

legislation, which is the first of its kind to be passed in Australia, albeit heavily diluted from its original form by a 'timid parliament' (p 112). It includes model legislation which has been developed by the Public Interest Law Clearing House. Overall, the book is well worth reading for an insight into a contested field of law that stands to be increasingly important as environmental issues become more pressing.

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## WHITELOCKE ON LAWMANSHIP

Bullstrode Whitelocke KC,  
Gordon/Abbot Publishing, 2009  
(3rd ed), 171 pp, \$20 (paperback),  
available from <[lawmanship.blogspot.com](http://lawmanship.blogspot.com)>.

*Whitelocke on Lawmanship* is something distinctive and possibly unique: an intentionally comedic legal textbook. My impression is that the form is so ripe with possibility that its true authors — who remain fashionably anonymous but can reasonably easily be identified on Google — may have invented a new genre.

The book purports to be a learned treatise on 'Lawmanship' by eminent Sydney silk, Bullstrode Whitelocke KC. Lawmanship is not a concept capable of satisfactory definition (the closest Mr Whitelocke gets is 'effective communication executed with an aristocratic dignity no longer common in the colonies') but it is ultimately unimportant — the real subject of Mr Whitelocke's book is Mr Whitelocke.

Apparently, the learned author was born in 1921 in Bowral, NSW and was a boyhood friend of Sir Donald Bradman. He attended

the Kings School, Parramatta, where he was awarded colours for 'punctuation and his dedication to the fagging system' and found early distinction by reason of his insistence on the archaic spellings 'shewed' and 'connexion'. He proceeded, inevitably, to the NSW bar. There he became known as the 'the Velvet Salamander' by dint of his 'cunning, patience, and flamboyant garmentry'. Sometime in the 1970s (chronological order is not one of his strengths) he appointed himself KC — rather than QC — on the basis that it had been 'widely, and correctly, acknowledged that his achievements prior to King George V's death had already warranted his elevation to that rank.'

His practice appears to have been evenly divided between the High Court of Australia, the Refugee Review Tribunal (despite legal representatives not generally being permitted before that body) and the Dust Diseases Tribunal. Notwithstanding copious statistical demonstrations of his success as an advocate (each triumphant graph 'adjusted for errors of fact and law') his talents do not appear to extend beyond an ability to lock his knees and so stand for days at a stretch, circular breathing, and a genius for distraction (including the patented 'Whitelocke drop').

Mr Whitelocke is at once magnificent and shabby. He is a vainglorious, name-dropping, self-referencing snob. Yet he is so desperate for his readers' admiration, so blatant and ingenious in his exaggerations and outright lies, so expansive in his range of historical, sporting and cultural references, and so proud of his dazzling array of cheap courtroom tricks that it becomes hard not to feel some perverse affection for him.

There is no better way to get the flavour of this unusual work than to set out a few passages. The following are from the first substantive chapter, 'How to Project Yourself: Image is Everything':

For men aspiring to greatness, the importance of a pleasant countenance is not a new development. Looks have been an important aspect of advocacy and persuasion since the birth of Julian of Norwich in 1342 at which time man first became able to discern the pleasant from the repulsive. Indeed, the

great persuader himself, Heraclitus, was considered almost supernaturally handsome. (p 2) But his natural good looks have not made him complacent:

I was lucky enough to begin greying around the temples at age seventeen (17), and, indeed, in my halcyon days, was known as the 'Silver Canetoad' around the Union Club. I am now blessed with probably the thickest head of hair of any octogenarian in Australia. But rest on my profuse, hoary laurels I do not: I continue to strive for perfection. Through dedication and the constant application of lemon juice and a curling iron, I have managed to train my hair to grow in the colour, texture and style of a judicial wig. This natural hairpiece gives me around-the-clock gravitas, whether I am drafting, hunting or even just visiting the corner store (p 2).

He also warns against conventional anti-ageing treatments:

As our friends in the Orient have discovered, age is strongly correlated with wisdom. Like fine wine and Mr Bing Lee, the modern lawman benefits from the depth, interest and character that age provides. I implore you to do what you can to prematurely age your face. Ian 'Molly' Meldrum used to spend long hours in front of industrial grade heaters, periodically basting his face with a tonic of ammonia and basil pesto, to obvious effect. His inexorable rise in the face of a manifest lack of talent and suspected communist sympathies should be all the proof you need (p 3).

And so Mr Whitelocke goes on for 15 surprisingly well-sustained chapters, covering philanthropy, conversation, preparation, courtroom tactics, disruption (in and out of court), the written word and politics. There is also a bizarre chapter titled 'Dealing with Juniors, Solicitors and Inferiors Generally' where the reader is introduced to Tron J — a computer simulated judge invented by Mr Whitelocke and 'programmed to deal out the withering personal criticisms necessary to prepare an aspiring lawman for his first appearance in a real courtroom' (p 75).

Mr Whitelocke does more than mete out advice. He also provides samples of his written work for us to marvel at and learn from. He illustrates the importance of 'drafting in the correct narrative voice' as follows:

I use the narrative voice of the very pious when writing character references for myself

or when defending myself against the regular barbs of my many jealous rivals in the NSW legal profession:

*Your Honour,*

*Who are we, as humble servants of the Lord, to say what action may, or may not, have 'reasonable prospects of success'. Your Honour, when our Lord and Saviour Jesus Christ offered his life for our sins, he did not ask if his sacrifice would have 'reasonable prospects of success'. Just as I, like the Son of the Father, came before the Court, not having 'calculated' by chances like a money changer or dove seller but instead I acted on the basis of something more intangible: divine providence (p 93).*

I found myself laughing to the point of pain when reading this book. The subject-matter means it is unlikely to have much immediate appeal except to legal practitioners, academic lawyers and law students. That is a shame because the humour is really driven by Bullstrode's Falstaffian personality and, based on a carefully controlled series of experiments carried out in my living room over the last few months, is appreciated by people without any particular training or interest in the law.

I should add that the book is not without faults. Parts of it are dominated by what some readers might deprecate as undergraduate humour and it contains errors that cannot be explained away by the unreliable narrator. The last chapter, which covers Mr Whitelocke's time as senator for the Northern Territory, is comparatively flaccid (no doubt because, as Mr Whitelocke freely admits, it was 'dictated but not read') and, in my opinion, the deliberately amateurish pictures do not do justice to the genius of the text and should have been left out.

But these are minor irritations. The humour is prolific and at times attains a rare level of invention: I am unlikely to forget Bullstrode's 'First Rule of Participative Conversation' or his retelling of the story of King Solomon and the two mothers. For those lawyers and non-lawyers who are, as it has been put, 'burdened with a sense of humour', this book will provide hours of enjoyment.

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## THE WAY OF THE WORLD

Mose Allison; CD, Anti-/Shock; 2010, \$32.99

After 12 years of retirement, Mose Allison re-entered the studio to record 'The Way of the World', thanks to producer Joe Henry. It's a perfect match, too. The persuasive Henry, a fine singer-songwriter himself, played a pivotal production role with talents as diverse as Teddy Thompson, Solomon Burke, Mary Gauthier and Rodney Crowell. Allison's great records have influenced countless performers, across musical genres, for more than half a century. Now, at age 82, the venerable Mose has lost none of his cool wit and incisiveness, underpinned by a trademark, blues-powered piano. Joe Henry has brought on board backers Greg Leisz (guitar), David Piltch (bass), Jay Bellerose (percussion), and Walter Smith on tenor sax, allowing Allison to breeze through four covers and eight new songs. The cheeky opener 'My Brain' is actually a self-mocking take on Willie Dixon's 'My Babe', celebrating Allison's cerebral acuity while enumerating the hourly diminution of his little grey cells: 1200 neurons. He gives religion short shrift on the delightful 'Modest Proposal', delivers a graceful rendition of the ballad 'Once in a While' and turns up the instrumental heat with 'Crush'. Leisz's elegant guitar is a highlight of Loudon Wainwright's 'I'm Alright' and Roosevelt Sykes' 'Some Right, Some Wrong'. Unfortunately, Allison's closing duet with daughter Amy on 'This New Situation' remains unconvincing.

## GET LUCKY

Mark Knopfler; CD, Vertigo/UMG; 2009, \$21.95

Even in Dire Straits' mid-80s heyday, Mark Knopfler let his Fender Stratocaster take centre-stage. His musical technique has evolved over 30-odd years into an amalgam of British folk narrative and US country balladry, spiced with a dash of JJ Cale-style smoky Oklahoma blues. Between movie soundtracks, he's also recorded more recently with Chet Atkins and Emmylou Harris, and released several tuneful solo CDs. Knopfler's latest, 'Get Lucky', is among his best ever, an

all-original album containing thoughtful narratives, superb melodic arrangements and a hefty dose of nostalgia. Two songs, 'Remembrance Day' and 'Piper to the End', evoke the ghosts of soldiers past. Knopfler is donating their royalties to the British Legion Poppy Appeal. Indeed, they're both also family affairs: 'Piper' was inspired by Knopfler's Uncle Freddie, a Black Watch piper killed in battle in 1940, while other Knopflers feature in the 22-voice choir of kids and mums heard on 'Remembrance'. The CD's two best tracks involve great crafts: 'Monteleone' is a subtly orchestrated tribute to master luthier John Montelone, while in 'So Far From the Clyde', the Glasgow-born balladeer laments the passing of an era as a ship makes its final journey to the ship breaker's yard.

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