

Of Bleak House, copyright and feminism in literature

The Chief Justice reports on the Law and Literature conference in Melbourne

There are many literary works in which the operation of law plays a significant part.

Considerable insight can be gained in earlier novels and plays by observing the law as it then was and comparing it to what it now is.

Many older works, for example, were written to attack what were then seen as abuses of the law; and their success frequently explains the state of the present law.

Meanwhile contemporary novels such as *Bonfire of the Vanities* draw attention to contemporary legal problems. The novelist and the lawyer must effectively control the language if they are to control (ie influence) their audience.

It is not surprising that several Universities now have courses studying the interaction of law and literature.

The second annual Law and Literature Conference held in Melbourne last month was by no means a monopoly of lawyers.

English teachers were very much to the fore.

Lawyers learnt something of present critical trends in literature studies.

Many speakers emphasised the feminist approach and were able to point to many passages in earlier literature which clearly assumed female inferiority.

novels of the *Mills and Boon* variety. The range of topics was quite remarkable.

Stephen Gray of the Northern Territory University discussed the problems of Aboriginal designs and copyright as exemplified by recent decisions.

Children's rights - or lack of them - in the industrial revolution were analysed by Professor Boss.

Literary styles in judgments were presented by Judge Fricke of the Victorian County Court, while David Cross of the Melbourne Bar entertained us with *Infamous French Trials*.

Ms Christine Higgins from the School of Humanities of QUT brought us up to date on the *Gothic Horror* of Queensland's recent so called "vampire" murder, and Mr Justice Heerey of the Federal Court of Australia spoke of literature and the law of defamation.

Professor Elaine Barry delivered an entertaining and informative talk on this subject, giving a comparative study of the representation of women and the law in Australian and American fiction. She was followed by Dr Jocelynne Scutt who was able to make much of the obvious denigration of women embedded in "romantic"

For those with an interest in Family Law, Dr Gallagher of the English Department of James Cook University compared the novels *Holy Deadlock* by AP Herbert and *A Handful of Dust* by Evelyn Waugh and the personal views of these authors towards the divorce situation early in this century.

Indeed the only criticism one might have of the conference was that so many fascinating subjects were being discussed in such a short time that it was necessary to have two sessions going together, so that one often had to make a choice between two interesting topics.

Thus I missed several talks which I would have otherwise wished to attend.

Some of the more recent approaches now popular in English schools were *continued on page 7*

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The Law and Literature conference

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discussed at length; although I cannot honestly say that I yet understand "deconstructionism."

One of the primary aims of a conference such as this should be sheer enjoyment and that was there in full measure.

Participants expressed their particular interests before an audience which appreciated those interests; or tried to understand them.

That is not to say that there was unanimity.

There were some very provocative papers; and if one did not agree with all the views expressed at least one had to question again one's own assumptions.

My paper on Dickens was followed by a careful analysis by Mr Kieran Dolan of UWA of the Courts of Chancery at the time *Bleak House* was written.

His talk would undoubtedly enhance the understanding of anyone reading that novel - which should be compulsory reading for all law students. I look forward to the next conference and suggest that those lawyers in the Territory who take pleasure in literature and can attend should try to do so.

WANTED

Writer of case material for the 1992 Inter-School Mock Trial competition.

Interested people should contact Robyn at the Society on 815104.

Also wanted: practitioners for our Speakers Bureau for Law Week and isolated requests from schools/groups for law talks. Contact Jodie on 815104.

Are YOU on The List?

Ellis Rubin is a US Attorney acting for a woman charged with prostitution and her husband, a sheriff's deputy, who is charged with living off the earnings of a prostitute.

Rubin is also the subject of an investigation into his professional conduct following alleged dealings over a video tape which is believed to portray the woman and the anti-vice Fort Lauderdale Vice-Mayor John Danziger.

The alleged professional misconduct is that two attorneys from Rubin's office, including his son, attempted to sell the video of the woman, Kathy Willetts, in action with her client, the Vice-Mayor.

The price tag was allegedly \$US100,000 and included an interview and nude photo session with Kathy Willetts.

The alleged deal was apparently filmed by a journalist working on a syndicated television show called *Inside Edition*. Rubin has strenuously denied the allegations, claiming it is an attempt to separate him from his clients.

Rubin could hardly be described as a modest chap.

His autobiography is entitled *Get Me Ellis Rubin*.

Meanwhile, he has come up with a novel defence: nymphomania caused by an anti-depressant drug, *Prozac*.

Rubin has claimed, contrary to expert medical evidence, that the drug "jump-started" Ms Willett's sex drive to the extent that she had to have sex seven or eight times a day and her husband could not keep up, suffering bouts of impotence.

He said Kathy Willetts began placing advertisements in a local paper and soon built up an impressive clientele — so impressive that several of her

clients have retained lawyers to keep their names out of the media.

The reason they are fearful is because police seized files on all Ms Willetts' clients.

They also seized husband Jeff's diary in which he kept notes of his wife's partners' sexual performance whilst locked in a bedroom cupboard.

That came undone when a client heard snoring coming from the cupboard.

The Kathy Willetts files have become known as *The List*.

A fast-buck (no pun intended) industry has emerged in Fort Lauderdale, Florida.

Buttons and T-shirts reading "I'M NOT ON THE LIST" are selling fast. Exactly whose name is on The List is the talk of the town.

Willetts increased speculation about The List when she appeared on a talkback radio show:

Presenter: Any big time Ford Lauderdale politicians?

Willetts: Maybe.

Presenter: Dade County officials?

Willetts: Maybe.

Presenter: Judges and lawyers?

Willetts: Maybe.

She also let slip that one of her best lovers was called Ray.

Since then, reports indicate that up-standing ladies in Fort Lauderdale have been introducing their husbands as "Ray."

In a state where bizarre legal cases are commonplace (the Kennedy-Smith rape trial and former Panamian dictator General Manuel Noriega awaiting trial in a luxury "prison"), the case of Jeff and Kathy Willetts takes the cake — at least for the summer of 1991.