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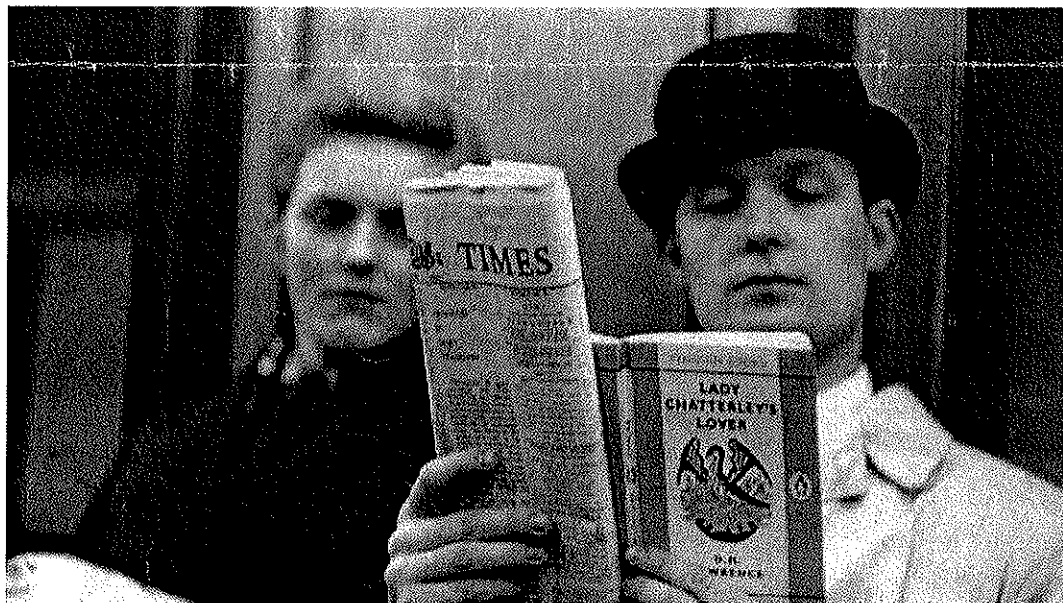
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A trip back in time to a titillating trial

Thomas Grant

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Lady Chatterley's Lover caused outrage — but the Old Bailey trial found that it was not an obscene work

DEREK BERWIN/GETTY IMAGES



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The trial of Regina v Penguin Books Ltd in 1960 needs little introduction. It is perhaps the most infamous criminal

prosecution in England in the 20th century. The notion of a legal inquiry into the obscenity of the DH Lawrence novel seems fantastical now, but then it was treated by the defence as by no means a foregone conclusion. And so 36 “expert” witnesses were called to discuss the literary, ethical and even spiritual qualities of the book.


It was the evidence of these witnesses, a fascinating cross-section of contemporary intellectual life — including Roy Jenkins, Rebecca West, EM Forster and Richard Hoggart — that provided the meat of the trial and also, in the hysterical and increasingly ineffectual attempts by the prosecution to cross-examine them, its humour. The trial, which ruled in favour of the defendant, was seen by many as the beginning of Britain’s permissive society.

Sybille Bedford’s essay, republished recently for the first time since 1992, was one of many written in the immediate aftermath of the verdict. It remains the seminal account, with restrained outrage, cool observation and close attention to the exchanges between counsel and the witnesses. For Bedford, who was commissioned by Esquire to attend the trial, this was not just another assignment — it was a public event that mattered.

Writing about trials existed in England before Bedford set foot in a courtroom, but it was directed towards the crime and the unravelling of the truth. The focus was usually on the victim, the accused and the journey towards conviction or acquittal. Bedford’s great insight was that the trial itself should be the subject. Her gaze was fixed on the space enclosed by the four walls of the courtroom. The witnesses, the judge, the jury, the barristers and the defendant, alone in the dock, are active and principal players in her dramas. Bedford’s achievement was to treat the trial not as the resolution of prior events but as the event itself.

It is rare for a writer to invent a genre, but that claim can be

made for Bedford — and it was inspired by the Old Bailey's courtrooms. It is remarkable that the Booker-shortlisted novelist, travel writer and acclaimed biographer of Aldous Huxley should have developed such an interest in the English trial process. Born into the German aristocracy before the First World War, and of mixed Catholic and Jewish heritage, she had an itinerant early life. The rise of Nazism took her to America, where she remained throughout the Second World War before settling in Europe.



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She had already written her masterpiece, the novel *A Legacy*, when she was commissioned to attend the murder trial of the Eastbourne GP John Bodkin Adams at the Old Bailey in 1957. The resulting book, *The Best We Can Do*, remains the greatest full-length account of a criminal trial written in English. There followed a series of shorter accounts, published initially in magazines, of some of the key criminal cases of the 1960s: the prosecutions of Penguin Books over *Lady Chatterley's Lover*; of Stephen Ward; of Jack Ruby, who shot Lee Harvey Oswald; and of the Auschwitz commandants.

In a later letter to her agent Bedford wrote of attending the *Lady Chatterley* trial: "I felt so desperately strongly about it — it was like being in the war together — I sat with Ken Tynan and Penelope [Gilliatt] part of the time — shaking with anguish and fury . . . I hope it has not muddied the writing."

In the event, the account Bedford produced is a model of sinewed clarity. It is prose wrought from the discipline of the typewriter rather than the easy prolixity of the word processor. And reading it today, more than 50 years after the events it recounts, is a wholly successful exercise in time-travel to the

(very) foreign country of the past. The urgency remains undiminished.

Sybille Bedford's *The Trial of Lady Chatterley's Lover*, with an introduction by Thomas Grant, is published by Daunt Books (£5.99)



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AL BRADY 8 hours ago

"the account Bedford produced is a model of sinewed clarity. It is prose wrought from the discipline of the typewriter rather than the easy prolixity of the word processor" - Pretty good prose, right there!

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