



GREAT DISRUPTION IN SOUTHERN SOCIETY AS REFLECTED IN JOHN GRISHAM'S *THE TESTAMENT*

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*Abstract: At the dawn of the twentieth century, especially after the invention of internet the world began to transform itself into information age which was characterized by the production more of two things people value most in a modern democracy - freedom and equality. Freedom of choice has exploded and hierarchies of all sorts, have come under pressure and begun to crumble. People were trapped in a globalized and homogenous condition. Accompanying the shift there arouses social disorders which is indicated especially by the decline of family values . As that of other industrialized countries, when the United States becomes more advanced it is assumed that all its states experience the same condition. There seems no place for distinctive feature. The southern states which always claim and are claimed to be distinctive from the rest will , therefore, be interesting and worth observing. Taking John Grisham's work, *The Testament*, which is set in Virginia in the year of 1996s, as the main source, this study is done under the notion that literary works could serve as mental evidence of what happens in society. The result demonstrates that Southern society experience the same condition. The increasing individualism in turn exerts great influence on the family life. The bond becomes more loosen and distrust rises .*

Key words: southern society, distinct, decline, family bond, distrust

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INTRODUCTION

Great Disruption is defined as seriously deteriorating social conditions (Fukuyama, 1999). Fukuyama asserts that over the past half century the United States and other economically advanced countries have made the shift into what has been called an information society, the information age, or the post-industrial era. In this period, roughly the mid-1960s to the early 1990s, crime and social disorder began to rise, making inner-city areas of the wealthiest societies on earth almost uninhabitable. The decline of kinship as a social institution, which has been going on for more than 200 years, accelerated sharply in the second half of the twentieth century. Marriages and births declined and divorce soared; and one out of every three children in the United States was born out of wedlock. He also asserts that trust and confidence in institutions went into a forty-year decline. The nature of people's involvement with one another changed as well - although there is no evidence that people associated with one another less, their ties tended to be less permanent, looser, and with smaller groups of people. In short the major indications of the great disruption are the decline of family values and the rising of distrust. Southerners are always believed to be different from those of other states of America.

Americans in general and those of the northern states in particular always regard them as backward ones because they are always bound to the past and hardly accept the progress. They themselves believe that they have distinctive pride compared to those of other states especially the northern states. They regard themselves as those who are always respectful to the past, ancestor, family, land, honor and private rights. Even they also believe to be more persistent in defending family and religious values than those from other states (Wyatt-Brown 1982). This is peculiarly true, especially after their defeat from the northerners in the Civil War (1861 - 1865). The defeat turns out to make them more convince that they are really different from the northerners. The term *southerners* itself appeared for the first time after the war (Cash 1941).

But what happens in the following decades? Do they still maintain their distinctiveness. Responding to Fukuyama's findings, this paper is intended to trace the great disruption in southern society and at the same time it is intended to see whether the southerners still keep their distinctive

characteristic especially those who live in the last decades of the twentieth century.

A literary work of John Grisham entitled *The Testament* (1999) written in those decades is taken to be the main resource for two reasons: first, the setting of place of this novel is Virginia which is regarded as one the centers of southern culture beside Mississippi; and second, the choice of literary work as the main resource to analyze the social condition of the southerners is done intentionally because under American studies discipline, literary works are convinced to be the mental evidence of what happens in real life. This notion is supported by some theories asserting that there is a close relation between literary works, society and history (Zeraffe 1973). Literature tends to reflect the dominant tendency in society in their era (Horton and Edward, 1974); and Berthram Wyatt-Brown (1982) asserts that literary sources can be treated as if the fictional characters were once alive. Through metaphor and felicity of language, the novelist's imagination can create the way people once thought and acted (Wyatt-Brown 1982:xi).

This is especially true when we analyze the southerner experience. Their experience is reflected in their literary works, because when the regional distinctiveness began to decline, "the southern literary renaissance has placed its writers in the vanguard of national letters and assured that that their works will be read as long as American literature is remembered" (Wordwood 1969:30). The distinguished characteristic of Southern writers according to Allen Tate is their peculiar historical consciousness. They are always conscious of the past in their present experience. Furthermore, Tate stated that:

themes that have inspired the major writers have not been flattering myths nor romantic dreams of the South's past... they have turned instead to the somber realities of hardship and defeat and evil and the problems of the human heart in conflict with itself (cited in Wordwood 1969:30).

ANALYSIS:

A. Declining Family Bond

Based on the fact that industry develops earlier in the northern states of America it is assumed that declining family bond as one of the characteristics of the *Great Disruption* will be experienced first by the northerners. As the southern states begin to be influenced by the power of industry the southerners may experience the same condition as the northerners. Due to the peculiar characteristic of the southerners, however, it of course takes much more time to notice such social disorder.

Catherine Clinton (1982) asserts that the family functioned as an institution of paramount importance in the ante-bellum South. Kinship provided crucial links both within economic and political system throughout the South, and in contrast to the North, this situation lasted long past the Revolution. By the early nineteenth century, expansion in industrial areas undercut the primacy and the power of family in northern business circle. On the other hand, plantocracy promoted an opposite phenomena. As territorial settlement expanded and business relations grew ever near complex, an extended kinship network increased rather than decreased in importance in the post-Revolutionary southern states. The growth of cotton culture demanded more and more land for profitable cultivation, but it was matched by an enduring faith in old and established social patterns in the South. When commercial traffic introduced new and more secular ideas from the urban centers of Northeast and Europe, southern society on the whole remained a conservative, tightly knit, hierarchal, and closed system (Clinton 1982).

In fact, some historians note the changing condition of Southerners directly after the Civil War. Howard N. Robinowitz (1992) writes that although they nostalgically maintained some virtues of the Old South, the next generations of white southerner tried to convince themselves and others that the New South began to flourish. Furthermore, Robinowitz notes the claims of other southerners of the coming of the New South. The earlier generation proclaimed the existence of the New South in 1920s; others announced its arrival in the immediate aftermath of World War II; and former president Jimmy Carter was proclaimed to be a representative of the

New South of 1960s and 1970s. However, another historian, Goldfield (1987) assures that eventhough the generation after 1940s transformed themselves to be urban dan post-industrial society they still kept the strong attachment to their region and even they became more family-oriented. *The New South* looked more distinct in 1970s when some southerners transformed themselves to be enterprenours with big corporation business.

The Testament serves as the mental evidence of what happened in Virginia in 1990s. The story is centralized in the distribution of worldly wealth in a will and testament of the dying old wealthy person, Troy L. Phelan. He is the representative of materially successful Virginian businessman in the last decade of the twentieth century. His power and wealth is seen in the following expression:

I own the tall glass building in which I sit, and 97 percent of the company housed in it, below me, and the land around it half a mile in three directions, and the two thousand people who work here and the other twenty thousand who do not, and I own the pipeline under the land that brings gas to the building from my fields in Texas, and I own the utility lines that deliver electricity, and I lease the satellite unseen miles above by which I once barked commands to my empire flung far around the world. My assets exceed eleven billion dollars. I own silver in Nevada and copper in Montana and coffee in Kenya and coal in Angola and rubber in Malasya and natural gas in Texas and crude oil in Indonesia and steel in China. My company owns companies that produce electricity and make computers and build dams and print paperbacks and broadcast signals to my satelite. I have subsidiaries with divisions in more countries than anyone can find (Grisham, 1999:1).

However, he does not enjoy his life. There is no happiness in his relation with his own family. This is reflected in his last will and testament. On his dying condition he writes his will as follows:

I, Troy L. Phelan being of sound and disposing mind and memory, do hereby expressly revoke all former wills and codicils executed by me, and dispose of my estate as follows:

To my children, Troy Phelan, Jr., Rex Phelan, Libbigail Jeter, Mary Rose Jackman, Geene Strong, and Ramble Phelan, I give

each a sum of money necessary to pay off all of the debts of each as of today. Any debts incurred after today will not be covered by this gift. If any of these children attempt to contest this will then this gift shall be nullified as to that child.

To my ex-wives, Lillian, Janie and Tire, I give nothing. They were adequately provided for in the divorces.

The remainder of my estate I give to my daughter Rachel Lane, born on November 2, 1954, at Catholic Hospital in New Orleans, Louisiana, to a woman named Evelyn Cunningham, now deceased.

I appointed my trusted lawyer, Joshua Stafford, as executor of the will, and grand unto him broad discretionary powers in its administration.

This document is intended to be a holographic will. Every word has been written by my hand, and I hereby sign it

Signed, December 9, 1996, Three P.M., by Troy L. Phelan

(The will is kept confidential until Jan 15, 1997) (Grisham 1999:23)

There are three interesting facts in Phelan's will which strongly reveal the condition of his family. First, the names of all his family are mentioned. No outsider and any institution or foundation are mentioned. Second, the content of the will shows that Phelan intentionally disinherits his legitimate children and ex-wives. Each of his legitimate children will get some money necessary only for paying their debts and the rest will be given to his illegitimate daughter. There is no gift for his three ex-wives. Third, there is a condition that if any of his legal children tries to contest the will, the gift will be annulled; and that the will is kept confidential up to certain date.

Phelan's will indicates the disharmonious family. Naming the whole member of the family in a will does not guarantee the close bond of family. In Phelan's case it is done to show his intention to disinherit his legitimate children and his ex-wives. It is common for Americans to disinherit children; and all states except Louisiana do not explicitly prohibit or favor such practice. In fact, the United States is nearly alone among modern nations in allowing parents to disinherit their children (Chester 1997). Some

states try to protect them under the theory that they have been omitted rather than excluded, but they have a different way in handling omitted relative. Many states assume that if the testator had a chance or had not forgotten to do so, they would have included the omitted relative. Other states make no mention of what the testator's intentions would have been, because they want a testator who intends to disinherit someone to do it using positive language rather than just not mentioning that person (Hudkins 2006). It is possible, therefore, to find a will in which the testator disinherits someone by bequeating them some money far from the common rule or the expected part; or naming them not to get anything.

Disinheritance is justified under the Virginian Law. "A will is a gift. Under Virginia Law, a person is not required to leave a dime to his children" (Grisham 1999:32). In practice disinheritance usually takes place for two reasons. The first reason is that the person has already got his gift before; and the second reason is that the testator does it on purpose because of some reasons. In this case, Phelan does it intentionally to punish his family. Before claiming it to be his last will, Phelan has written three wills. In his two previous wills, he leaves all his wealth to others:

I made a will two years ago and left everything to the last live-in, who at the time paraded around my apartment in leopard print panties and nothing else...

Three years ago I made a will,... and left everything to charities over a hundred of them ... (Grisham 1999:4)

Phelan's third will is assumed to make his heirs rich. The total gifts to the heirs is approximately three billion dollars. Each child will receive in the range of three hundred to five hundred million, and each of his ex-wives will get fifty million. After the government takes the tax the rest will go to charity. Phelan intentionally impresses them that the third will is the last and the valid one. The impression is strengthened by the fact that Phelan gives his signature in the third will before the witnesses as the requirement of will execution. The fact, however, is that it is not the last will of Phelan. Soon after the execution of his third will, Phelan shows his holographic will and declares it to be his last testament and jumps from the top floor of his office to death :

This is my testament. A holograph will, every word written by me, just a few hours ago. Dated today, and now signed today. It revokes all former wills, including the one I signed less than five minutes ago (Grisham 1999:17).

That tragic and dramatic action is done on purpose:

Down to the last day, even the last hour now, I'm an old man, lonely and unloved, sick and hurting and tired of living. I am ready for the hereafter; it has to be better than this (Grisham 1999:1).

I had planned this day for a long time... By sweat and brains and luck I built every dime of my fortune. Spending it is my prerogative. Giving it away should be my choice, too, but I'm being hounded (Grisham 1999:2).

Another interesting fact in Phelan's will is that while disinheriting his legitimate children he bequeaths the biggest amount of his wealth to Rachel Lane Porter who is later found out to be his illegitimate child. This is an acknowledgment of his wrong-doing. When his mistress was going to deliver her baby, Phelan sent her to a special hospital and without her permission, he arranged her daughter to be adopted by a stranger couple. His will therefore reveals more of his personal secret sexual life.

The revelation of the existence of mistresses and illegitimate children in a will can be traced back to the Old South era. In that era it was common to see white testators bequeathed some of their property to the black mistresses and illegitimate children a will. The difference is that at that time the white family of the testators had already known their existence. The revelation was more to the public, because the probate court is opened to public and in the end the probated will will be kept in public record. Yet, the impact on the white family was greater because it would disgrace their family honor. The core of Southern honor according to Wyatt-Brown (1982) is the evaluation of the public. To cover the sexual misconduct of the member of family from the public was the proper policy. In Phelan's case the revelation is dedicated more to his family. The public will not consider it as a shameful conduct because free sex and cohabitation are becoming more transparent and common practice at the end of twentieth-century (Smith, 1999). The impact on the family is great not to their honor but especially to their finance, because Phelan intentionally does it to punish them financially.

But above all the fact that Phelan has three ex-wives and one recognized illegitimate child and the fact that all the Phelans experience marriages, divorces and remarriages; and even committing free sex in their lives justify the idea of changing in family values among the new southerners. Entering the twenty-first century, Smith (1999) notes that the American family has been undergoing a profound and far-reaching transformation. Family structure and family values have been changing; and as a result of these changes, the American family is a much-altered institution.

There are four changes in family structure: first marriage plays a less dominant role than it was; second, divorces have increased; third, people are slower to remarry than previously; and fourth, both the delay in age at first marriage and in remarriage is facilitated by an increase in cohabitation. In the case of the Phelans, the mention of three ex-wives indicates that his marriages do not run well. All his marriages end in divorce and it creates hatred among the member of family. Indeed Phelan has a strong belief that all his legitimate children and his ex wives hate him and, they get together only to assure themselves that they will get much money from the dying father:

I had three families three wives who bore seven children, six of whom are still alive and doing all they can to torment me...

I am estranged from all the wives and all the children. They are gathering here today because I'm dying and it's time to divide the money (Grisham 1999:2).

They're all here, waiting and waiting, though they don't mind. They'd stand naked in a blizzard for what I'm about to do (Grisham 1999:3).

They are a miserable bunch, all of them. Their mothers hate me, so the children in turn have been taught to hate me, too.

They are vultures circling with the clawed feet, sharp teeth and hungry eyes, giddy with the anticipation of unlimited cash (Grisham 1999:4).

Phelan's belief is justified. While waiting for the the date of reading of the will and believing that they will inherit a great deal of money, the heirs begin to plan of how to spend the money. They use to lead a hedonistic life

and now they are planning to continue and even get it worst. Each hires their own lawyer and spend more their time in the lawyer's office but less talking to each other. They also incur and create new massive debt. Troy Phelan, Jr, for example begins to dream what he is going to with the money. He starts to imagine a mansion he will build and get the new car for his partner. When the dealer asks him the payment, he replies that it will be paid a month later. Responding to the rejection from the dealer, Phelan, Jr says:

I could buy this entire dealership, you know, I could walk into the bank right now and ask for ten million or twenty million or whatever it would take to buy this place, and they would happily give it to me for sixty days. Do you understand that? (Grisham 1999:40)

Conditions are common in wills. In the old days most of the conditions in Southerners' wills had something to do with the maintenance of family values and some with religious teaching. Phelan's condition, however, reflects the different motive. It tends to be a threat. Phelan understands that "they'll heavily in debt and virtually unemployed, with little hope of changing, so my signing of this will is the most critical event in their lives" (Grisham 1999:3); but he asserts that "I don't care who gets the money. But I do care very much who does not get it" (Grisham 1999:2). He wants to make it sure that his legitimate children suffer from their ignorance. This is strengthened by the fact that he keeps the last will confidential up to the last second for the lawyers and more than a month for the children:

They haven't seen the will, nor do they have the right to. A will is a private document revealed only after the death. The heirs can only speculate as to what it might contain. My heirs have received hints, little lies I've carefully planted (Grisham 1999:10)

B. Rising Distrust

Another characteristic of the Great Disruption is the rise of distrust to institutions including any governmental institutions. In turn it exerts great influence on individual relation to each other. There will happen rising distrust to other individual. The increasing individualism and the declining power of communal control give great influence on family life, sexual behavior and the willingness of society to obey the rule. Fukuyama (1999)

argues that this phenomenon also happens in southern society. Before and the immediate aftermath of the Civil War we could distinguish the southerners from the northerners but by the end of the twentieth century we find it hard to distinguish them.

Distrust to governmental institutions especially federal institutions, however, has already been among the Southerners before they flourished into industrial society. Even the Civil War was to some degree driven by their distrust to federal rules. Their distrust to federal government is also seen in their refusal of any programs proposed by the federal to make better their lives in the reconstruction era (Daniel 1986). In fact Southerners have already been regarded and characterized as those who maintain their distrust to any progress proposed by outsiders (Cash 1969).

The writing of wills itself indicates the distrust to the state and federal rules and the practice of individualism. Will, in law, is an effective declaration of intention of what shall be done at the death of the maker or testator, usually relating to a disposition of property (Matheson no date: 769). A will is a written legal document, signed by the testator in the presence of witnesses which take effect only upon the testator's death in the distribution of his property, according to his directions and who is to administer his estate, subject to certain limitations imposed by law (www.lawyerment.com).

From the definitions above, it is clear that the principle foundation of a will is the intention of the testator in distributing his property. So long as it is written in accordance with the law no one can contest the will and the court has a legal obligation to approve the stated willingness of the testator. Without a will the property will be distributed in accordance with the state and federal laws which sometimes do not suit with the expectation of the owner of the property.

The most interesting fact is that there is an increasing distrust to the members of their own family. This is seen in the attitude of Phelan. Phelan always blames his children and their mothers to be greedy individuals. They are useless individuals who spend the money for nothing important. He accuses that the three ex-wives marry him for money. He also accuses his legitimate children of being useless and having no capacity to manage his

business and money: "As large as my fortune is, the money won't last long among these fools" (Grisham 1999:3). Phelan states that money is the root of his misery. He does not aware that he has a substantial role in creating such greedy generation. On his dying time he states that he is tired of all, but when he is young he spends much money for his own pleasure and tends to ignore his family: "I once owned all the appropriate toys-the yachts and jets and blenders, the homes in Europe, farms in Argentina, an island in the Pacific, thoroughbreds. Even a hockey team..." (Grisham 1999:1).

There is also a habit in his family to provide five million dollars as a gift on children's twenty-first birthday and they usually spend it for fun characterized as the life style of modern society such as drugs, music, alcoholic drinking, fashion, cars, etc. Responding to his first son's choice in spending the gift, Phelan says that like the rest "it runs like water through his fingers." Indeed modern and post modern eras offer various choices and individuals to get more freedom to choose not only because they have more freedom to choose but foremost because the era provides more choices than before. Referring to Cash (1969) and Fukuyama (2000) the massive changes happening in the era are centralized in the increasing individualism.

CONCLUSION

Entering the last decade of the twentieth century, the southerners who used to be claimed and claim themselves to have close attachment to the family, experience great changes in family values. The bond becomes loosen and distrusts arises among the member of their own family due to the increasing individualism. The various choices offered by modern era encourage individuals to practice their freedom in selecting and practising their preference which are absolutely different from the past. Like others, Southerners are swept by the power of era. Their claim to be always family-oriented is contested by the end of twentieth century.

The Testament in particular serves the evidence that the young and old generation represented by the Phelans do not consider the family as the central institution in their life. They becomes more individualistic and materialistic. This is indicated by their loose bond, distrust to each other, and the pursuit of their own worldly happiness.

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