

The present thesis discusses figures in Thomas Bernhard's prose, in particular those in his autobiographical works, which are based on legal metaphors but which have been part of literary discourse from the outset: the judge and the witness. The character of the writer pronouncing and testifying upon the world is well known in world literature. In Bernhard's oeuvre, these two metaphors seem to underlie not only the self-comprehension arising in the text of the first person singular narrator but also the discourses of reception on the texts.

Bernhard's narrators like to be seen as judges passing verdict on the world. While the subject of their judgement displays considerable variation, the apodicticity always suggests a sovereign speaker whose narration is very clearly recognisable and who strongly distances himself from the topic, as well as a consciously selected topic and a judgement without an alternative. Thus, the way judgement is passed in Bernhard's texts shows that the narrator is an exponent of the metaphor of the judge, which, as a result of the above, implies the referentiality of the text. If the narrator is perceived in this manner in an autobiographical work and the autobiography is described in terms of the existence of a reference pact between author and reader, just as it mostly is in the literature on Bernhard's autobiographical works, then we might suppose that the text is capable of depicting historical events and real people who once lived or are still alive and places beyond the literary world etc. and that the judgements pronounced would relate to them. To put it differently, the judge is a potential figure of the autobiography and is probably one of the most important ones in Bernhard's works.

Bernhard's works interpreted in this fashion led to some private lawsuits filed against the author by people who came to recognise themselves in a particular work and thought the judgement articulated by the author in the work was pronounced over them. One of the prime objectives of the thesis is to examine the presuppositions and even axioms of reading that the court resorts to when it passes verdict on a piece of literary text and reprimands it for instance on counts of libel or defamation; I also want to find out to what extent the legal interpretation shares in his assumptions of this sort of the literature and critique on Bernhard, that is, to see if the latter also wants to bring the literary text before the tribunal of referentiality. I hope to achieve this in the first chapter of the dissertation through an analysis of the rhetoric of legal documents, literary criticism and literary theory produced in the wake of a high-profile lawsuit against Bernhard's novel *Holzfälle. Eine Erregung* and also by looking at Bernhard's statements on the matter.

Afterwards, a rhetoric analysis of the judge in *Holzfälle. Eine Erregung* will prove that inversion, reversal-inversion (Umkehrung, Umrichtung) is the leading figure underlying the self-comprehension of the narrator. Right from the upbeat-style beginning of the narration, which conceives a mistaken promise as a speech act where real intention and true feelings turn into their opposite, the text is pervaded by thinking in terms of directions (Richtung), orientations (Gerichtetheit), translating the metaphor of the narrator's perspective into literal and spatial relations. This sets the tone of the discourse on sincerity (Aufrichtigkeit), rightness (Richtigkeit) and rectification (Berichtigung), rightfulness (Rechtmäßigkeit) and fairness (Gerechtigkeit) as well as their opposite and, therefore, on judgement (Richten). The judge (Richter) is obliged to pass verdict first because he perceives the perversion of human relations, presumed to be natural or appropriate and, second, because, admittedly, he is also subject to the performance of inversion and reproduces it – the narrator who makes an about-turn and abruptly decides contrarily, inclined to do volte-face and incessantly turning against himself and other people, makes himself seen as an originally-perverse judge conceived by perverted human relations and forced to maintain them. Consequently, inversion in this fiction does not reinstate the rights to "fair" relations but conserves the "originally perverse" intact.

The decision or rather, the “decisive moment” is a characteristic figure recurring in Bernhard’s prose. Two possible and mutually exclusive readings collide in the “decisive moment”: according to the grammatical reading, the moment is the acting agent while a rhetoric reading suggests that the moment is in fact the prosopopeia of the subject who makes the decision. This statement is significant because the mere possibility of a grammatical reading undermines the confidence of the “person” who makes the decision, the judge’s power over his judgements; this kind of wavering or indecision proves fatal for so many other Bernhard characters, who are waiting for the decisive moment of writing the first sentence until the end of their life or until they go insane while apart from them, no-one else could set out to create the work. In *Holzfälle*, the decisive moment is also the axis of inversion, the (hollow) moment (out of time that cannot be captured) when everything turns into its opposite.

Bernhard’s methods of creating texts has been described in several places in the literature but were only considered *Künstlichkeit* undermining the reference only in non-autobiographical works. The less conspicuous “artificiality” or, if you like, the directness of autobiographical texts is, of course, also a figure whose persuasive role is precisely to substantiate the autobiographical character. Judgements of the narrator of *Holzfälle* seem to be driven by hatred, whose rhetoric, similar to his other intense emotions, most credibly makes the impression of the directness and authenticity of the narrator. Hatred itself, however, is also a language with set rules and laws. The law of Bernhardian hatred and its grammar in the Mannian sense, is a judgement acting on the basis of inversion: predication prescribes. It feeds on the notion that one always expects from others the opposite of what one can get and always gets the opposite of what one needs and is always filled with emotions opposite of what one would be expected to display in a particular situation. Judgements run on a handful of tried and tested predicates and have a metonymic relationship to the subject of the sentence, which is potentially arbitrary: hatred manifest in judgements works like a machine and the grammar of the text placing itself in the foreground suspends the reference. The narrator’s lament about the impossibility of making fair judgement is the discourse of negativity in which the perversion of the world and ascertaining the inadequacy of statements that may be formulated about it seem to stabilise intentionality while the intention itself, the impulse and the communication indeed become mechanic in the way described above.

When considering the author a witness who has not merely indirect experience of his age, the recent and remote past but can make them available in a literary text, we expect the text to be like a testimony of a court witness and we set a track for the reading. The first person singular narrator of Bernhard’s autobiographical works is in fact mainly dealt with in the literature as a witness and, like the metaphor of the judge, this figure of the author also implies the accountability of the writer. The first most important case against Bernhard was filed and won by one of Bernhard’s former boarding school priest teachers. As a result, certain parts of *Die Ursache* were deleted from subsequent editions.

The first part of the chapter on the witness undertakes to interpret *The Testimony (Eine Zeugenaussage)*, which, though not considered to be an autobiographical text, is a remarkably instructive allegory of the rivalry of expectations set by the law (and a kind of literary theory) and literary discourse. This witness is unable to meet the requirement of coming to the point since his discourse escapes construction of meaning in a way that at times it would be hard to identify any kind of subject at all. The whole stream of speech is articulated by the metaphysical categories of polarity, with the juxtaposition of “inside” and “outside” having particular significance and the testimony is also interpreted both as penetration (Eindringen) in the subject contemplated and a penetrating (eindringlich) perception. Penetration also invokes the concept of procreation (Zeugung) and the rhetoric of the witness pondering generation and generalisation is increasingly dominated by genitive structures, which, in line

with the undecidable question whether the witness reconstructs the events or creates them in his speech, may be read both as subjective and objective genitives. The text is highly contradictory (because it strives to be concise using an intense conceptual language and yet says nothing about the essence). This contradiction is concomitant with all testimonies inasmuch as there is no criterion to distinguish secretiveness from coming to the point. In my interpretation, Bernhard's text is an allegory of the impossible reading task to extract the so-called gist of a literary work.

The thesis continues to interpret Bernhard's autobiographical short story *Die Kälte* (The Cold), which particularly requires to be read as a testimony and seeks to respond to the question of what the consequences of the relationship are between the figure and metafigurative reflection in terms of this role of the fiction. Just as in *The Testimony* the genitive case played a major role, the narrator of *Die Kälte*, who wants to speak of illness and suffering also changes tack at a certain point of the narration and starts discussing his own ancestry, procreation and who his father had been. It becomes clear for the interpretation that testimony has a chiasmic relationship with the question of origin and genealogy. (It is precisely this chiasmus that explains why legal metaphors are so prevalent in the language of the Bernhardian autobiography inasmuch as paternity, blood relation, propinquity, procreation, birth and death are all concepts that depend on legal definitions.) Based on the metafigurative reflection, the witness is the figure of the generative relationship between the event and its narration, the exponent and referent, metonymy and metaphor etc., which means that it is the event that leads to testimony, the referent generates the exponent, the metonymy is the motive of the metaphor conceived as the result etc. The question, therefore, is whether *Die Kälte* fulfils this generative model at the level of figurality.

However, a more significant subject of the testimony is other people's death, that is, whatever makes the narrator a survivor, i.e. witness, always escapes scrutiny and one can at best only read about him. There is the same temporal difference between being an eyewitness and reading, event and memory, experience and narration: the language itself. It is not unusual therefore that chronology is often messed up in the narration rendering anterior and posterior testifying impossible and yet in the language, we read about its possible occurrence.

Procreation appears as a primeval sin in this story. In order to investigate its circumstances, the narrator calls his own family member to testify. But the secret is forbidden to be revealed and its very investigation would be a sin as well. Finally, there is no knowing whether procreation turns into a sin because an investigation is launched into it or whether one does not become the result of a crime because he (just as this narrator) conceives of his life as a punishment. It is equally uncertain if certain figures of the father stories, which dominate Bernhard's entire oeuvre, are created so that the narrator can establish the origin of the metaphor.

The text also denominates the reader a witness (to the narrator's life, the writing process or the creation of meaning?) and as seen above, at times the testimony is also interpreted as reading. Clearly, the reader-witness possesses the same structure as the narrator-witness thus reading the allegory of the unreadability of the genetic model.

The last part of the thesis addresses biographical and legal fictions related to *Die Kälte*. First, we shall speak about the genetic perspective prevalent in the literature on Bernhard, which specifies Bernhard's "origin" as the origin of the Bernhardian oeuvre and for the sake of this genealogy he becomes embroiled in (necessary) fictions; second, the chapter raises the question how this line of reception makes use of the conventional symbolism of legal fiction related to procreation, birth and death. In addition to Bernhard's numerous autobiographical works, the history of the author's name also points to the existence of this symbolism.

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