

THE DEFENCE OF LADY CHATTERLEY

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UNTIL RECENTLY OUR Canadian sex hunters have been more modest than their American brothers: they have seldom dared attack a major writer. Usually their prey has been some young American whose adolescent musings on sex have been over-sold to the public by pictures and blurbs on the jacket in which they appear. These books were defended for one reason only. Sex hunters must not be allowed without opposition to establish the claim that the final judge of literature be the local constable or a fourteen-year-old girl.

The attack on *Lady Chatterley's Lover* in a Montreal court was very different, and to join in the defence of *Lady Chatterley* seemed to me both a duty and an honour. A variety of circumstances made this the most important book trial ever held in Canada.

The first of these was the stature of the author under attack: not even the prosecution tried to argue that Lawrence was not an important writer. Another circumstance was the conduct of the publishers. At no time during their sales campaign did they resort to the usual tactics of some paper back salesmen. There were no pictures of half-dressed women on the jacket, no barker's blurbs aimed at the rubes. Finally, this was the first book trial under the new law which was intended to be more liberal than the old one based on the absurd Hicklin judgment of the mid-Victorian era.

Under the new law, "obscenity" is not limited to sex, nor can an entire book be judged on the basis of an isolated passage read aloud in court by a policeman or the prosecutor. Books which "unduly exploit" violence or sadism may also come under the ban of this new law.

Clearly this is an advance in legislation, and it seemed to all of us concerned with the defence of *Lady Chatterley* that it was essential to do what we could to facilitate the court in arriving at a decision which would set a sound precedent.

Of necessity, the law is somewhat vague. In the phrase "undue exploitation", both words are open to subjective interpretation. Yet on the whole the law seems well-intended and sound decisions could go a long way toward making it an excellent one.

Speaking personally, I have no patience with some liberals who say there should be no legal control whatever over the printed word. Having spent some time in Germany before 1933, I saw what monstrous damage can be done by men who incite to racial hatred but dodge the libel laws by not naming specific individuals. This new Canadian law should provide decent people with a weapon against that sort of thing. It should also make it possible to control or limit the diet of crime, cruelty and violence fed into the audiences by some television shows. I could have wished that the first trial under the new law had been concerned with something of this sort, and not with the old sexual bogey. However, since sex was again the target, it was best that Lawrence was involved, and not some obscure writer of no worth.

For Lawrence, especially in *Lady Chatterley's Lover*, was essentially a moral writer, a fact the prosecution did not seem able to comprehend because it was inconceivable to them that any moral person should use sexual scenes to convey his message and employ the kind of four-letter words they naturally (in the kind of society Lawrence condemns) had only seen in print on lavatory walls. Least of all could they understand that Lawrence believed that the use of these four-letter words was essential to the moral theory he sought to advance, or that he was using them in the interest of his own genuine purity. This point came up frequently in the defence, but it was ignored in the judgment, or dismissed as the personal opinion of the witnesses.

This point must be made again and again: *Lady Chatterley* is a moral work or it is nothing. It is so moral that in places it pleads the moral issues at the expense of art. I believe that several of the passages containing four-letter words defeat Lawrence's purpose; they seem unreal in the context, as though Lawrence himself, not Mellors, were using them to emphasize his principle that physical love is pure so long as all physical functions of the body are spoken of without shame. Yet this artistic defect, if it is one, happens to be one more proof of Lawrence's moral intention, and it should weigh heavily in his favour in a law court.

Consider it, for example, in the connotation of the clause "undue exploitation of sex." Though the word "exploitation" is not defined here, I don't see what else it can mean but the exploitation of sex for commercial purposes. Such exploitation is very common today, especially in the American market, and it would be naive

to pretend that it does not bolster sales among a public whose attitude toward sex is still infantile. It has certainly increased the American sale of the current edition of *Lady Chatterley* itself, because the book was persecuted so long that thousands of morons and odd-balls bought it in the hope of finding pornography in it. Most of them were disappointed, for whatever else *Lady Chatterley* may be, it is not prurient.

However, when Lawrence was still alive, it is a proved fact that the use of the four-letter words actually prevented him from obtaining a legitimate market for the novel. His publishers begged him to remove them, or to tone them down by using the Latinized equivalents, and refused to publish the novel unless he did so. Lawrence's assertion that this would emasculate his book and render it dishonest is therefore a *prima facie* proof that he, so far from exploiting sex for commercial purposes, actually ruined the commercial prospects of the novel by writing it as he did. A further proof is the novel's history: the present edition is the first one to be offered across the counter to an English-speaking public since Lawrence's death thirty years ago.

ONCE IT IS RECOGNIZED that *Lady Chatterley* is a moral book—a book sincerely written by a law-abiding man advocating a new attitude toward social and sexual morality—it follows that the principle at stake in a law case involving *Lady Chatterley* is essentially different from the customary one in the trials of "sex books." Essentially, this was a novel of ideas, or at least a modern allegory akin to *Pilgrim's Progress*. The conventional will be shocked by such a comparison, but they need not be if they trouble themselves to discover the gospel Lawrence preached. It was merely this: that sex is the source and core of our existence; that much of our unhappiness, and most of our aggressions, are caused by our refusal or incapacity to understand the nature of sex in love, and to come to terms with it.

According to Lawrence, our attitude toward sex should be the same as our attitude toward life. Life is good in itself; so is physical sex. But neither life nor sex are unqualifiedly good. Both may be rendered evil by false attitudes, false shames, wrong use, degradation, decadence or exploitation for commercial or social purposes. To dissipate your life is manifestly evil; to dissipate your sexual powers in futile promiscuity is equally so. To subjugate your life to the crushing

force of abstractions, to gear it to the impersonality of a machine age—this is evil according to Lawrence. And akin to this is the modern practice of reducing sex to a matter of experimentation, of intellectualizing it, of dissecting the emotions connected with it by artificial language.

It should be obvious to anyone that if Lawrence had set forth his gospel in the kind of language I have used here, nobody would have censored him. This language is far too abstract to influence anyone. But in the allegory of *Lady Chatterley* all the ideas involved with this highly personal subject were translated into flesh and blood, were given the power of poetry and drama, were brought to life in such a way that readers were not merely dealing with abstractions, but with living persons who might have been themselves. Only in this way, so Lawrence insisted, could his morality achieve sufficient power to influence mankind.

Therefore it follows that it is obtuse to confine an indictment of *Lady Chatterley's Lover* to the kind of evidence used against the books which are occasionally haled before the courts and treated like prostitutes. If this novel is a moral allegory—and it clearly is—then those who would deny it an audience are in the position of denying allegiance to the great principle stated by Milton in *Areopagitica*: "Let truth and falsehood grapple: who ever knew truth to be worsted in a free and open encounter?"

Stripped of the many irrelevancies with which the thoughtless have always invested D. H. Lawrence, this is the sole issue which ought to count when Lawrence is impeached in a law court. It might be re-phrased a little as follows: "Is a man to be denied the right to advance a moral philosophy simply because his philosophy is involved with sex?"

And this brings me, as it has brought many other men who have thought about Lawrence's history, to the underlying forces which invariably operate against him. When his attackers insist that they hate Lawrence for what they believe is his prurience or dirtiness, I simply do not believe them. The society in which they live has no objection to prurience. It is riddled with it. The kind of people who prosecute Lawrence never prosecute the cosmetic ads, the movie come-ons, the sexy pictures on the magazine covers. Many a city in America has tolerated the strip tease and the burlesque during the thirty year period when *Lady Chatterley* was under the ban. No, it is not the so-called dirtiness of Lawrence that troubles them; it is the challenge of his morality, and (probably unconsciously) they use the so-called dirtiness as an excuse to thrust aside the moral challenge.

About the targets of this challenge there can be no doubt whatever. The ethic of Lawrence is the direct opposite of the one which permeates our whole material-

istic society, whether it be capitalist or communist. The chief purpose of that society, so far as concerns the daily lives of its members, is to produce, distribute and consume, to break records, to double and re-double the external organization for the purposes of power, production and consumption. In such a society human individualism is not only dangerous, it is a fifth column. So is the human spirit, which must take a secondary place to the demands of the IBM machine and the assembly line. The Laurentian hero is the inevitable antagonist of the Organization Man, and this Lawrence himself knew when he insisted that materialism had driven underground the primeval forces of the blood.

BUT THE ACCUSERS of Lawrence seldom think of this consciously. When they think consciously about the moral issues involved, invariably they fall back upon an ethic more venerable than that of Adam Smith, Karl Marx or Henry Ford. This was the ethic of the Christian Fathers of the third and fourth century, as I believe Morley Callaghan recently pointed out in a magazine article. As so few people these days remember the old theology on which their churches were founded, it may be worth repeating what some of its premises were.

The basic premise of St. Augustine was that life is evil because man is a fallen creature, and in this belief Augustine was of course a true disciple of St. Paul. But he went far beyond St. Paul in his denunciation of sex. If life is evil, then the sexual act must be the most evil act a human being can commit because it perpetuates life. What Augustine elevated into a cornerstone of Christian ethics, Calvin and Knox many centuries later translated into the everyday lives and institutions of their puritan followers.

What private griefs were Calvin's I know not, but Augustine has told us lucidly what his were. "Make me chaste, O God, but not yet," this singular African used to pray when he was young. He had every reason to loathe both life and sex. He passed his days in one of the most miserable and apocalyptic periods of human history and he lived for 76 years. He was a young man when Valens fell at Adrianople and the barbarians breached the Roman frontiers. He was 57 when Alaric sacked Rome, and he met his death when the Vandals besieged Hippo. He was learned, he was intelligent, he certainly understood enough about external cause and effect to attribute the Roman catastrophes to the decadence of Roman institutions. In few of their habits were the Romans of the decline more decadent

than in their use of sex, as Augustine knew from a long personal experience. Most of the patricians were bi-sexual. They played with girls and boys for thrills, and long before the Americans thought of it, they loved the strip-tease. What wonder, then, that Augustine should consider that sex was the prime evil in a society which had become like a human body dying of diseases incurred by its own vices? What wonder that he, being a genius of colossal force, should have been able to give to his personal hatred and fear of sex the force of a primitive taboo?

There are few clergymen today who regard sex as St. Augustine did, but his basic theology, reinforced by four centuries of Calvinism, still permeates our modern society and has made millions of modern people infantile in their sexual attitudes. There can be no question that much of our adolescent silliness on this subject derives from these buried taboos, and no question that they have become an increasing embarrassment to thinking clergymen. Yet there lingers the feeling, also adolescent, that one dare not publicly attack an ancient church father in the weakest point of his theology without endangering the Christian faith. I don't see how anyone acquainted with the teachings and personality of Jesus can believe this, but manifestly some do, despite the fact that Jesus has outlived everything these dark minds have done and thought of His name.

Now against D. H. Lawrence, who was also a genius, this old taboo-morality of Augustine and Calvin could not fail to emerge as a fighting enemy. Lawrence intended that it should. Therefore it follows, since we live in a free country, that his morality should have a fair chance of reaching an audience. Let it grapple with Augustine's, and Augustine's with it.

For all these reasons I insist that the banning of *Lady Chatterley's Lover* was an act more serious in the area of civil liberties than the banners assumed it was. The attackers sincerely believed, at least on the conscious level, that nothing was involved here but pornography, and exercised their right to uphold their opinions against those of the defence. But the case was not that simple by any means.

It is because the ethical issue involved in *Lady Chatterley* has been obscured by sensationalism that I, for one, was not sorry this case was lost in a lower court. As it goes up to appeal, there will be wider debate on the real issue, and this may result in clarity. The issue is not, as many believe who wish the book to go free whether a scandalous work should be sold or not. It is whether a moral work, unavoidably containing material which scandalizes some people, should be banned for this secondary cause.