Life Lessons Learned Along the Way: The Case of Hemingway v. Faulkner

By Thomas W. Werner

We continue our series of personal, impactful stories that have shaped how we practice law.

In isolation, a bachelor's degree in creative writing does not afford its holder many lucrative occupational opportunities. A quick Google search reveals that the most commonly recommended career path for a holder of a creative writing degree is further schooling, namely seeking a graduate degree in any number of fields. I understand this path quite well, for this is the path that I myself took nearly two decades ago. I followed the path from my undergraduate degree in creative writing to law school to my career as a litigator. And my family and I have realized great benefits from this path. For instance, if I had not continued my education beyond receiving that degree in 1999, I could easily remain to this day employed within the food service industry, a noble line of work, to be sure, but one not particularly well suited to my skillset.

Even in isolation, however, my creative writing degree provided me with great value far beyond my eventual pecuniary remuneration. In addition to starting me off on my eventual career path, my undergraduate studies provided me with a stark education in the value of evaluating and selecting strategies, especially when two of my professors made me choose opposite sides in the case of Hemingway v. Faulkner.

Ernest Hemingway and William Faulkner were contemporaries by chronology (both writing to worldwide acclaim in the early 1900s), and often by topic (both frequently writing about rough and brutish men in rough and brutish times). Where the two sharply diverged, however, was in style. Hemingway is widely identified within (and outside of) the literary community as a writer of short, concise sentences comprised of simple to understand words. In reviewing Hemingway's first novel, The Sun Also Rises, the New York Times described Hemingway's writing as "lean, hard, athletic narrative prose."

By contrast, Faulkner eschewed simple phrasing for verbiage and sentence structure that would challenge even the most well-read of his audience. Faulkner's work has often been described as "demanding," "difficult," "arduous," or just plain "wordy" (and that is just by me – although in fairness, because I am not currently in the middle of reading a Faulkner novel or short story, I will also add the words "descriptive," "highly impactful," and "beautiful").

The two writers' styles are so obviously opposed that Hemingway v. Faulkner has been a debate within (and outside of) the literary community since at least 1947 – when the writers themselves began a long-remembered battle of words. That year, when giving a speech at the University of Mississippi, Faulkner was asked to comment on the state of American literature at the time. Among his comments, Faulkner stated that Hemingway "has never been known to use a word that might send a reader to a dictionary." Upon hearing of Faulkner's words, Hemingway reportedly retorted, "Poor Faulkner. Does he really think big emotions come from big words? He thinks I don't know the ten-dollar words. I know them all right. But there are older and simpler and better words, and those are the ones I use."

Through this back-and-forth, Hemingway and Faulkner established an ever-raging question among writers and readers alike: Is it better to be a Hemingway or a Faulkner? Despite its longstanding nature, the first I heard of the Hemingway v. Faulkner debate was during my undergraduate studies, when two of my professors gave opposing answers to this question. My first writing class was a study in the art of the autobiography. Upon reviewing my first writing – a cautionary tale about how teasing a sibling can result in hospitalization – the professor commented that it was "good" except for my writing style, which he characterized as "long-winded, too complex, and rambling." He strongly advocated instead for Hemingway, citing his desire to read only "short sentences of short words." Although I grumbled a bit under my breath, the rest of the semester I conformed to the professor's wishes as best I could, and I ended up with what I considered to be an acceptable grade.

A year later, I took a seminar in Advanced Creative Writing, wherein one of the professor's chief lessons was "never be afraid of a long and complex sentence structure." So Faulknerian were his leanings that one of his initial assignments was to construct an entire story in a single sentence, which sentence could not be less than 250 words long. Once more I grumbled under my breath. Once more I adapted my writing style to meet the desires of my professor. Once more my efforts resulted in an acceptable grade.

Despite my inner grumbling, this variation of strategies taught me an incredibly important lesson: know your audience. In the years that have lapsed since I earned my degree in creative writing, I have often encountered situations wherein I (with far less grumbling) have had to adapt my writing style strategy to suit a particular audience, be it a boss, a particular judge, a group of attorneys, a friend, my family or a legal periodical publisher. I have found that sometimes I need to be more Hemingway, sometimes Faulkner, sometimes entirely something else.

Being adaptable is crucial in litigation. Sometimes the best strategy is to go on an immediate attack, file an immediate motion to dismiss, put immediate settlement pressure on an opponent. Sometimes a far longer approach is warranted, involving a detailed discovery process. We as a practice group always strive to pick the best strategy to suit each case that hits our desks, while remembering that no matter which strategy we choose, we always work towards the ultimate goal.

In other words, in the case of Hemingway v. Faulkner, both writers win in different circumstances. Although I've always been far more partial to Vonnegut, myself.

In our second article this month, Richard Mitchell discusses liability of private entities in a unique context: Contracting with Public Entities; Can Liability Spill Over?

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