

## The Erased Story of the Chappaquiddick Case: Joyce Carol Oates's *Black Water*

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On the night of July 18–19, 1969, the automobile Senator Edward Kennedy was driving plunged into a pond and his passenger Mary Jo Kopechne, was left behind in the submerged car and died. That the Senator did not immediately report it to the police and no autopsy was conducted led to much conjecture. This is the Chappaquiddick case. There are many non-fiction works in which the case is investigated and analyzed in detail. But they deal with this case not as a tragedy in which Mary Jo Kopechne died, but as a scandal in which a big shot politician, Edward Kennedy, allowed a woman to die. In other words, in all the non-fiction works, the subject is Kennedy and the aim is to criticize him. As Barbara Foley states that “a truth is being told, with ‘facts’ to back it up, but a teller constructs that truth and chooses those facts” (67), the truths of the Chappaquiddick case told by non-fiction writers are constructed as the story of Kennedy’s scandal through their choice of Kennedy’s facts. As a result, the victim becomes a mere tool to blame Kennedy and her existence has little importance for the non-fiction writers.

On the other hand, Joyce Carol Oates’s *Black Water* (1992) describes the facts of the Chappaquiddick case but it neither reaches for Kennedy’s truth nor deals with the case as Kennedy’s scandal. What Oates wants to convey in this novel can be inferred from her memos, letters, and interviews. In a letter to Greg Johnson, Oates writes of her feelings concerning the Chappaquiddick Case:

“It’s infuriating,” she wrote, “when Ted Kennedy repeatedly refers to the incident as a ‘tragic accident’ — it was an accident that, while drunk, he drove a car into the water, but it was no accident that he allowed his passenger to drown. Imagine — he didn’t report the accident for nine

hours. Yet he wasn't charged with anything except leaving the scene."  
(Johnson 383)

Moreover, in 2002, 10 years after the publication of *Black Water*, Oates talked about this case in an interview on the radio:

She [Kopechne] was trapped in the car. She was trapped in such a way that there was an air pocket. She was not drowning. Ultimately, she probably suffocated. [ . . . ] And this black water, as I imagine, this black water dripping down, but she was able to live for hours before the water actually suffocated her. [ . . . ] But all the headlines and all the stories were about Ted Kennedy. (Koval)

Accentuating the existence of Kopechne, which is not particularly paid attention to by the non-fiction writers, *Black Water* calls into question the representation of the Chappaquiddick case as only Kennedy's scandal. Oates represents the fact that this case also involves a woman who was a full person in her own right, not a mere young and beautiful someone who added spice to Kennedy's scandal.

In this essay, *Black Water* is compared with three non-fiction works about the Chappaquiddick case. I will investigate the essence of the representation of fact as narrativized through the writer's arbitrary choice and construction of fact in the non-fiction works. Next, I will analyze how *Black Water* reveals the biased choice and dogmatic construction of fact in the non-fiction works by means of postmodern techniques. Moreover, I will analyze how this novel suggests the latent disregard for women in non-fiction accounts.

## I

The three non-fiction works dealt with in this essay can be classified in the genre of the new journalism, or the non-fiction novel made famous by Norman Mailer, Tom Wolfe, and Truman Capote. In this genre, instead of using conventional journalism techniques to represent fact objectively, the writer constructs the facts by openly blending his or her personal feeling with the factual information obtained through investigation. This genre arose when conventional notions of realism began to waver as lifestyles and values in the

1960s America became diverse. John Hellmann defines the new journalism as “a revolt by the individual against homogenized forms of experiences, against monolithic versions of truth” (8). The new journalism can be regarded as a revolt against the conventional representation of reality. In this sense, the new journalism is postmodern. Objective representation is no longer possible in modern times when the notion of objective reality is in doubt.

Jack Olsen published *The Bridge at Chappaquiddick* (1970) earlier than anyone else by moving to Edgartown, where the accident took place, and living there for two months. The black sedan which Deputy Sheriff Christopher Huck Look saw at about 0:30 a.m. on July 19th is essential to the truth of this case as presented by Olsen:

Huck [Look] eased his station wagon to the side of the road, about sixty feet from the other car [the black sedan], and stepped out. “They’re confused,” he told himself. “They want to know which way to go.” Hitching up his belt, he walked along the center line toward the rear of the stopped car. [ . . . ] Now he was about thirty or thirty-five feet away, the brightwork on his uniform reflecting the backup beams [ . . . ]. Before Look could call out or get a better look at the occupants, the car had disappeared behind a wall of dust. (91)

Based on Look’s testimony, Olsen constructs his original truth of the Chappaquiddick case:

Now he [Kennedy] was [ . . . ] probably wondering whether the man in uniform who had stalked toward his car was planning to follow. [ . . . ] It would have been a very logical step for Kennedy to stop the car between the high walls of underbrush on either side, jump out, and tell Mary Jo to circle back and pick him up in a few minutes if the policeman did not give chase. If the cop caught up, she could explain that she had borrowed the car and was out for a cooling drive. Thus Kennedy would be completely left out. [ . . . ] In less than one minute she would reach the bridge, but she would never see it. Hunched down in the seat, barely able to see, she would continue in a straight line off the bridge. (241–2)

If Olsen’s account is accurate, the question of why Kennedy made false statements arises. Olsen constructs the answer to this in his own way:

If it were indeed true that Mary Jo Kopechne had driven the car off the bridge, Kennedy, despite his innocence, could face further legal charges by saying so, and also run the risk of involving friends who had stood by him loyally. If he gave a new version of the facts, he could open himself to a charge of making a false report, and Markham (and possibly others in the party group) to a charge of conspiring to make a false report. (249)

Olsen emphasizes his own existence as a writer as similar to that of a policeman or a detective who investigates, indicates, analyzes, and resolves. From this viewpoint, he narrativizes the case as an accidental incident resulting from Kennedy's desire to protect himself.

Kenneth R. Kappel structures his original truth of the case using different facts from Olsen's. He states that "the fact that we have established beyond a reasonable doubt that there was blood on Mary Jo's blouse is crucial, and in fact the key to unlocking the mystery of what really happened at Chappaquiddick" (191). When Kopechne's body was pulled from the water, she was not bleeding. But Kappel thinks that the bloodstains on her blouse showed that her injuries caused a lot of bleeding before she fell into the water. According to him, if she had bled only in the water, the bloodstains would not have remained (191–2). On the basis of the bloodstains on Kopechne's blouse and the fact that an autopsy was not carried out, the truth of the Chappaquiddick case Kappel constructs is as follows:

[ . . . ] on a narrow, windy, unlit, sandy-dirt road on Chappaquiddick, he [Kennedy] loses control and the car slides off the narrow road, smashing into the trees. This would explain the deep dents on the passenger side of the car. The car skids into the trees and stops abruptly. Mary Jo bangs the back of her head, very hard. She's knocked unconscious, Kennedy can't revive her, and she's bleeding down the back of her blouse. He panics; disoriented, nearly hysterical, he stumbles back to the cottage for help. He retrieves Markham and Gargan. Perhaps one other person [ . . . ]. They return to the scene. Three, maybe four, rapidly sobering but panic-stricken men, who are not doctors, fail to find a pulse in the deeply unconscious still bleeding woman. (248)

He finally concludes that though Kopechne did not die when the car crashed

into a tree, Kennedy was under the illusion that she was dead and so he and the others dropped the car with Kopechne in it into the water, where she died. Kappel narrativizes the case as the manslaughter of Kopechne by Kennedy, not a mere traffic accident, by focusing on the bloodstains on Kopechne's blouse.

Leo Damore's narrativization of the case in *Senatorial Privilege* tends towards blaming Kennedy himself, of course, but also the judiciary influenced by the Kennedys.

Those mysteries haunt not only the Senator, but investigative authorities. Charges of ineptitude and lack of diligence abounded, as did insinuations that the machinery of justice crumbled beneath the power and the prestige of the Kennedy family. (xiii)

Unlike Olsen and Kappel, Damore does not present a new interpretation of the Chappaquiddick case. He narrativizes the case by adding some new information and evidence gained through his close investigation of the contents of Kennedy's confession.

One of Damore's new pieces of information is provided by Joseph A. Gargan, Kennedy's cousin and lawyer. According to Kennedy's confession in the TV press conference, he walked to the cottage where the party was being held after escaping from the submerged car by himself, and again returned to the scene of the accident with Gargan and another lawyer, Paul Markham. Gargan and Markham dived into the water to save Kopechne but they could not. In spite of Gargan's suggestion that Kennedy should report the accident to the police immediately, Kennedy went back to his hotel alone instead. He did not report the accident to the police until Gargan visited him at the hotel the next morning. Gargan revealed the content of the conversation with Kennedy on that morning to Damore for the first time.

Gargan said, "This thing is worse now than it was before. We've got to do something. We're reporting the accident right now!"

Kennedy said, "I'm going to say that Mary Jo was driving."

"There's no way you can say that!" Gargan said. "You can be placed at the scene." (89–90)

The important thing here is that Kennedy intended to say that the driver was not himself but Kopechne. Gargan's confession reveals that Kennedy, interested only in protecting his own interests, did not consider the victim of this accident at all. Thus, by digging up new information and vividly representing the confession and the conversations of those involved in the case, Damore makes his accusation against Kennedy and the judiciary.

Though the three non-fiction writers pursue the truth of the Chappaquiddick case and adopt almost the same facts of the case to support their own stories, the stories vary. The difference between them is the difference in the facts which the authors choose to construct their stories. From this viewpoint, it can be said that a non-fiction work is not a simple representation of fact but a narrativized fiction intended to lead the reader to the writer's own conclusion.

## II

*Black Water* can be regarded as a work of "pseudo-new journalism," or a "pseudo-non-fiction novel" that pretends to be a work of the new journalism. Oates points out the contradiction in the representation of fact, citing a passage from Mark Twain's *The Adventures of Huckleberry Finn*:

In the famous opening of Mark Twain's *The Adventures of Huckleberry Finn*, we're assured by the narrator, Huck Finn, that the novel that precedes it, *The Adventures of Tom Sawyer*, "is mostly a true book, with some stretchers." This caveat lector is comically applied by a fictitious character to a work of prose fiction in which he himself is featured, but it might as reasonably be applied to the amorphous genres of "non-fiction," "history," and "memoir" as well. (*Where* 76)

What is problematic in the representation of fact in the new journalism is the "stretchers."

The new journalism questions the techniques of conventional journalism, which takes "[the] transparency and common-sense naturalness [of representation]" (Hutcheon 30) for granted. This view itself symbolizes the mind of postmodernism. Oates adopts the postmodern mind of the new journalism to represent fact — a revolt against the objective and realistic representation of

fact in conventional journalism by blending the writer's subject with the objective factual accounts. But using various postmodern techniques, she also reveals the distrust in the new journalism's way of turning the facts into a coherent story. Here, I analyze the characteristics of the postmodern techniques used in *Black Water*, techniques such as fragmentation, insertion of unrelated sentences, and use of various kinds of typography.

*Black Water* begins with the scene in which the Senator and Kelly Kelleher plunge into the water in the car on their way to the ferry. But after that, the story is told in a stream of consciousness showing Kelly's disorderly thoughts. In Chapter 25, in spite of saying "as the *Black Water* filled her lungs, and she died" (103), the narrator postpones Kelly's death again and again with the words such as "no" (103), "except" (110), or "it had not happened yet" (143). According to Cologne-Brookes, Oates has said of *Black Water* that "its two-hour reading time corresponds with the time it takes for Kelly to die, but it is unclear at what point Kelly's awareness becomes the delirium of her dying brain" (179). The reader enters Kelly's turbulent mind from right after the accident all the way to her death. But, because Oates tries to realistically reproduce the turbulent consciousness of a dying person, the novel does not have a coherent plot. All it has is the divided fragments of Kelly's life and the final result: her death.

Sara E. Lauzen states that "the relevant presupposition for standard realism is that structure is 'organic,' given by the content, and not arbitrarily imposed" (102). This explanation of realism applies to the three non-fiction works discussed in this essay. Their structure is also "organic" because their contents are coherent according to the writers' narrativization of the facts. Barry Lewis states that postmodern novels destroy the essential elements of the novel such as plot, character, setting, and theme:

Either plot is pounded into small slabs of event and circumstance, characters disintegrate into a bundle of twitching desires, settings dwindle to little more than transitory backdrops, or themes become so attenuated that it is often comically inaccurate to say that certain novels are "about" such-and-such. (116)

This explanation of plot can be applied to *Black Water*, where the story is di-

vided into many pieces told through flashback. Because the story of Kelly's life, which would normally constitute the plot of this novel, is told too disjointedly, there is no coherent plot. Showing the impossibility of narrating Kelly's life as a coherent story by fragmenting the stories, *Black Water* suggests the artificiality and fictionality of the narrativization of the Chappaquiddick case without inviting contradiction by non-fiction writers.

There are some scenes where sentences unrelated to the contents of the novel are inserted in a disordered and fragmented way. For example, in Chapter 9 "a perfume advertisement" is inserted. It can be interpreted as a metaphor for Kelly's feeling when she first meets and talks with the Senator.

You know how it is, basking in the glow of a sudden recognition, his eyes, your eyes, an ease like slipping into warm water, there's the flawlessly beautiful woman who lies languorously sprawled as in a bed, long wavy red hair rippling out sensuously about her, perfect skin, heartbreak skin, lovely red mouth and a gown of some sumptuous gold lamé material clinging to breasts, belly, pubic area subtly defined by shimmering folds in the cloth, and The Lover stands erect and poised above her gazing down upon her his handsome darkish face not fully in focus, as the woman gazes up at him not required to smile in invitation, for she herself *is* the invitation, naked beneath the gold lamé gown, naked lifting her slender hips so subtly toward him, just the hint of it really, just the dream-suggestion of it really, otherwise the advertisement would be vulgar really, the perfume in its glittering bottle is OPIUM the *perfume* is OPIUM is OPIUM the perfume is OPIUM it will drive you mad it will drive him mad it will make addicts of you it is for sale in these stores . . .

(32)

Kelly's feeling is described directly and realistically except for this part, where it is expressed figuratively. By inserting Kelly's feeling figuratively into the realistic narration, Oates reveals that non-fiction writers blend their subjective views with the representation of fact.

Another important technique in *Black Water* is the use of various kinds of typography. This novel includes ellipses, dashes, exclamation points, italics, capitalized words, and so on. Tom Wolfe, a representative of the new journalism, also uses this technique. He explains why:



Most of the people who eventually wrote about my style [ . . . ] tended to concentrate on certain mannerisms, the lavish use of dots, dashes, exclamation points, italics, and occasionally punctuation that never existed before : : : : : and of interjections, shouts, nonsense words, onomatopoeia, mimesis, pleonasms, the continual use of the historical present, and so on. This was natural enough, because many of these devices stood out even before one had read a word. The typography actually *looked* different. [ . . . ] I figured it was time someone violated [ . . . ] a protocol that had kept journalism and non-fiction generally (and novels) in such a tedious bind for so long. I found that things like exclamation points, italics, and abrupt shifts (dashes) and syncopations (dots) helped to give the illusion not only of a person talking but of a person thinking. I used to enjoy using dots where they would be least expected, not at the end of a sentence but in the middle, creating the effect . . . of a skipped beat. (35–6)

Wolfe's motive for using typography can be said to correspond to the post-modern view which calls into question "the transparency and common-sense naturalness of realistic representation."

In *Black Water*, the typography expresses the situation and individual psychology very effectively. Just before the car goes into the water, a momentary pause in Kelly's thoughts is expressed by an ellipsis: "Just before the car flew off the road Kelly Kelleher wrinkled her nose smelling . . . was it raw sewage?" (18). When she is called "Kelly" by the Senator, her surprise is expressed by italics and an exclamation point: "*Kelly!* — her heart tripped absurdly, her face went hot, hearing her name, that name given her by schoolgirl friends, on this man's lips" (19). Onomatopoeia is seen in Kelly's grandfather's words in one of her childhood memories: "*Who's this! who's this! mmmm Who's this little angel-bee who's this!*" (119). Oates's use of typography gives a more realistic effect to the description in a manner similar to that of writers such as Wolfe.

But the use of various kinds of typography, especially the use of italics, not only produces a more realistic effect but also fragments a text that is divided into many chapters, paragraphs, and blanks into smaller units such as sentences, clauses, phrases, and words. Italicization generally indicates emphasis. The novel includes many italicized words, phrases, clauses, sentences, and groups of sentences. Many parts of Kelly's actual speech, her internal voice,

and other people's speech are italicized, but not all. For example, Kelly's deepest feelings toward the Senator are described in italics:

*He wasn't as I'd imagined him, he turned out to be really warm, really nice, not at all condescending—*

Shaping the precise words that would encapsulate, in her memory, in her recounting of memory to friends, perhaps Mr. Spader himself who had known The Senator years ago but was distant from him now. (83)

If people's words and thoughts were all italicized, it could be said that Oates tries to separate people's minds from the narration in the text. But instead, people's words and thoughts are italicized, according to the situation, narrated as the narration in the text, or bracketed by double quotation marks as general conversational sentences. What's more, there are some words and phrases in italics that are not people's words and thoughts. As can be seen, there are no rules for the use of italics in *Black Water*. By fragmenting the text into many small pieces without any rules through the use of italicized words and sentences, Oates subverts the significance of using italics for emphasis. Because there are so many italics in this novel, they no longer emphasize particular parts. This suggests the egotism of non-fiction writers who narrativize the Chappaquiddick case by emphasizing only particular facts.

As argued above, various postmodern techniques are used in *Black Water* to reveal the artificiality and fictionality of the representation of the Chappaquiddick case and protest against the new journalism, which assimilates the writer's subjective view into the representation of fact.

### III

As seen from a letter and an interview quoted in the introduction in this essay, Oates seems to feel that the general narrativization of the Chappaquiddick case as only an Edward Kennedy scandal is unfair. In fact, as for Mary Jo Kopechne herself, the three non-fiction writers briefly mention only her background and personality. Though they analyze Kennedy point by point and give detailed explanations of his actions, they quickly finish with Kopechne. In the character of Kelly Kelleher, Oates suggests the disregard for women

underlying the narrativization and representation of the Chappaquiddick case. Applying the feminist theory of Simone de Beauvoir, I will investigate this disregard.

In *The Second Sex* (1952), Beauvoir explains that society produces the concept that woman is inferior to man. She states that “she [woman] is for man a sexual partner, a reproducer, an erotic object — an Other through whom he seeks himself” (59). For those writing non-fiction about the Chappaquiddick case, Kopechne is the Other through whom they seek to step into the lime-light by showing off their reportage. She is — for the non-fiction writers and probably for Kennedy himself — a means of satisfying the lust for possession and the greed for self-display, and therefore she herself is never narrated as a subject.

Though the statement in *The Second Sex* that “one is not born, but rather becomes, a woman” (267) is well-known, more directly expressed, it changes to: “One is not born as a woman but rather forced to be a woman by society.” Beauvoir explains:

[ . . . ] the passivity that is the essential characteristic of the “feminine” woman is a trait that develops in her from the earliest years. But it is wrong to assert that a biological datum is concerned; it is in fact a destiny imposed upon her by her teachers and by society. The great advantage enjoyed by the boy is that his mode of existence in relation to others leads him to assert his subjective freedom. [ . . . ] But what is very important is that there is no fundamental opposition between his concern for that objective figure which is his, and his will to self-realization in concrete projects. It is by *doing* that he creates his existence, both in one and the same action.

In woman, on the contrary, there is from the beginning a conflict between her autonomous existence and her objective self, her “being-the-other”; she is taught that to please she must try to please, she must make herself object; she should therefore renounce her autonomy. She is treated like a live doll and is refused liberty. Thus a vicious circle is formed [ . . . ]. (280)

In the three non-fiction works, Kopechne is given the status of an objectified doll lacking autonomy and refused liberty, and is excluded from the essence of

the case. The non-fiction writers assert their own manhood and emphasize their own achievements by disclosing only Kennedy's truth. In other words, not only in the Chappaquiddick case itself but also in the act of representing it, Kennedy and the (male) non-fiction writers are subjects and Kopechne exists only as an object which affirms their existence.

In *Black Water*, the view that woman is the Other who emphasizes the existence of man as a subject is firmly established in the relation between Kelly and the Senator, her father, and her ex-boyfriend G—. The phrase "You know you're someone's little girl," which appears like a spell when Kelly is with each man, symbolizes the relationship between Kelly and the men.

In the following scene, Kelly, disturbed by the Senator's rough driving, recalls her father's driving after a quarrel with her mother:

The way, Kelly uneasily recalled, her father had sometimes driven after one of his and her mother's mysterious disagreements the more mysterious and the more disturbing in Kelly's memory for being wordless.

*Don't ask. Sit up straight. It's fine. It's all right. You know you're someone's little girl don't you?* (16)

Moreover, this phrase appears in the scene where the Senator comes to Kelly, who is alone at the beach:

[ . . . ] when someone came up stealthily beside her, she saw through her eyelashes that the person was barefoot, a man [ . . . ] and there came the lightest most shimmering touch on her like an electric shock as she realized it was his tongue on her skin . . . [ . . . ].

Staring up then into his face. [ . . . ]

And not a word passed between them for what seemed like a very long time though Kelly's lips twitched wanting to smile or make a nervous girlish joke to break the spell.

*You know you're someone's little girl, oh yes!* (57–8)

The phrase also appears when she recalls shaking hands with the Senator for the first time:

As he [the Senator] had smiled happily gripping her hand squeezing it

just perceptibly too hard unconsciously as men sometimes do, as some men sometimes do, needing to *see* to *feel* that pinprick of startled pain in your eyes, the contraction of the pupil.

As G—, making love, had sometimes hurt her. Unconsciously.

[ . . . ] their bodies slapping and sucking hot-clammy with sweat, hair plastered to their heads with sweat, *you know you're somebody's little girl don't you? don't you?* (45)

The phrase, “You know you’re someone’s little girl” is an example of men regarding Kelly as “a live doll” without autonomy. This phrase implies male chauvinism, where woman as an object does not need to think anything; she only needs to obey man the subject. In other words, Oates evokes the representation of the Chappaquiddick case by the non-fiction writers who treat Kopechne as a mere accessory to Kennedy with this phrase that shows Kelly being treated like a child.

Kelly’s feeling just before the end of her romantic relationship with G— also reveals what lies at the bottom of the representation of the Chappaquiddick case:

Very near the end he’d said quietly, “I don’t want to hurt you, Kelly, I hope you know that,” and Kelly smiled saying, “Yes, I know that,” as if this were a casual conversation, one of their easy friendly conversations, for weren’t they more than lovers, weren’t they best friends too, she’d kissed him, he’d slung an arm around her burying his warm face in her neck, she was very still thinking, And can’t I hurt you? Have I not that power, to hurt *you*? Knowing that she did not have it, any longer. (46)

Kelly’s recognition that she no longer has the power to hurt G— suggests Kopechne’s lack of influence on both Kennedy and the non-fiction writers.

What Oates does in *Black Water* is not merely re-narrate the Chappaquiddick case, placing Kopechne as a subject; she also casts doubt on the male-centered narrativization of the case in the non-fiction works. In other words, she redeems what has been erased by telling Kelly’s story and, at the same time, shows the problematic nature of the representation of the Chappaquiddick case. Oates says in the interview with Susannah Hunnewell, “I wanted the story to be somewhat mythical, the almost archetypal experience of a young

woman who trusts an older man and whose trust is violated" (29). "An older man" may be thought to include not only Kennedy and the Senator in *Black Water* but also the non-fiction writer, who is expected to accurately represent the facts, and more broadly speaking, the mass media. Therefore, it can be seen that Kelly has been produced as a representation of Kopechne, who was violated by them all.

*Black Water* can be regarded as a work of the pseudo-new journalism. Oates creates her own original narrativization of the Chappaquiddick case through the new journalistic technique of bringing together fact and the writer's subjective view. But by frequently using various postmodern techniques, she foregrounds the egotistic narrativization of the case by the non-fiction writers and emphasizes their disregard for Kopechne by evoking it in the behavior of the three men toward Kelly in *Black Water*. Pretending to be a non-fiction novel, *Black Water* exposes its own fundamental artificiality and fictionality and casts doubt on the credibility of the representation of fact, especially the new journalism's way of representing fact, where writers are both prejudiced and dogmatic in their choice and construction of the facts.

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