

The Devil's Advocate: The Unauthorised Biography of John Mortimer

By Graham Lord | Orion Books, 2005

The Life of H L A Hart

By Nicola Lacey | Oxford University Press, 2005

There are 'unauthorised biographies' and there are unauthorised biographies which began life as authorised biographies.

Graham Lord's book on Sir John Mortimer QC falls into the latter category and the author's choice of title – *The Devil's Advocate* – provides a not too subtle insight into the author's view of his subject. The book begins by describing Sir John Mortimer in old age as 'increasingly resembling one of Britain's fat eighteenth century German kings – with his portly Hanoverian gait, lopsided jaw and derelict teeth'. The barbs continue to fly as the author seeks to expose Mortimer as a philandering, insensitive, hypocritical and self-indulgent character who revelled (or, as the author would prefer to put it, wallowed) in his cult status.

Rarely have I encountered such a sustained character assassination. At times, Lord's attacks on Mortimer seem somewhat churlish. But for all of this, the tale of Mortimer's life and work is riveting. Mortimer's literary (including journalistic) output has been nothing short of prolific over 50 years and his inevitable association with Rumpole rather cloaks this fact. He is the author of some 13 novels written between 1947 and 2004, several works of non-fiction including the acclaimed *Clinging to the Wreckage*, the editor of *The Oxford Book of Villains*, is responsible for some 25 stage plays, some 13 television series, over 40 television plays, 11 film scripts and, in the 1950s and 1960s, numerous radio plays. This prolific output is acknowledged by Lord but does not escape a deal of literary criticism (Lord was, for 23 years, literary editor and weekly book columnist of the *Sunday Express*).

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Lawyers will have particular interest in the detailed accounts of Mortimer's celebrated involvement in the Oz trials (instructed by a young Geoffrey Robertson who became his acolyte and whose wife – Kathy Lette – the biographer appears to despise even more than Mortimer himself). But this is only one of many aspects of the account which traverses Mortimer's professional, personal and literary lives.

One of the most interesting and impressive features of the biography is the way it skilfully weaves the tale of Mortimer's life and work, both legal and literary, into the broader social context of Britain's engagement with the permissive society through the late 1950s to the 1970s. As such, it is a fascinating social history spiced with salacious detail – an excellent read.

At the same time as Mortimer was at his most active in terms of both the law and literature, another former barrister, HLA Hart, was blazing the trail that led to him being universally recognised as the foremost English speaking jurist of the twentieth century. Between 1961 and 1968, Hart published *The Concept of Law* (1961), *Law Liberty and Morality* (1963), *The Morality of the Criminal Law* (1965) and *Punishment and Responsibility* (1968). Earlier, in 1959, he had published with Tony Honoré, the acclaimed *Causation in the Law*, a second edition of which was published in 1985. As some of these titles reflect, he was heavily engaged in the important and famous debate with Lord Devlin as to the use and limits of the law to enforce morality.

The Life of H L A Hart is a fascinating and accessible account of a great thinker whose clarity of written work masked what his biographer, Professor Nicola Lacey, identifies as a significant lack of confidence, self-doubt and great intellectual and personal angst. Hart was not only a philosopher and jurist of great eminence but had a distinguished early career at the Chancery and Revenue Bars (during which he formed a life long friendship with Lord Wilberforce) followed by a high level wartime involvement with MI5. After he retired from the Oxford Chair of Jurisprudence, he became principal of Brasenose College, Oxford and devoted himself to the study and resuscitation of the work of Jeremy Bentham, as well as engaging in an active dialogue with his successor in the Oxford chair, Ronald Dworkin.

One of many points of interest is Lacey's description of how Hart drew on his experiences at the Bar and vast knowledge of case law to develop the case studies and examples which are explored in *Causation in the Law*, a topic the intractable difficulty of which still bedevils common law courts.

This biography should appeal at many levels. It is much more than an intellectual biography and, as with Lord's biography of Mortimer, provides a lens through which to view a seminal period of the last century, and some of its great intellectual, legal and moral debates.

Reviewed by Andrew Bell