North Carolina-Charlotte; is a certified forensic Anthropologist; works for the Office of the Chief Medical Examiner for the State of North Carolina and for the Laboratoire de Sciences Judiciaires et de Medicine Legale for the Province of Quebec; is an executive for the Board of Directors of the American Academy of Forensic Sciences; and is a popular novelist. It is relatively easy to surmise that the life of Tempe Brennan imitates that of Kathy Reichs, as Reichs tells us in her own words.

At the ends of several books, *Bare Bones* (2003 305-306), *Monday Mourning* (2004 301-303), *Cross Bones* (2005 349-351), and *Break No Bones* (2006 335-337) we read sections called “From The Forensic Files of Kathy Reichs” in which she identifies the means by which she became involved in investigations which resulted in those books. She states that

For legal and ethical reasons I cannot discuss any of the real-life cases that may have inspired [my books], but I can share with you some experiences that contributed to the plot[s]. (2003 305; 2004 301)

and then outlines the stories’ developments.

It is evident to many other readers that Kathy Reichs can write about the work and the adventures of Tempe Brennan with full experiential authority, and there is an interesting reversal of roles in the television series *Bones* which is based on Reichs’ books. Tempe Brennan, the lead character in the show, engages in forensic investigations during the daytime, and at night she writes a series of crime-inspired novels starring Kathy Reichs. Reichs invented Brennan, then Brennan invented Reichs, in a manner which is reminiscent of Samantha Kincaid’s ancestry.

Commentary

Samuel Pepys (b1633 - d1703) was a renowned public servant, chronographer, and diarist who recorded history as it was happening and life as he viewed it (Wikipedia 2005c). Had he written novels I estimate that they would have been epochal and Dickensian; instead, he wrote a diary dedicated to the patterns of his life. In some ways, the seven authors identified in this section wrote in a Pepysian diarist tradition. The novelists substituted themselves with surrogate portrayals in a variety of occupational roles to signify how social justice could, and perhaps should, happen. One could imagine that Pepys would have liked the several authors addressed here, especially those who projected themselves into their fictional realities.

CONCLUSION

Reading novels gives the readers opportunities to suspend personal disbelief in the falsity of the stories. We treat the plots as possible for reasons of entertainment and recreation. The ability to create a series of novels is dependent on the writer’s skills to have the characters change and to create new plots, and this may mean the stories contain more than a little near-autobiographical reasoning: The writer addresses subjects, people, and places which are familiar by mingling fiction and reality into plausible plans.

The purpose in writing this article was to show how successful blends between fact and fiction happened in the series novels from nine different authors. The novelists portrayed people in diverse entrepreneurial roles whose personal moralities and job responsibilities required that they address wrongful behavior and the administration of justice in different ways. Two of the series people were law enforcement agents. Two of the series people were engaged in work adjacent to formal law enforcement. Two of the series people were involved in forensic in-
vestigations. Two of the series people were involved in international intrigues. One of the series' characters was a public prosecutor. Justice was enforced, but in seven of the nine series, the ones wherein arrests were made, we did not witness the disposition of justice in a manner which is similar to the FBI's duty of “clearing” a crime.

A crime is cleared when appropriate investigations have occurred; when someone has been arrested under allegations of criminal behavior; and when the suspect and the charges have been presented to courts for final settlement. The FBI is not concerned with outcomes because its official responsibilities have been concluded, and a similar up-shot happens in crime and political intrigue novels.

When arrests are made, or when rule breakers are terminated, the story, the book, and our investment have ultimately reached “THE END.” Crimes cleared or tyrants vanquished denote prima facie evidence that justice has been fulfilled and our thirsts are quenched; not in real life, of course, but only in our imaginations created for our entertainment by novelists of fictional reality. In The Historian, a recent and popular novel about Dracula, the author writes that "...the line between literature and history is often a wobbling one" (Kostova 2005 274), which was later rephrased as "what can you expect... when historians begin using their imaginations" (Kostova 2005 384). While these thoughts are expressed in a novel about a search to separate the historical Dracula from impressionistic versions of the person, the same can be said about the portrayal of justice in crime and intrigue novels.

This article is premised on the notion that the American public has significant emotional concerns about our system of social justice which does not meet our expectations. We want good guys to win, bad guys to lose, and justice to prevail; but all too often our ideals are left unfulfilled, leaving us saddened, in despair, and untrusting. As a possible means of abating our worries novelists have identified the taproots of that disquietude and they have created likeable rule users, rule enforcers, rule abusers, rule interpreters, rule breakers, and vigilantes who satisfy our social ideals, at least in our imaginations. The authors have done so through creative combinations of fiction and fact, yet when all is said and done, fictional reality depends on wobbling for its very existence. It is that wobbling beyond known data, that creative combination of fiction and fact, which keeps the reader's imagination and quizzical nature begging for more fictional reality.

ENDNOTE
1 Series of related interest which were not included are: The Jack Ryan books written by Tom Clancy, and the NetForce, Op-Center, Power Plays, and Splinter Cell series created by Clancy; the investigations of Dr. Alex Delaware, psychologist-detective, by Jonathan Kellerman; the wanderings of “insurance investigator” Travis McGee penned by John D. MacDonald; the Jack Aubrey “Master and Commander” naval series by Patrick O’Brien; Sara Paretsky’s Chicago-based detective V.I. Warshawski; James Patterson’s Dr. Alex Cross as detective-psychologist; and the comedic-mystery books starring Bubbles Yablonsky as a beautician-turned-reporter which were written by Sarah Strohmeyer and inspired by Janet Evanovich.

REFERENCES
_____ 2002. Jolie Blond’s Bounce. NY: Simon...
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