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LAW, LITERATURE, AND THE LEGACY OF VIRGINIA WOOLF: STORIES AND LESSONS IN FEMINIST LEGAL THEORY

Susan L. Brody*

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“Clarissa stands not only for herself but for the gifts and frailties of her entire sex.”¹

I. INTRODUCTION

Virginia Woolf is in many ways an icon for the study of feminist jurisprudence. Although Woolf never aligned herself with any of the women’s political movements of her time,² her works “waged a spirited campaign in favour of the moral emancipation of women.”³ Her 1925 novel, *Mrs. Dalloway*, encompasses the full range of Woolf’s feminist views. Michael Cunningham’s 1998 Pulitzer Prize-winning novel, *The Hours*, embraces and expands upon Woolf’s feminist views by projecting them into middle and late twentieth century contexts. *The Hours* provides law students with a rich resource from which they can access—and perhaps even experience—feminist views that span nearly a century.⁴

Cunningham’s novel reproduces, but insightfully updates, the elements of *Mrs. Dalloway*’s story.⁵ Cunningham’s three versions of

1. MICHAEL CUNNINGHAM, *THE HOURS* 19 (1998). Clarissa Dalloway is the title character of Virginia Woolf’s 1925 novel *Mrs. Dalloway*. In his 1998 Pulitzer Prize-winning novel, *The Hours*, Michael Cunningham uses Woolf’s day-in-the-life of Mrs. Dalloway to tell the stories of three women whose lives are interwoven and, in many ways, inseparable. They are Virginia Woolf, the immortal author herself, as she writes *Mrs. Dalloway*; Laura Brown, a 1950s housewife struggling with her role as a wife and mother; and Clarissa Vaughan, named for Woolf’s eponymous character, a lesbian book editor living in New York City at the end of the twentieth century.

2. Though Woolf was never active with women’s suffrage, she actively spoke of matters regarding women and the poor. Woolf was reluctant to join in the suffrage societies because she felt they lacked femininity. HERBERT MARDER, *FEMINISM & ART: A STUDY OF VIRGINIA WOOLF* 92 (1968). And in fact, “Woolf considered the right to earn a living more important than the right to vote.” *Id.* at 98 (citing the narrator’s comments in *A Room of One’s Own* as representative of Woolf’s own view). Woolf felt women would be better served by experiencing freedom in the form of economic independence. *Id.* Women’s poverty was a main theme in Woolf’s *A Room of One’s Own* as well as in *Three Guineas*. *Id.* at 75; see *infra* Part III.A. There has been debate about whether she was a feminist or not. See MARDER, *supra*, at 91–92 (illustrating various writers’ commentary on Woolf’s attitude regarding feminist societies versus the feminist movement generally). While Woolf supported the feminist movement, as seen in her writings, she did not like the term “feminist.” *Id.* at 4, 96; ALEX ZWERDLING, *VIRGINIA WOOLF AND THE REAL WORLD* 210 (University of California Press 1986); NAOMI BLACK, *VIRGINIA WOOLF AS FEMINIST* 23 (2004).

3. ANDRÉ MAUROIS, *POINTS OF VIEW FROM KIPLING TO GRAHAM GREENE* 352 (1968).

4. See Allison Adato, *Man of the Hours*, PEOPLE, Feb. 10, 2003, available at <http://www.people.com/people/article/0,,20139237,00.html> (quoting Cunningham: “One reason I love Woolf is that she suffered from profound depression and wrote this book about the miracle of being alive—for just an hour.”).

5. Daniel Mendelsohn, *Not Afraid of Virginia Woolf*, N.Y. REV. OF BOOKS, March 13,

Clarissa Dalloway's day reveal feminist elements that could not be as profoundly expressed without being told as a narrative story. Indeed, "stories" can reach the heart of what is true in a way that descriptive writing cannot. This Article will first review some of the basic concepts of the Law and Literature movement and its relevance to a review of *The Hours*. More specifically, it also will address the importance of storytelling in the study of feminist jurisprudence and the use of stories, real and fictionalized, to teach feminist legal theory. Next, this Article will discuss Virginia Woolf's feminism, as expressed through her works *A Room of One's Own* and, at greater length, *Mrs. Dalloway*. This Article will then explore feminism in *The Hours* as a continuation of Woolf's vision. Specifically, this section will examine Cunningham's characters in three different spheres: women's work and careers; relationships; and emotional and mental health. The characters will be analyzed through a feminist perspective, ultimately viewing Cunningham's character Clarissa Vaughan as her own person and a postmodern⁶ feminist. This Article will then move on to analyze and suggest how Clarissa Vaughan can be viewed as a beacon of hope for women in the twenty-first century, perhaps representing what Virginia Woolf envisioned for women in the future. Finally, this article will conclude by showing that *The Hours* is a rich resource and teaching tool for the study of feminist legal theory.

II. LAW AND LITERATURE AND THE IMPORTANCE OF STORYTELLING FOR THE STUDY OF FEMINIST LEGAL THEORY

The Law and Literature movement began with a focus on the way in

2003, at 18.

6. Postmodern feminist legal theory rejects any single view of women. It views gender as socially constructed, relative, and dependent on experience. It questions the usefulness of analysis based on the category, "women," because it is a category without unified content. Few experiences are shared by all "women." Moreover, the category "women" already carries with it a view of a world embedded with traditional conceptions of women's abilities and characteristics. Hence, the assumption that all women are the same is damaging, especially when speaking of women from different socioeconomic backgrounds and countries of origin. Thus, "individuals have multiple identities and play multiple roles," based on lived experiences, time and situation. NANCY LEVIT & ROBERT R.M. VERCHICK, *FEMINIST LEGAL THEORY: A PRIMER* 10 (2006). See also Maxine Eichner, *On Postmodern Feminist Legal Theory*, 36 HARV. C.R.-C.L. L. REV. 1, 31-47 (2001) (providing an analysis of postmodern skepticism in regards to gender generalizations). See generally, Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581, 585 (1990) (arguing that gender essentialism is dangerous to feminist legal theory because in an attempt to extract an essential female voice from the diversity of females' experiences, the experiences of women perceived as "different" are ignored or treated differently).

which specific legal doctrines and rules are reflected in literature.⁷ Like law, literature reflects culture; thus, because fiction can often accurately reflect the world as it is, Law and Literature theorists drew parallels between the law and the literature in which it was reflected.⁸ Further, as it developed, literary analysis provided a way for scholars to consider portions of cases not reported in the official reporter versions.⁹ Where “[t]he language of lawyers, legislators, and judges does not provide the sole text of society.... [I]terature can help in expressing a variety of viewpoints and emotions.”¹⁰

Essential to feminist jurisprudence is the pervasive narrative voice that is storytelling.¹¹ The narrative voice can take several forms. It can be embedded in court decisions,¹² it can be based on “true-life” experience, or it can be a “fictionalized” account expressed in literature.¹³ When embedded in court decisions, these stories can become lost, trivialized, or deemed legally irrelevant. In contrast, true-life stories¹⁴ provide especially

7. For a definition of “Law and Literature” and an explication of the evolution of Law and Literature, see LENORA LEDWON, *LAW AND LITERATURE: TEXT AND THEORY* ix–x (1996); Gary Minda, *Law and Literature at Century’s End*, 9 *CARDOZO STUD. L. & LITERATURE* 245, 245 (1997) [hereinafter Minda, *Law & Literature*] (“Law and Literature courses, following the lead of Dean Wigmore, explored the way law was implicated in the stories told in the great literary classics of Dickens, Kafka, and Melville.”); see also GARY MINDA, *POSTMODERN LEGAL MOVEMENTS: LAW AND JURISPRUDENCE AT CENTURY’S END* 149–66 (1995) [hereinafter MINDA, *POSTMODERN LEGAL MOV’TS*]; see also generally, Richard H. Weisberg, *The Law–Literature Enterprise*, 1 *YALE J.L. & HUMAN.* 1 (1988).

8. Minda, *Law & Literature*, *supra* note 7, at 246. For an anthology of articles by key writers on Law and Literature, see LEDWON, *supra* note 7, at 3–136.

9. Minda, *Law & Literature*, *supra* note 7, at 245. Minda explains: “The law-in-literature perspective . . . attempted to show how the stories in the classics of Western literature might offer lawyers and judges important lessons about the nature of law lessons which are missing in the official reported stories of the cases.” *Id.*

10. BARRY R. SCHALLER, *A VISION OF AMERICAN LAW: JUDGING LAW, LITERATURE, AND THE STORIES WE TELL* 5 (1997). To study the law generally is to miss the emotional aspects of the facts and events that are discussed throughout. *Id.* at 2. Literature also provides an opportunity to “criticize the established order” that is not as readily available in the “official discourse” or the law. Lenora Ledwon, *Maternity as a Legal Fiction: Infanticide and Sir Walter Scott’s The Heart of Midlothian*, 18 *WOMEN’S RTS. L. REP.* 1, 1 (1996).

11. Lindsey Martin-Bowen, Comment, *Words From a Teller of Tales: Can Storytelling Play an Effective Role in Feminist Jurisprudence?*, 66 *UMKC L. REV.* 95, 105 (1997).

12. See Thomas Ross, *The Richmond Narratives*, 68 *TEX. L. REV.* 381, 405–06 (1989) (explaining how Justice Marshall, in his dissent, provided readers with the story of Richmond, Virginia’s history of race relations in *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989)). “[Justice Marshall’s] stories make possible the essential move for any white reader who might embrace affirmative action—the move to empathy.” *Id.* at 408–09.

13. Colleen Sheppard & Sarah Westphal, *Narratives, Law and the Relational Context: Exploring Stories of Violence in Young Women’s Lives*, 15 *WIS. WOMEN’S L.J.* 335, 335–36 (2000). To convey this idea that narrative can be told in multiple ways, Sheppard and Westphal speak of a “narrative continuum,” where subject matter is at the forefront. *Id.* at 336.

14. “Story” and “narrative” are often used interchangeably. *Id.*

valuable insights into the experiences of groups who have been traditionally marginalized because of race, gender,¹⁵ or socioeconomic status. The voices of these groups for example, women, are necessarily excluded from legal discourse, in part because they have been constrained by and dependent upon the language of the patriarchy and unable to develop their own language and narrative.¹⁶ To be heard, marginalized groups have been forced to squeeze their experiences into narrowly defined legal language and categories; they have been inhibited by evidentiary rules; and they have been challenged by adversarial devices such as cross examination.¹⁷ These conventions stifle the ability to contextualize. In contrast, storytelling implicitly includes the notion of context,¹⁸ which is important, if not essential, to feminist theory.¹⁹ It is through context that we come to understand human situations that give rise to conflict, enabling us to use that understanding to find particularized solutions.²⁰

“[N]arratives about women’s lives facilitate a more complete understanding of the sufferings of women” and their relationship to social injustices and inequalities.²¹ Thus, telling “true-life stories” challenges the status quo and conventional legal understandings and can be used to persuade those who have power to make a difference.²² Used in this way, “narratives enlarge contextual understanding of human and institutional relationships, [thereby helping to] transform the world and create more equitable resolution[s] of legal issues.”²³ The narrative voice is particularly

15. Virginia Woolf asks why the world reflects only a male perspective and values. Naomi Black, *Virginia Woolf and the Women’s Movement*, in *VIRGINIA WOOLF: A FEMINIST SLANT* 180, 181–83 (Jane Marcus ed., 1983). She asks, “[w]hat about my civilization?” *Id.* at 193.

16. Nancy L. Cook, *Outside the Tradition: Literature as Legal Scholarship*, 63 U. CIN. L. REV. 95, 114 (1994). For examples of works showing how the law can be said to have “annihilated otherness” of race, class, gender, and sexuality, see LEDWON, *supra* note 7, at 347–429.

17. Sheppard & Westphal, *supra* note 13, at 339.

18. Deborah Schiffrin, *Narrative as Self-Portrait: Sociolinguistic Constructions of Identity*, 25 LANGUAGE IN SOC’Y 167, 168 (1996) (explaining that storytelling relies on the storyteller’s “cultural knowledge and expectations about typical courses of action in recurrent situations.”).

19. Megan M. Carpenter, *Bare Justice: A Feminist Theory of Justice and Its Potential Application to Crimes of Sexual Violence in Post-Genocide Rwanda*, 41 CREIGHTON L. REV. 595, 618–19 (2008) (discussing the importance of context to postmodern feminist legal theory).

20. Cook, *supra* note 16, at 114.

21. Sheppard & Westphal, *supra* note 13, at 353.

22. *Id.* For example, Catharine MacKinnon’s groundbreaking work *SEXUAL HARASSMENT OF WORKING WOMEN* (1979) presented stories and created a legal framework to acknowledge sexual harassment as a form of discrimination, which led to the Equal Employment Opportunity Commission (EEOC), in 1980, to find sexual harassment to be a violation of Title VII. Susan Estrich, *Sex at Work*, 43 STAN. L. REV. 813, 818 (1991).

23. Sheppard & Westphal, *supra* note 13, at 356.

valuable to lawmaking because “it is in the language of the narrative voice that we can envision a better future.”²⁴ “We can imagine a better world, a world of what could be, a world of what ought to be, by stretching our minds in the narrative voice. The narrative voice is the voice that speaks in the language of what feminist legal theorists call justice.”²⁵

The legal lessons to be learned from the stories of real lives are but a short step away from lessons to be learned from fictionalized accounts²⁶ of life experiences expressed in literature.²⁷ Indeed, for several reasons, the lessons may have greater impact when learned from fiction.²⁸ First, fiction incorporates a broader view of the political, personal, and cultural.²⁹ Second, fiction incorporates emotion, something deliberately and methodically excluded from the law, even though realistically it is impossible to completely detach emotion from the law and to achieve unflagging objectivity.³⁰ Third, as does the storytelling of real persons, storytelling in literature brings into focus the lives of silenced people, but without questioning the story’s integrity and with much less risk of invasion of privacy.³¹ Finally, fictionalized stories move the reader closer to actually experiencing the lives of others,³² thus opening the door much wider for exposure to new perspectives.³³

Seen in this light, fiction is an important and useful tool to teach feminist legal theory because it moves the student-reader closer to experiencing the array of injustices (social, political, economic, and legal) that women have historically suffered. Stories, real or fictionalized, enable students to independently analyze and evaluate how the law has responded (or should respond) to these injustices in a way they could not otherwise do if they were reading law, legal commentary, or legal theory in a vacuum. Indeed, without stories at all, a course in feminist legal theory would be devoid of context, viewpoint, and emotion, thus constraining and inhibiting students’ understanding in the same way the conventions of the law have

24. Lisa Weil, *Virginia Woolf’s To the Lighthouse: Toward an Integrated Jurisprudence*, 6 *YALE J.L. & FEMINISM* 1, 57 (1994).

25. *Id.* at 58. For examples of literature raising questions about justice and who gets the power of defining it, see LEDWON, *supra* note 7, at 137–217.

26. Indeed, it can be said that Woolf’s writing, for example *Mrs. Dalloway*, is a fictionalized account of parts of her own life. See also *infra* text accompanying notes 66–68.

27. Cook, *supra* note 16, at 116.

28. See, e.g., *infra* note 208 and accompanying text.

29. Cook, *supra* note 16, at 142.

30. *Id.* at 146.

31. *Id.* at 148. With fiction the reader never questions the existence of characters or events, i.e., whether it is all true. With nonfiction, there is a greater and natural tendency to ask that question.

32. *Id.* at 152.

33. *Id.* at 151.

constrained and stifled groups who have been marginalized.³⁴

It is in this context that this Article evaluates Michael Cunningham's *The Hours*. Each of the women tells the story of her day in simple, everyday moments. Moreover, each character's day mirrors the day of Virginia Woolf's Clarissa Dalloway. Each plans an event, and each receives an unexpected visitor. In *The Hours*, Cunningham presents Virginia Woolf herself as his contemporary re-creation of the nineteenth century female novelist. Woolf struggles with writing her novel, *Mrs. Dalloway*, while preparing for a visit from her sister and attempting to placate her husband's fears about her health. Cunningham then presents Laura Brown, who plans a birthday party for her husband and cares for her son, Richie, while trying to steal some private moments for herself to read *Mrs. Dalloway*. Finally, Cunningham introduces Clarissa Vaughan, who, sharing a first name with *Mrs. Dalloway*'s title character Clarissa, plans a celebration for her dying poet friend Richard, who affectionately refers to her as "Mrs. Dalloway" because of her propensity for planning parties and picking out flowers.³⁵

Of the three, Clarissa Vaughan is perhaps Cunningham's most progressive, most open feminist. One particular scene that exemplifies her "voice" and the appropriateness of storytelling to express female experience, emotion, and desire is when Clarissa encounters Louis, a man who was both her former lover and Richard's as well. She "wants, suddenly, to show her whole life to Louis. She wants to tumble it out onto the floor at Louis's feet, all the vivid, pointless moments that can't be told as [separate] stories. She wants to sit with Louis and sift through it."³⁶ In essence, she wants to reveal her whole story, her experience, and examine it. This is but one example of many small moments for each woman in the novel that reveal their unique lives and perspectives.

By listening to the stories of Virginia, Laura, and Clarissa in Cunningham's novel, all the small moments reveal the struggle of women and of feminist ideals throughout the last century. Their stories are powerful because they give voice to the everyday hidden, oppressed experiences of women who might not otherwise be heard. In the end, Clarissa emerges as the loudest voice of all and as the symbol of hope for the future.

34. From a pedagogical perspective, the use of stories as a referent for students will enable them to become better listeners, lawyers, and counselors, and aid them in fashioning new, innovative and equitable solutions to legal issues in a world that is more global and diverse than ever and changing at a pace more rapid than ever as well.

35. Virginia Woolf's Clarissa Dalloway begins the novel with shopping for flowers for her party. VIRGINIA WOOLF, *MRS. DALLOWAY* 3 (1925).

36. CUNNINGHAM, *supra* note 1, at 132 (emphasis added).

III. VIRGINIA WOOLF'S FEMINISM

A. *A Room of One's Own*

Although often overlooked, Virginia Woolf is a prime candidate for Law and Literature analysis. Woolf's own career began with literary criticism, where she devoted essays to both classical writers like Jane Austen and George Eliot and to contemporaries like James Joyce³⁷ and Arnold Bennett.³⁸ Indeed, Woolf was concerned with the different perspectives that would give rise to different ways of judging and, likewise, forming judgments, and how that was reflected in the literature of her time.³⁹ In her early essays, Woolf pointed out that, before 1914, the best English writers had hailed (like herself) from the wealthier classes.⁴⁰ She therefore questioned the ability of modern novelists to create "genuine" and "vital" characters because their world view was so limited by their own social class perspectives.⁴¹ In 1939, Woolf hoped that a classless society would emerge out of the war.⁴² She hoped that the two groups excluded from active social life, women and the poor, would be reintegrated into society when the war ended.⁴³

Woolf's concern with the exclusion of women from society did not end here.⁴⁴ "Woolf was embittered by her exclusion from pursuits that were traditionally masculine and was enraged by the masculine supposition that women were morally inferior to men."⁴⁵ Her "case for women," contained in the 1929 extended essay, *A Room of One's Own*, is twofold.⁴⁶ In order effectively to write fiction, Woolf argued, a woman must have two things: money and a room of her own.⁴⁷ Woolf's feminism reflects equal

37. See *infra* note 54.

38. MAUROIS, *supra* note 3, at 352.

39. See Weil, *supra* note 24, at 4 ("Though Woolf did not have access to the public sphere of judging, she had free reign in her fiction to strip the judiciary of its pageantry and expose the act of judging as an essentially human activity.").

40. MAUROIS, *supra* note 3, at 352.

41. *Id.* at 353. Perhaps an early "anti-essentialist," Woolf was way ahead of her time in realizing there were marginalized unheard voices and that the experiences of one group, the wealthy class, could not represent the less fortunate. Viewed in this way, Woolf was well aware that there was no universal experience. See *supra* note 6; see *infra* notes 72-75 and accompanying text; note 232.

42. MAUROIS, *supra* note 3, at 353.

43. *Id.* at 353.

44. See Weil, *supra* note 24, at 4.

45. *Id.*

46. MAUROIS, *supra* note 3, at 355.

47. VIRGINIA WOOLF, *A ROOM OF ONE'S OWN* 4 (Harcourt, Inc. 1989) (1929). Indeed, in Victorian times, and just prior to Woolf's birth, married women could not own property. It was not until the Married Women's Property Act, 1882, 45 & 46 Vict., c. 75 (Eng.) that a married woman in England was "capable of acquiring, holding and disposing, by will or

treatment theory, based on the principle of formal equality:⁴⁸ “Women are essentially the same as men, or would be, if given the chance.”⁴⁹ For example, if women were given the chance to vote, the law needed to provide all the necessary tools that women needed: first, an amendment, then a ballot box and a pencil.⁵⁰ Likewise, in Woolf’s view, if women were to write, they needed a separate financial identity from men, then a secluded space. Pointing out the “formal” discrepancies between men and women, Woolf uses Oxford and Cambridge (“Oxbridge”) as an example and asks, “[w]hy [do] men [at Oxbridge] drink wine and women water? Why [is] one sex so prosperous and the other so poor?”⁵¹ Drawing a true Law and Literature parallel, Woolf concludes, “women and fiction remain, so far as I am concerned, unsolved problems.”⁵² Thus, *A Room of One’s Own* reflects the way in which Woolf’s equality feminism was ahead of her own time and place,⁵³ but would be welcomed, understood, and acted upon decades later.

B. *Mrs. Dalloway*

But it is through the fiction of her earlier 1925 novel *Mrs. Dalloway*, rather than through the extended essay of *A Room of One’s Own*, that Woolf directly tackles the problems of women within fiction. The fictionalized “story,” provides a much more powerful vehicle for Woolf to present her views. Indeed, the impact of Woolf’s feminism is far more intense through the fiction of this novel than in the explanation she provides for her views in *A Room of One’s Own*. *Mrs. Dalloway* takes

otherwise, of any real or personal property as her separate property, in the same manner as if she were a feme sole, without the intervention of any trustee.” A.H. MANCHESTER, A MODERN LEGAL HISTORY OF ENGLAND AND WALES 1750–1950 372 (1980).

48. Formal equality feminists propose that the law should ignore gender and follow universal principles of human rights. They do not find the physical differences between men and women to be important. For a discussion of equal treatment theory, see LEVIT & VERCHICK, *supra* note 6, at 16–18; see also, Katharine T. Bartlett, *Gender Law*, 1 DUKE J. GENDER L. & POL’Y 1, 2–3 (1994) (describing formal equality as the principle that people who are alike should be treated alike, based on their actual characteristics and not stereotypical assumptions).

49. Black, *supra* note 15, at 182.

50. *Id.* at 183.

51. WOOLF, *supra* note 47, at 25.

52. *Id.* at 4.

53. A fascinating illustration of just how ahead of her time Woolf was is that a passage from Woolf’s diary, written in 1927, inspired the Indigo Girls, in 1995, to write and record a song entitled “Virginia Woolf.” See INDIGO GIRLS, *Virginia Woolf*, on 1200 CURFEWS (Epic Records 1995) (beginning the song, one band member explains why she was inspired to write it, stating that through Woolf’s diary entries there was a “connection through time, how human beings can affect each other . . . we’re each a part of that”).

place in the course of one day⁵⁴ and follows its heroine, Clarissa Dalloway, as she plans and prepares for a party. In tracing Mrs. Dalloway's ordinary, "neither brilliant nor tragic" existence, Virginia Woolf sought to set forth a meaningful place for women in the literature of her time.⁵⁵ According to Woolf, "[p]art of the proper work of women's writing... was to recuperate for literature 'these infinitely obscure lives [that] remain to be recorded.'"⁵⁶ These lives were the unwritten, everyday lives of women, whose voices were not permitted to be heard due to the social constraints of the time. So, in writing *Mrs. Dalloway*, Virginia Woolf embarked upon an entirely new form of literature, one that "would suggest how great...the hidden worlds and movements in women's lives" were.⁵⁷ Through Mrs. Dalloway's "story," Woolf brought a value to activities important to women that were

54. In this regard, Woolf took guidance from James Joyce's *Ulysses*, which also used a single day as its framework. Despite Woolf's initial derision for *Ulysses*, there are also other parallels to their writing styles, in addition to the use of the single-day narrative. See generally Suzette A. Henke, *Virginia Woolf Reads James Joyce: The Ulysses Notebook*, in JAMES JOYCE: THE CENTENNIAL SYMPOSIUM 39, 39-42 (Morris Beja et al. eds., 1986). In fact, Woolf "had always regarded Joyce as a kind of artistic 'double,' a male ally in the modernist battle for psychological realism. In [Woolf's] life, Joyce played the role of alter-ego that Septimus Smith had played for Clarissa Dalloway." *Id.* at 41.

55. Mendelsohn, *supra* note 5, at 17.

56. *Id.* at 17. As Woolf writes in *A ROOM OF ONE'S OWN*:

Speaking crudely, football and sport are "important"; the worship of fashion, the buying of clothes "trivial." And these values are inevitably transferred from life to fiction. This is an important book, the critic assumes, because it deals with war. This is an insignificant book because it deals with the feelings of women in a drawing-room...[E]verywhere and much more subtly the difference of value persists.

WOOLF, *supra* note 47, at 74.

Much in line with Woolf, formal equality feminist theorists have also questioned why women's contributions have no value in a masculine society. Substantive equality feminists would argue that measures to value women's contributions are critical to eliminate the disadvantages women would otherwise suffer. And different voice feminists suggest that women's contributions should not only be valued but also celebrated to create a better world for everyone.

57. Daniel Mendelsohn, *Not Afraid of Virginia Woolf*, in *THE MRS. DALLOWAY READER* 119, 121 (Francine Prose ed., 2003). In much the same way that modern day feminists attempt to place real value on a woman's work, Woolf, ahead of her time, attempted in *Mrs. Dalloway* to place value on the women's lives and work of that time. For a general discussion of the devaluation of women's work see MARTHA CHAMALLAS, INTRODUCTION TO FEMINIST LEGAL THEORY 187-99 (2d ed. 2003) [hereinafter CHAMALLAS, FEMINIST LEGAL THEORY]. See also Martha Chamallas, *Deepening the Legal Understanding of Bias: On Devaluation and Biased Prototypes*, 74 S. CAL. L. REV. 747, 755-77 (2001) [hereinafter Chamallas, *Devaluation*]. Chamallas states that "work perceived as women's work has been downgraded and that the value of work performed in predominately female jobs . . . is systematically underrated, given the relative skill, effort, and responsibility involved." *Id.* at 765. See generally, Dorothy E. Roberts, *Spiritual and Menial Housework*, 9 YALE J.L. & FEMINISM 51 (1997).

otherwise trivialized or invisible.⁵⁸

The plot of *Mrs. Dalloway* is quite simple, making it easy for Michael Cunningham to use the novel's arc to make three separate, but structurally similar stories in *The Hours*.⁵⁹ The action in *Mrs. Dalloway* is focused narrowly on Clarissa Dalloway, a middle-aged married woman, as she tries to create a party. She plans the party, takes in an unexpected visitor, reminisces about an old love, and escapes briefly from her house.⁶⁰ Within this simplicity, however, is Woolf's careful observation of the artistry and complex inner workings of a woman. As Jacob Littleton notes,

Woolf is concerned, before anything else, with the absolutely private mental world of a woman who, according to the patriarchal ideology of the day as well as her own figure in the world, was not imagined to have any artistic feeling at all. Woolf criticizes conceptions of character bound by the exterior forms of life: the whole complex (job, family, assets) that fixes every person firmly in the world of... power relationships.⁶¹

Through the development of Mrs. Dalloway, Virginia Woolf moves away from seeing women as needful of a more superficial equality with men, to seeing women as a distinct but equally important sex, whose differences from men should be explored rather than ignored.⁶² In contrast to her

58. See, e.g., Roberts, *supra* note 57, at 52–53 (discussing how the work women did in the home was devalued where men went out into a paid labor market during industrialization across the United States beginning as early as the 1840s). “[W]omen’s unpaid care for their families was no longer considered work at all.” *Id.* at 53; see also Mendelsohn, *supra* note 5, at 17 (explaining that through her novels, Woolf sought to expose women’s values which were otherwise dismissed in men’s literature). Indeed, Woolf sought social recognition that there is great value in domestic life.

59. Each of Cunningham’s stories has a similar structure: each story is a day in the life of each of the characters.

60. Mendelsohn, *supra* note 5, at 17. Each of Cunningham’s characters in *The Hours*—Virginia Woolf herself, Laura Brown, and Clarissa Vaughan—follow Mrs. Dalloway’s path. *Id.* Virginia is creating a book (*Mrs. Dalloway*), Laura is making a cake, and Clarissa is, like her namesake, organizing a party. *Id.*

61. Jacob Littleton, *Mrs. Dalloway Portrait of the Artist as a Middle-Aged Woman*, 41 *TWENTIETH CENTURY LITERATURE* 1, at 36 (1995). Woolf was well aware that at the core of a woman’s place in her society was the “power imbalance.” This imbalance would be, years later, tackled head on by feminists, most notably, Catherine MacKinnon. See generally CATHERINE A. MACKINNON, *TOWARD A FEMINIST THEORY OF THE STATE* (1989) [hereinafter MACKINNON, *TOWARD*]; CATHARINE A. MACKINNON, *FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW* (1987) [hereinafter MACKINNON, *FEMINISM UNMODIFIED*].

62. In discussing Woolf’s motivation for her work, Mendelsohn notes:

Let men preoccupy themselves with “the great movements which, brought together, constitute the historian’s view of the past” . . . [Woolf] experimented with ways to record and “bring . . . to life” another kind of experience altogether, one hitherto buried . . .

Mendelsohn, *supra* note 5, at 17. In *A Room of One’s Own*, Woolf expresses that she’d prefer to read the history of a girl behind a counter rather than yet more histories of the lives

seemingly equal treatment feminism in *A Room of One's Own*,⁶³ the fiction of *Mrs. Dalloway* verges on more of a cultural feminist/different voice theory, a feminist ideology that accepts women's differences and celebrates them as valid and useful to society instead of attempting to equate women with men.⁶⁴ However, as Lisa Weil observes, though Virginia Woolf had a sense of how the legal system could evolve to incorporate female experience, "she was powerless to do for law what she did for fiction."⁶⁵ Though way ahead of her time, her vision for *Mrs. Dalloway* and for women in general was merely that: a vision in a work of fiction.

IV. THE HOURS' FEMINISM

A. *The Women and Plot in The Hours: Three female characters relive Mrs. Dalloway's day at different times in the twentieth century.*

In *The Hours*, Cunningham continues and completes Woolf's vision. He recreates Clarissa Dalloway's day through three distinct female characters who share common female experiences at very different times in history. Virginia Woolf herself is living in her own time and attempting to write her novel *Mrs. Dalloway*. Virginia struggles with her own happiness and with her husband, Leonard, who has taken her to the country to recover from depression and suicidal thoughts.⁶⁶ Like Woolf's own Clarissa Dalloway, Woolf herself (as fictionalized by Cunningham) is not so much connected to her husband as constrained by him. She wants to return to London, but he is intent on keeping her in the country.⁶⁷ Although

of Napoleon and Keats. *Id.*

63. See *supra* text accompanying notes 47–53.

64. For a general discussion of cultural feminism, see CHAMALLAS, FEMINIST LEGAL THEORY, *supra* note 57, at 53–60; see also Robin West, *Jurisprudence and Gender*, 55 U. CHI. L. REV. 1, 15–18 (1988) (providing that cultural feminism does not only identify women's differences, but celebrates them). See generally, CAROL GILLIGAN, IN A DIFFERENT VOICE: PSYCHOLOGICAL THEORY AND WOMEN'S DEVELOPMENT 17 (1982).

65. Weil, *supra* note 24, at 4. Indeed it is more acceptable for literature, as opposed to law, to highlight women's differences. Through the character of Mrs. Dalloway, women's differences could easily be celebrated instead of alienated. Moreover, Mrs. Dalloway's story and the importance of the party or the flowers to her as a woman is much more powerful in the narrative fictional form than it could ever be in legal discourse or commentary. See *supra* notes 7–34 and accompanying text; see also note 208 and accompanying text (emphasizing how real-life protests by women were historically ignored far more easily than literature that presented the same issues through fictionalized yet powerful female characters).

66. CUNNINGHAM, *supra* note 1, at 34, 83.

67. *Id.* at 169. At the time, the prevailing "treatment" for any woman who suffered from depression included, for example, taking her away from the stress of the city. See Diana Martin, *The Rest Cure Revisited*, 164 AM. J. PSYCHIATRY 737, 737 (2007) (describing the "rest cure" as prescribed mostly for women, consisting of isolation from family and

apparently well-meaning, Leonard discourages her from writing too much because he feels it is making her ill.⁶⁸ Writing, however, is the one activity that frees Cunningham's Woolf. Unable to connect with her husband, Woolf, much like her own Clarissa Dalloway, feels a closeness instead with another woman: her own sister, Vanessa.

Decades later, Cunningham's second character, Laura Brown, reads *Mrs. Dalloway*. Like Virginia, Laura struggles with depression, suicidal thoughts, and the feeling that she is constrained and suffocated by her life as a wife and mother. She is consumed by the story of Clarissa Dalloway and, after baking a birthday cake for her husband's birthday, leaves her young son, Richie, with a neighbor and "escapes" to a hotel just to read it. Unlike Virginia's unhappiness, Laura's unhappiness is not known to her husband, Dan. But because Laura is pregnant, Dan, like Leonard, is concerned with Laura's health and, as an extension, with what Laura does and how she does it. Laura, plagued by the guilt of her own unhappiness, feels disconnected from her husband and son, but drawn to her unexpected visitor and neighbor, Kitty, with whom she shares a private moment in her kitchen.

Finally, Cunningham presents Clarissa Vaughan, also known as "Mrs. Dalloway," who is neither writing nor reading Woolf's novel; she is living it. And she is living it in New York City at the end of the twentieth century. She is living in the way that Virginia Woolf herself may have hoped one day would be possible. Clarissa is an editor, which in itself may be of no small significance. While Virginia must "write" an acceptable story for her audience and Laura is left to "read" the words on the page that Virginia wrote, Clarissa is free to "edit" out what does not suit her, an act

friends, rest, feeding, electro-therapy and massage). S. Weir Mitchell, the American neurologist that created the "rest cure" for emotional disorders, prescribed the treatment that forbade women from sewing, reading, sitting up, or writing for weeks at a time. ELAINE SHOWALTER, *THE FEMALE MALADY: WOMEN, MADNESS, AND ENGLISH CULTURE, 1830–1980* 138 (1985). "For Mitchell, at least, [a 'healthy' lifestyle] for women included strict limits on 'brain work,' which he felt imposed nervous strain and might interfere with 'womanly duties.'" Martin, *supra* at 737. See also discussion *infra* Part IV.D.

68. CUNNINGHAM, *supra* note 1, at 169. One of Weir's patients, author Charlotte Perkins Gilman, described her experience with Weir's "rest cure" in *The Yellow Wallpaper*. In the fictional story, the narrator's husband and doctor have arranged for her to spend a summer in the country. Charlotte Perkins Gilman, *The Yellow Wallpaper*, in *THE LONGMAN ANTHOLOGY OF WOMEN'S LITERATURE* 264–65 (Mary K. DeShazer ed., 2001). The narrator explains, "[I] am absolutely forbidden to 'work' until I am well again. . . . I did write for a while in spite of them . . . There comes [my husband] John, and I must put this away—he hates to have me write a word." *Id.* at 265–66. By the end of the story, the narrator has practically gone mad as a result of the prescribed isolation, inability to write and forced bed rest. *Id.* Her madness is conveyed through her new obsession with the room's wallpaper. *Id.* at 274. Gilman later explained that she wrote *The Yellow Wallpaper* to let Mitchell know that his prohibition against work led her to near madness. Martin, *supra* note 67, at 738. "[I] came so near the borderline of utter mental ruin that I could see over." *Id.*

unavailable to either of the other women. In fact, throughout the novel, she does exactly this. Unlike Virginia and Laura, Clarissa is openly in a committed, long-term lesbian relationship with Sally. Unlike Virginia and Laura, she does not need to steal private moments with other women; her moments are public. Like Virginia Woolf's Mrs. Dalloway, Clarissa spends her story planning a party. It will honor her life-long best friend Richard, a poet who has also written a novel and who has won a literary prize. Clarissa once had a sexual relationship with Richard before he left her for a man. Richard is dying of AIDS, and just hours before the party, he takes his own life. The man for whom Richard left Clarissa, Louis, becomes Clarissa's unexpected guest for the day.

Cunningham surprises the reader by disclosing later in the novel that "Richie," Laura's young son, is the same adult "Richard" who is Clarissa's friend. After abandoning Richie and disappearing for years, Laura returns years later to mourn Richard's death with Clarissa. Much like Mrs. Dalloway, Clarissa Vaughan handles all of these events with grace and a sense of duty, but in a world far more progressive than the one within which Woolf lived and wrote. In this way, Cunningham presents a realization of what was Woolf's hope for the future.

B. Women's Work and Careers in The Hours: Virginia, Laura, and Clarissa show their work to be valuable and integral to society.

Cunningham insightfully presents the work of these women within the social and personal contexts of the time in which each lives her day. Virginia and Laura are especially constrained by the times in which they live. They have no real choice or autonomy when it comes to defining their roles and work in society. They are circumscribed entirely by patriarchy and male expectations. Through the lived experiences of these two characters, however, Cunningham shows a glimmer of a different view of women's work and one that Woolf herself envisioned. This view is that women's work is not trivial, but rather creative, valuable, and integral to making the world a better place. Ultimately, it is Clarissa V. at the end of the twentieth century whose life and work emerges as the embodiment of this view.

Laura Brown, as a housewife living in the 1950s, is easily the most useful character in analyzing the change in women's work. The insights into her experience (as well as those of Virginia) exemplify the hardships women faced in past times.⁶⁹ While husbands were breadwinners, going

69. Under a postmodern feminist perspective, no one woman can exemplify all women's experiences. Each woman has unique experiences, and each is valuable. Nevertheless, Laura's experience does represent many women of her time and of her socioeconomic circumstances.

off to stimulating jobs each day, women like Laura were faced with the everyday tasks of cooking, cleaning, and childrearing. Many felt stifled in these roles, unable to express themselves mentally, creatively, or intellectually.

Many feminists today would argue that Laura represents how men suppressed women into roles in which their only function was to serve men by completing daunting yet mundane tasks. Dominance theorists would argue that women as an entire class are dominated by men and subordinated in every aspect of life: political, economic, and social.⁷⁰ Focusing on the difference in power between men and women, these theorists would say that law and society construct women as inferior and dependent.⁷¹ For them, Laura is an example of dependence and subordination.

In contrast, postmodern feminists would hypothesize that the realities women experience are “particular and fluctuating, constituted within a complex set of social contexts.”⁷² Viewing “women” as a class is inaccurate because all women do not have the same experiences.⁷³ They have multiple identities and perform multiple roles. They have their own individual perspectives and viewpoints, which should not be attached to any cultural norm.⁷⁴ Gender is therefore relative and mutable over time and according to situations. It is performed and presented differently each day.⁷⁵

Thus, in *The Hours*, we see Laura trying to use her household chores

70. Rosalind Dixon, *Feminist Disagreement (Comparatively) Recast*, 31 HARV. J.L. & GENDER 277, 282 (2008) (explaining the viewpoint of dominance feminists that the “female identity . . . as we know it [is] the pure produc[t] of a system of sexual subordination in which men defined themselves as subjects, and women as objects”). Dixon recognizes MACKINNON, TOWARD, *supra* note 61, as the “leading statement of dominance feminism.” Dixon, *supra*, at 282 n.11.

71. MACKINNON, FEMINISM UNMODIFIED, *supra* note 61, at 40–43.

72. Katharine T. Bartlett, *Feminist Legal Methods*, 103 HARV. L. REV. 829, 877–78 (1990).

73. Kate O’Rourke, *To Have and To Hold: A Postmodern Feminist Response to the Mail-Order Bride Industry*, 30 DENV. J. INT’L L. & POL’Y 476, 491 (2002) (explaining that postmodern feminists reject the notion that all women suffer from or enjoy the same basic situations and instead favor “a more diverse understanding of the various factors that determine an individual woman’s identity”).

74. See LEVIT & VERCHICK, *supra* note 6, at 37 (discussing how “[p]ostmodern feminists use the tools of deconstruction to challenge” and rethink traditional gender identities so they are less attached to cultural norms); see also Peter C. Schanck, *Understanding Postmodern Thought and Its Implications for Statutory Interpretation*, 65 S. CAL. L. REV. 2505, 2508–10 (1992).

75. Dixon, *supra* note 70, at 284–85 (explaining the postmodern feminist theory that gender is “highly contingent” and that sex-based differences are “performatively produced rather than real”) (internal quotations omitted).

as an expression of her own individual creativity.⁷⁶ Laura's "tragedy... is that her time, culture, and circumstances provide no outlets for her lurking creativity other than domestic [chores.]"⁷⁷ Cunningham describes her as "the brilliant spirit, the woman of sorrows, the woman of transcendent joys, who would rather be elsewhere, who has *consented* to perform simple and essentially foolish tasks, to examine tomatoes, to sit under a hair dryer, because it is her *art* and her duty."⁷⁸ Two words are important in this excerpt: "consented" and "art." Under postmodern feminist theory, not all women share the same values and views on life.⁷⁹ While some feminists might perceive Laura as settling for what is expected of her by society, the word "consented" may be evidence that Laura has made the choice to make her life, which may appear trivial to some, her art. For women in her time, however, the line between consent and choice was very thin. As a married-off pregnant woman in the middle of the twentieth century, did Laura Brown really have any choice at all? In other words, what "consent" and "choice" mean is questionable in this narrative setting.

Regardless of whether Laura was thrust into her role or chose it, she does ultimately decide to create "art." Laura's perspective is that her housewife duties are artistic. In fact, she later thinks to herself, faced with making a homemade cake for her husband's birthday, "This...is how artists or architects must feel...faced with canvas, with stone, with oil or wet cement. Wasn't a book like *Mrs. Dalloway* once just empty paper and a pot of ink?"⁸⁰

Virginia, decades earlier, has a similar thought, "There is true art in it, this command of tea and dinner tables; this animating correctness."⁸¹ In a patriarchal society, women's creations were more often than not their children, households, and families. However, Cunningham shows that they do create, and could create art, if they had the means. Moreover, their creations—their work and their point of view—should be equally as important as the contributions of men.⁸² In essence, Cunningham

76. See Michael Cunningham, *My Novel, the Movie: My Baby Reborn*, N.Y. TIMES, Jan. 19, 2003, § 2, at 1 (remembering that Laura's character "came fully alive the day I decided to think of her as an artist; as someone as relentlessly driven to create perfection as was Woolf herself").

77. Mendelsohn, *supra* note 5, at 18.

78. CUNNINGHAM, *supra* note 1, at 42 (emphasis added).

79. Esther Vicente, *Feminist Legal Theories*, 66 REV. JUR. U.P.R. 211, 225 (1997) (explaining that, for postmodern feminists, "there is simply not one single voice, not one single truth, not one single vision of equality that could work for the benefit of all women, 'no such thing as the woman's point of view'").

80. CUNNINGHAM, *supra* note 1, at 76.

81. *Id.* at 83.

82. Cunningham envisions Virginia pondering:

Men may congratulate themselves for writing truly and passionately about the movements of nations; they may consider war and the search for God to be

emphasizes women's strength and creativity in his writing.⁸³

Laura did not always see her tasks as her art, however. Throughout the novel, Laura struggles with the responsibility of her domestic chores. On her husband's birthday, she forces herself to rise from bed, even though she wants to stay there and read, alone.⁸⁴ She tries to accept the expectations that her husband and son place on her, even as she searches for the willpower simply to get out of bed.⁸⁵ She tells herself she should not be reading on his birthday. A good wife should be up, dressed, and serving her husband's and child's needs. Throughout the day, Laura appears to will herself into facing her household tasks. She tells herself, "She will do all that's required, and more[,] and "[s]he will remain devoted to her son, her husband, her home and duties, all her gifts."⁸⁶ At times, however, Laura feels "trapped here forever, posing as a wife."⁸⁷

Laura feels this way throughout the novel. To her, "the tasks that lie ahead... are still too thin, too elusive."⁸⁸ Laura struggles between a perspective that allows her to value her domestic work as "art" and one that views her work as trivial and stifling; unfortunately, she is without the tools or means to change it.

Cunningham's Virginia expresses a similar struggle about her view of women's work. She does so, however, through the process of creating the character Clarissa Dalloway. She uses *Mrs. Dalloway* as an expression of what she sees for women's roles. While she contemplates how to kill her main character, she considers:

Clarissa... will kill herself over something that seems, on the surface, like very little. Her party will fail, or her husband will once again fail to notice some effort she's made about her person or their home. The trick will be to render intact the magnitude of Clarissa's miniature but very real desperation; to fully convince

great literature's only subjects; but if men's standing in the world could be toppled by an ill-advised choice of hat, English literature would be dramatically changed.

Id. at 83–84. These imagined thoughts show Cunningham's attempt to present what he believed Virginia wished for integrating women's point of view in literature. See *supra* text accompanying notes 56–58.

83. See Mendelsohn, *supra* note 5, at 18. He implies individualized female viewpoints and perspectives.

84. Remember that Laura Brown is reading Woolf's *Mrs. Dalloway*. CUNNINGHAM, *supra* note 1, at 37–38.

85. "She should not be permitting herself to read, not this morning of all mornings; not on Dan's birthday. She should be out of bed, showered and dressed, fixing breakfast for Dan and Richie . . . She should be standing before the stove in her new robe, full of simple, encouraging talk." CUNNINGHAM, *supra* note 1, at 38.

86. *Id.* at 48, 79.

87. *Id.* at 205.

88. *Id.* at 40.

the reader that, for her, domestic defeats are every bit as devastating as are lost battles to a general.⁸⁹

Throughout time, men and society at large, have praised and valued traditional male work, such as business or even war, while often overlooking and undervaluing a woman's job of keeping a household. Here, Virginia realizes that despite the differences in traditional male and female roles, men and women feel the same way about defeat and loss. Virginia is relentless in her view that anything less than perfection in the full array of domestic abilities would be a defeat. Indeed, throughout her experiences with the other women in her life, Virginia seems envious of those that have a "command," as she calls it, of their domestic abilities.⁹⁰ For instance, she watches as Nelly, her family chef and servant, easily and eloquently creates a pie. Observing, "she feels like a girl witnessing, in awe and fury, the impenetrable competence of a mother."⁹¹ After the encounter with Nelly, Virginia feels defeated, as she is the one who is supposed to be the head of the household. She imagines, "[i]t should be so simple."⁹² Interestingly, whatever skills Virginia feels that she lacks performing domestic duties, she bestows to her fictional creation, Mrs. Dalloway. Reflecting on this encounter with Nelly, she thinks, "[I] will give Clarissa Dalloway great skill with servants, a manner that is intricately kind and commanding. Her servants will love her. They will do more than she asks."⁹³

Likewise, for Laura, because her domestic chores are her whole life—her art—failing at any one of these chores can be devastating, even though the failure may go entirely unnoticed by others. For example, she looks at the cake she made for her husband's birthday as a total failure, calling it "amateurish" and "handmade."⁹⁴ She obsesses all day over the way it looks, wishing it could look better; she even makes a second one.

Not only did the male-dominated world in which these characters lived define the type of work women performed, that world also set the standard for the quality and appearance of the performance,⁹⁵ and thus how

89. *Id.* at 84.

90. For example, she thinks to herself of the women in her family: "[Her] mother managed beautifully. Vanessa [her sister] manages beautifully." CUNNINGHAM, *supra* note 1, at 87.

91. *Id.* at 86.

92. *Id.* at 87.

93. *Id.* at 87.

94. *Id.* at 99.

95. "Women's place in man's life cycle has been that of nurturer, caretaker, and helpmate . . ." GILLIGAN, *supra* note 64, at 17. Gilligan earlier discussed that Woolf had said "it is the masculine values that prevail." *Id.* at 16. See MACKINNON, FEMINISM UNMODIFIED, *supra* note 61, at 34 (providing that "under the sameness standard," a women's measure is determined by comparing her to a man); see also, Pamela Brandwein &

its competence would be judged. Thus, Cunningham created women like Virginia, Laura, and even Clarissa to illustrate that their true selves would never be seen as adequate in a society of male constructs, and that they must endeavor (and be dissatisfied with themselves) to attain what their peers see as perfection.

For instance, Virginia, referring to her niece Angelica, thinks, “Already at five, she can feign grave enthusiasm for the task at hand, when all she truly wants is for everyone to admire her work and then set her free.”⁹⁶ Similarly, Laura convinces herself that “[s]he is herself and she is the perfect picture of herself; there is no difference.”⁹⁷ Even Clarissa, who seems to embody a strong, modern woman, thinks, “it requires more of you, the whole effort does; just being present and grateful; being happy....”⁹⁸ All three recognize the burden they carry, as women, to be seemingly flawless—enthusiastic, picture perfect, grateful, and happy—all while performing the work created by and for male expectations.

Laura’s story does, however, provide a glimmer of optimism because eventually she realizes the appearance of the perfect housewife does not matter all that much: “What does it matter if she is neither glamorous nor a paragon of domestic competence?”⁹⁹ When her neighbor refers to the cake as “cute,” Laura recognizes that she has two choices: “You can produce a masterful cake by your own hand or, barring that, light a cigarette, declare yourself hopeless at such projects, pour yourself another cup of coffee, and order a cake from the bakery.”¹⁰⁰ This appears to be a move, albeit slight, away from merely accepting what is expected of her and of women beginning to take charge of their own happiness.

While Virginia is not able to live up to the expectations facing her as a nineteenth century woman, Laura eventually embraces her duties. These women may be seen, from a postmodern feminist viewpoint, to exemplify women’s freedom of choice. Virginia shies away from her household duties, though she envies the command others have of them. Likewise, while Laura feels suppressed by these duties more often than she feels either creative or freed by them, she nonetheless, accepts them as her own, even referring to her duties as her “art.” At the end of her day, while she is setting the table and preparing for her husband’s arrival, she ruminates:

Richard K. Scotch, *The Gender Analogy in the Disability Discrimination Literature*, 62 OHIO ST. L.J. 465, 472 (2001); Lundy R. Langston, *Women in the New Millennium: The Promises of the Past are Now the Problems for the Millennium*, 6 CARDOZO WOMEN’S L.J. 1, 4–6 (1999).

96. CUNNINGHAM, *supra* note 1, at 120.

97. *Id.* at 76.

98. *Id.* at 94.

99. *Id.* at 107.

100. *Id.* at 104.

[I]t seems she has succeeded suddenly, at the last minute, the way a painter might brush a final line of color onto a painting and save it from incoherence; the way a writer might set down the line that brings to light the submerged patterns and symmetry in the drama."¹⁰¹

Not all women would view her experience in the same way, but at that point in the story, Laura seems to have more command of her role as wife and mother than she did when we first encountered her struggling to get out of bed.¹⁰²

In line with Virginia Woolf's progressive ideology throughout *Mrs. Dalloway*, Cunningham's novel reflects cultural feminism and different voice theory to expand Woolf's vision and to give his characters significance for women and for feminism, even if their work defines them as insignificant. For example, when Virginia is contemplating how to begin *Mrs. Dalloway*, she wants the character to do something ordinary, like running errands.¹⁰³ Finding pleasure in the ordinary is a distinctly female characteristic that pervades both *The Hours* and *Mrs. Dalloway*. Under different voice theory, women are "said to use less abstract, more contextual forms of reasoning than men..."¹⁰⁴ They pay attention to everything around them and find beauty in even the smallest detail.¹⁰⁵ Throughout *The Hours*, Virginia, Laura, and Clarissa do just that.

As Virginia begins to write *Mrs. Dalloway*, she thinks "This might be another way to begin... ; with Clarissa going on an errand on a day in June, instead of soldiers marching off to lay the wreath in Whitehall. But is this the right beginning? Is it a little too ordinary?"¹⁰⁶ At the beginning of the twentieth century, a novel surrounding the day of an ordinary woman planning a party seemed trivial to many. Virginia even thinks to herself,

101. *Id.* at 207.

102. Feminists, of course, would certainly argue that Laura was merely forced to find some kind of contentment within the constraints of her male-dominated world. However, Cunningham's Laura is indeed different than other women of that time. She does not merely accept her role as a wife and mother without question. Compared at least to other women of her time, she is somewhat more progressive. She contemplates her household work and begins to recognize that it should have value in the world—no less than those engaged in other "work." This alone makes her, even if only in a small measure, a step ahead. That one step, however, is ultimately not enough, as she later leaves her husband and children in search of more.

103. See *infra* text accompanying note 106.

104. Bartlett, *supra* note 48, at 5. See also GILLIGAN, *supra* note 64, at 22 (noting that because women use more contextual modes of judgment and perception, they offer a different point of view on life); West, *supra* note 64, at 15–16. See generally Leslie Bender, *From Gender Difference to Feminist Solidarity: Using Carol Gilligan and an Ethic of Care in Law*, 15 VT. L. REV. 1 (1990).

105. See, e.g., *infra* note 108 and accompanying text; note 111 and accompanying text.

106. CUNNINGHAM, *supra* note 1, at 29.

“But can a single day in the life of an ordinary woman be made into enough for a novel?”¹⁰⁷ Though she was doubtful, she found beauty in everyday, ordinary life and wanted to reflect that in her story of Clarissa Dalloway.¹⁰⁸ The literary success of *Mrs. Dalloway* evidences that a female perspective, under a different voice, is valuable to the literary world and society as a whole. It offers a new view on life, which is so often dominated by a male perspective.¹⁰⁹ This perspective suggests how great were the hidden worlds and movements in women’s lives, as opposed to the dismissal of them generally encountered in men’s literature.

As Laura Brown reads *Mrs. Dalloway*, she finds a personal connection to the story: “*We thought her sorrows were ordinary sorrows; we had no idea.*”¹¹⁰ In fact, she provides the bridge between Virginia and Clarissa. Virginia originally thought Mrs. Dalloway would kill herself over something that seemed trivial. She lived in a world where people did not value female influence or perspective and where even those closest to a woman would not notice her sorrows because they were so “ordinary” to the outside. As a woman in the early 1900s, Virginia knew all too well that feminine setbacks often went unnoticed.

Similarly, Laura feels depressed by her domestic duties, which sometimes become failures. At the same time, however, for Laura, the ordinary details of her day are in fact her only source of meaning. The outside world, however, views her domestic duties and chores as mundane. She feels trapped, stifled, and unable to really live the life she wants for herself. Like Virginia, she sees the ordinary as something more. The ordinary, because it is all she has, is her whole life.

Cunningham’s Clarissa V. also elevates ordinary life and chores to a place of greater value. Clarissa V. finds pleasure in ordinary life. As she prepares flowers for the party, she contemplates her kitchen and her surroundings:

[Y]ou snip the end off a rose and put it in a vase full of hot water. You try to hold the moment, just here, in the kitchen with the flowers. You try to inhabit it, to love it, because it’s yours.... What you are, more than anything, is alive, right here in your kitchen... as traffic grumbles [outside]... and the silver blades of

107. *Id.* at 69.

108. Woolf found “epic meaning” in everyday life. Similarly, Cunningham explains, “Every hour of every life contains the stuff of literature” Beth Ann Hilbig, *Hours’ Good Start for Readers Afraid of Virginia Woolf*, THE STUART NEWS, Mar. 19, 2000, at F10.

109. Cultural feminists, or different voice theorists, assert that “there is a distinctively feminine way of approaching moral and legal dilemmas [that has] been ignored or downplayed in legal doctrine and scholarship.” MINDA, POSTMODERN LEGAL MOVEMENTS, *supra* note 7, at 135. See also Chamallas, *Devaluation*, *supra* note 57, at 56–57; GILLIGAN, *supra* note 64, at 6; West, *supra* note 64, at 18.

110. CUNNINGHAM, *supra* note 1, at 205 (italics in original).

the scissors cut juicily through a dark green stalk.¹¹¹

Here, Clarissa V. embodies Virginia's version of Clarissa Dalloway: "sane Clarissa [D.] – exultant, ordinary Clarissa [D.] – will go on... loving her... ordinary pleasures..."¹¹² Clarissa V., as most women do, treasures "a relatively ordinary life (neither more nor less than what most people desire)..."¹¹³

At the same time, Clarissa V. recognizes the downside to such a glorified appreciation of the ordinary: "[That she] simply enjoys without reason the houses, the church, the man, and the dog. It's childish, she knows. It lacks edge. If she were to express it publicly... this love of hers would consign her to the realm of the duped and the simpleminded..."¹¹⁴ Here, it is clear that a woman's appreciation in the small things can be seen as "childish," even by the woman herself.¹¹⁵ In contrast, a man's perspective on life is often glorified, while women feel their opinions "lack edge."¹¹⁶

Under different voice theory, Clarissa's experiences and viewpoints about life should be valued, even celebrated. Along with the other unique experiences and perspectives, they are potentially valuable resources that might even in some way serve as a better model of social organization than typically male characteristics and values.¹¹⁷ They might even improve the world.¹¹⁸

For instance, as Clarissa picks out flowers for her party, she contemplates the possible societal implications of the flowers' journey to her home. She wonders whether children are forced to pick them, whether

111. *Id.* at 94–95.

112. *Id.* at 211.

113. *Id.* at 203.

114. *Id.* at 12.

115. Laura "feels faintly, foolishly satisfied by her outfit, and by the cleanliness of her car. . . . It's ridiculous, she knows, and yet she finds consolation in this impeccable order." CUNNINGHAM, *supra* note 1, at 142.

116. Important to this observation is the role and value that fame plays in the world, as it has been created by men. Cunningham uses images of movie stars throughout *The Hours* to illustrate this point. Clarissa Vaughan thinks to herself that "Meryl Streep or Vanessa Redgrave or . . . Susan Sarandon, will still be known [even after their deaths]. She will exist in archives, in books; her recorded voice will be stored away . . ." *Id.* at 51. Clarissa is "alive, right here in [the] kitchen, just as Meryl Streep and Vanessa Redgrave are alive somewhere . . ." *Id.* at 95. And Sally, Clarissa's life partner, thinks "There is no more powerful force in the world . . . than fame." *Id.* at 176. The famous person is there for the purpose of contrast. It reminds us of the world out there, and the values by which it measures things: fame, importance, power, rank, distinction. So, it contrasts Clarissa's ordinary self. It "serves as a symbol . . . for the world that is made by men, for men's literature and men's values . . ." Mendelsohn, *supra* note 5, at 18.

117. Bartlett, *supra* note 72, at 863; *see also* GILLIGAN, *supra* note 64, at 170, 174; West, *supra* note 64, at 17–18.

118. GILLIGAN, *supra* note 64, at 170. *See also* West, *supra* note 64, at 15–18.

families have to “arrive in fields before dawn to spend their days bent over the bushes, backs aching, fingers bleeding from the thorns[.]”¹¹⁹ Women tend to be care-oriented, so they think about what, or who, is behind everything.¹²⁰ Thus, Clarissa V. stops to appreciate and wonder how items such as her flowers make their way to her in New York and who toiled over them in the process. She cherishes these moments of context and the ordinary. It may be childish and lacking in “edge,” but she nevertheless appreciates it all: “the city, the morning; [and she hopes], more than anything, for more.”¹²¹

In a sense, however, Clarissa V., living on the verge of the twenty-first century, does have more. She is the only character in *The Hours* with a career—unavailable to, but envisioned by Virginia; dreamed about and questioned by Laura.¹²² In this regard, Clarissa V. is truly independent and able to express her individuality. Despite her more modern world, she still finds herself questioning the value of her love for the ordinary. But Cunningham gives meaning and value to the ordinary. Through the work of all three women doing ordinary things on one day in their lives, he shows their work to be anything but ordinary or unimportant. He shows their work to be integral and valuable contributions to society.

C. *Relationships in The Hours: Virginia, Laura, and Clarissa seek an interconnectedness that is unique to women.*

Out of Cunningham’s three characters, Laura Brown is the one who feels the most discomfort with her familial relationships. Laura is

119. CUNNINGHAM, *supra* note 1, at 159. Particularly relevant here is the notion of the “ethic of care.” In Gilligan’s *In a Different Voice*, she identifies the specifically female “ethic of care” as “an activity of relationship, of seeing and responding to need, taking care of the world by sustaining the web of connection so that no one is left alone.” GILLIGAN, *supra* note 64, at 62. The ethic of care, premised on nonviolence, is contrasted with the more masculine ethic of justice, premised on equality. *Id.* at 174. In the legal context, applying an ethic of care may lead to better lawyers, better client representation, and even better law. See Carrie Menkel-Meadow, *Portia Redux: Another Look at Gender, Feminism, and Legal Ethics*, 2 VA. J. SOC. POL’Y & L. 75, 113–14 (1994); Bender, *supra* note 104, at 41; Stephen Ellmann, *The Ethic of Care as an Ethic for Lawyers*, 81 GEO. L.J. 2665, 2667 (1993).

120. Through his novel, Cunningham engages in “consciousness-raising,” a feminist method for expanding perceptions. As Leslie Bender writes, “Feminist consciousness-raising creates knowledge by exploring common experiences and patterns that emerge from shared tellings of life events. What were experienced as personal hurts individually suffered reveal themselves as a collective experience of oppression.” Leslie Bender, *A Lawyer’s Primer on Feminist Theory and Tort*, 38 J. LEGAL EDUC. 3, 9 (1988). By telling three stories and weaving similarities throughout them, a pattern of female oppression in creativity materializes in *The Hours*.

121. CUNNINGHAM, *supra* note 1, at 225.

122. See *id.* at 79; see also *id.* at 39, 40.

dissatisfied with the stereotypically female role that is prescribed for her as a 1950s housewife and mother. When she speaks of her marriage and her husband, it is evident that she had no meaningful “choice” in the matter: “She married him out of love. She married him out of guilt; out of fear of being alone; out of patriotism. He was simply too good, too kind, too earnest, too sweet-smelling not to marry. He had suffered so much. He wanted her.”¹²³ Like her approach to her domestic role, Laura’s approach to her relationship with her husband exemplifies dominance theory—the feminist observation that society oppresses women and privileges men.¹²⁴

When Laura speaks of her role as a mother, her male-dominated world and lack of choice are even more evident. She does not embrace motherhood, mothering, or any identity as a mother. Her relationship with her three year-old son is at best ambivalent. She has moments when she feels towards him “full of a love so strong, so unambiguous it resembles appetite.”¹²⁵ But those feelings are fleeting moments. During the longer periods of time when she is alone with him and thus called upon to be a mother, she feels “unmoored” and “afraid.”¹²⁶ She feels devoid of any “mother-self” identity to guide her “in negotiating the days she spends alone with [her] child.”¹²⁷ She loses direction.¹²⁸ “She can’t always remember how a mother would act.”¹²⁹ She worries that her son “will watch her forever. He will always know when something is wrong. He will always know precisely when and how much she has failed [as a mother].”¹³⁰

123. CUNNINGHAM, *supra* note 1 at 106. The reference to patriotism and suffering is because Laura’s husband Dan, like many other men during this time period, had come home after serving in World War II.

124. Dominance theory, also called nonsubordination theory, argues that patriarchy divides rights by gender; women are subordinate. *See generally* MACKINNON, *FEMINISM UNMODIFIED*, *supra* note 61, at 32–45. *See also*, LEVIT & VERCHICK, *supra* note 6, at 22–26. *See* CUNNINGHAM, *supra* note 1 at 79; Barbara Flagg, *Book Review: Women’s Narratives, Women’s Story: Toward a Feminist Theory of the State: By Catherine McKinnon*, 59 U. CIN. L. REV. 147, 147–48 (1990) (reviewing CATHERINE MACKINNON, *TOWARD A FEMINIST THEORY OF THE STATE* (1989)). In *The Hours*, Laura lives her life to benefit her husband and son. CUNNINGHAM, *supra* note 1, at 79.

125. CUNNINGHAM, *supra* note 1, at 76.

126. *Id.* at 47.

127. *Id.*

128. *Id.*

129. CUNNINGHAM, *supra* note 1, at 47. She thinks: “What . . . is wrong with her All the man and boy require of her is her presence and, of course, her love.” *Id.* at 43. But Laura is uncomfortable with this; for her, it is asking too much. “She wants to be a competent mother reading calmly to her child; she wants to be a wife who sets a perfect table. She does not want, not at all, to be the strange woman, the pathetic creature, full of quirks and rages, solitary, sulking, tolerated but not loved.” *Id.* at 101. Yet she really is the solitary, quirky woman and her inability to be the perfect wife and mother is what brings on suicidal thoughts and ultimately forces her to leave her family.

130. *Id.* at 193.

Indeed, her predictions come true as Laura Brown will later become the focus of her son's poetry and novel as the lost mother and the woman who walked away.¹³¹ She will be portrayed as both "ghost and goddess," "worshipped and despised." She will have created a son obsessed with her absence.¹³²

Full of ambivalence about motherhood,¹³³ Laura has moments when "she wants only to leave—not to harm [Richie], she'd never do that—but to be free, blameless, unaccountable."¹³⁴ Indeed, during her escape for a day to read *Mrs. Dalloway*, she even contemplates suicide.¹³⁵ Ultimately, she instead flees from her family,¹³⁶ only to return years later to mourn Richard's death with Clarissa. When she does, she tells Clarissa, "[w]e did the best we could, dear. That's all anyone can do, isn't it?"¹³⁷

Perhaps Laura Brown did her best in a 1950s world in which women lacked autonomy and the power to exercise any meaningful choice. Becoming a mother was a decision made for her by the conventions of the time in which she lived, a world dominated by men in general and her son in particular, who seemed in a sense to control her actions. Laura's approach to her role as a mother exemplifies dominance theory, in which society oppresses women and privileges men,¹³⁸ even "men" who are only three years old. Although Laura is unhappy with these relationships, she lacks the autonomy to change the male expectations that dominate her and which had stifled any meaningful freedom for her to have discovered who she is and what else she may have become, other than a wife and mother.

Like Laura, Virginia's life is constrained by her relationship with her husband, Leonard. Dominance theory is also at play here because Leonard controls most of Virginia's actions. In an attempt to care for her, Leonard stifles her writing because he believes it is negatively affecting her health.¹³⁹ He does so by putting restrictions on when and where she can

131. *Id.* at 221.

132. *Id.*

133. At various points in the novel Laura imagines a life that would not have included motherhood but one in which she could have remained Laura Zielski (her maiden name), stayed a more solitary girl, an incessant reader—a life in which she could have explored her talents, though she questions whether she truly has any. *Id.* at 39–40, 79.

134. CUNNINGHAM, *supra* note 1, at 78.

135. *See id.* at 146–52.

136. *Id.* at 222.

137. *Id.*

138. *See* discussion of dominance theory *supra* notes 70 and 124 and accompanying text.

139. *See supra* notes 67–68 and accompanying text; *see also infra* Part IV.D. Virginia suffers from a mental condition that would be labeled today as bipolar disorder. Five times in her life she suffered from onslaughts of the illness so serious that she attempted to kill herself. HERMIONE LEE, *Virginia Woolf* 171–72 (1997). In addition to hallucinations, she suffered from racing pulse, hearing voices, severe headaches, backaches and extreme exhaustion. Reluctance to eat and extreme weight loss were significant physical

write, and when she must eat and sleep. Though Leonard supports Virginia's work as a writer and believes her work will be read for centuries, he nevertheless controls all the activities he believes are necessary to keep her healthy¹⁴⁰ and free from her recurring episodes of manic depression. These episodes not only debilitate her, but make her capable of "shrieking at Leonard and anyone else who comes near."¹⁴¹ Indeed, Virginia's day in *The Hours* takes place in Richmond, a quiet, boring suburb of London,¹⁴² where Leonard has taken her for the "rest cure,"¹⁴³ because city life in London has been deemed too stressful. In fact, Virginia yearns to go back to London, where she believes she can thrive; she plots to do whatever is necessary to get back there.¹⁴⁴ She feels the quiet of Richmond is suffocating her, though Leonard convinced her that she is "safer" if she "rests in Richmond; if she does not speak too much, write too much, feel too much..."¹⁴⁵ Thus, her relationship with Leonard has constrained her thoughts as well as her activities.

Also like Laura, Virginia seeks to escape just for a while from the constraints in which she finds herself. Spontaneously, just before dinner one day, she takes a walk and purchases a train ticket to London.

It seems that she can survive, she can prosper if she has London around her; if she disappears [just] for a while into the enormity of it, brash and brazen... the traffic... the whole raucous carnival turn[ing] and turn[ing], blazing, shimmering...¹⁴⁶

Unlike Laura's completed escape to a hotel, Virginia's escape to London is thwarted by Leonard, who upon discovering her absence before dinner, hurriedly leaves the house, wearing his slippers, and comes after her "like a constable or proctor, a figure of remonstrance..."¹⁴⁷ She tells him she was merely out for a walk, intentionally failing to disclose "that she...in fact staged an escape of sorts, and had in fact meant to disappear, if only for a

manifestations. *Id.* at 171.

140. See CUNNINGHAM, *supra* note 1, at 33 (forcing Virginia to agree that she will eat lunch but deferring to her desire to skip breakfast and get to work).

141. *Id.* at 71. Virginia describes her bouts of mental instability as "my headache" and imagines it as an entity with a life of its own. *Id.* at 70–71. She also describes it as the devil. *Id.* at 167.

142. See *id.* at 83 (describing Richmond as "undeniably a suburb...with all the word implies about window boxes and hedges; about wives walking pugs; about clocks striking the hours in empty rooms . . . [Virginia] despises Richmond. She is starved for London; she dreams sometimes about the hearts of cities.").

143. *Id.* at 34; see also *supra* notes 66–68 and accompanying text.

144. CUNNINGHAM, *supra* note 1, at 34; see also *id.* at 168–69.

145. *Id.* at 169.

146. *Id.* at 167–68.

147. *Id.* at 170. Ironically, amidst her disappointment and anxiety of being "caught", Virginia feels sorry for him, "strangely moved." *Id.* She thinks, "how frail men are; how full of terror." *Id.* at 171.

few hours.”¹⁴⁸ Unable to exercise autonomy, Virginia succumbs, walking arm in arm with Leonard back home for dinner, the train ticket unused and buried in her bag.¹⁴⁹

Virginia also lacked any meaningful choice about motherhood. Whereas Laura had little to say about having children, Virginia had little to say about the decision not to have them.¹⁵⁰ Believing that children would put too much strain on Virginia, Leonard decided it would be healthier for Virginia not to have them; therefore, it was a done deal.¹⁵¹ The children in her life were, “of course, all Vanessa’s [her sister’s]; there are none of Virginia’s, and there will be none[.]”¹⁵²

There are only a few other vague references to mothering or motherhood as Virginia’s day progresses in *The Hours*.¹⁵³ Interestingly, however, in the part of the prologue describing Virginia’s suicide, there is a poignant reference to motherhood. In her last look at the world as she is drowning, Virginia can see a bridge above the water into which she is being swept. Highlighted in her view of the bridge are a mother and son walking together and crossing the bridge. Cunningham’s last words of the prologue, “the mother and the child,” describe Virginia’s last view of the world before the water takes her down.¹⁵⁴ Regardless of the multiple and varied interpretations those words may have, Virginia would never have the

148. *Id.* at 172.

149. CUNNINGHAM, *supra* note 1, at 172.

150. The prevailing medical view of the time was that marriage and children should be forbidden to those with periodic mental illness. An insane or nervous disposition could be inherited and therefore marriage and children were deemed to present a dangerous future. See PETER DALLY, *THE MARRIAGE OF HEAVEN AND HELL: MANIC DEPRESSION AND THE LIFE OF VIRGINIA WOOLF* 90 (1999). There were some doctors who believed that Virginia would benefit from motherhood. But others, who influenced Leonard more, believed that she would not be able to stand the strain and stress of childbearing. “Leonard was [actually] right to doubt Virginia’s ability to cope with childbearing.” *Id.* at 97. Women who have had an episode of manic depression are at a twenty-five percent greater risk of breaking down within two weeks of childbirth. *Id.*

151. Leonard “tolerated no disagreement” in their marriage; “on important issues he was sure he knew best for Virginia.” *Id.* at 99–100. Virginia knew that Leonard was determined to stop her from having children, but her depression and treatment made her unable to protest. *Id.* at 96–97.

152. CUNNINGHAM, *supra* note 1, at 116. Virginia’s mental illness affected her feelings about having children. During bouts of depression she saw her childlessness as failure. During high spirits, she scarcely wanted children. DALLY, *supra* note 150, at 97. Years later, though, she expressed anger for not forcing Leonard to have children. *Id.*

153. See CUNNINGHAM, *supra* note 1, at 72 (Virginia consciously deciding “not to be the mother who intervenes” in Leonard’s relationship with his young assistants); *id.* at 115–16 (Virginia’s sister Vanessa “takes Virginia’s hand in much the same way she would take the hand of one of her children...offer[ing] [her] hand with motherly assurance.”); *id.* at 118. (“Virginia prepares to offer some wisdom [to Vanessa] about children. She has scant idea what she’ll say, but she will say something.”).

154. *Id.* at 8.

opportunity to make her own decision about becoming a mother, to be on a bridge—“a mother, and a child”—to do ordinary things with a child of her own.

Because of the way in which their husbands circumscribe their actions and ultimately their creativity, both Cunningham’s Virginia and Laura have secret, stolen moments and connections with other women. The modern-day Clarissa, however, has an open lesbian relationship. Where Virginia and Laura are writing and reading a second life, respectively, Clarissa Vaughan is living a life of her own, and living it by choice. She has the opportunity to make connections that Laura and Virginia did not. This builds on Woolf’s creation of Mrs. Dalloway, who, throughout *Mrs. Dalloway* consistently reminisces about one brief kiss with Sally Seton.¹⁵⁵

Cunningham’s Clarissa Vaughan, on the other hand, is a woman who is with the woman that she loves from day to day. “They are a couple that never fight.”¹⁵⁶ While Woolf’s Clarissa yearns for true romantic love with a woman, Cunningham’s Clarissa has it, and always had that choice available to her. Indeed, she recognizes that for her, “[there] are only choices, one thing and then another, yes or no...”¹⁵⁷ Though she briefly contemplates life with a different choice—one at another home without Sally, where she imagines feeling “wonderfully alone, with everything ahead of her”¹⁵⁸—that feeling “simply moves on.”¹⁵⁹ She has chosen “her mate, her life. She wants no other.”¹⁶⁰ She has access to the interconnectedness for which the other women yearn. And unlike Virginia and Laura, she is not constrained at all by her relationship with her partner. Even her decision to have a child was by her own choice, standing in sharp contrast to Virginia and Laura, who lacked any meaningful choice about motherhood. Clarissa Vaughan’s activities thus appear to be completely independent of Sally’s influence, save for the interconnectedness and emotional support.¹⁶¹

In contrast, Virginia longs for such interconnectedness and shares a

155. “In the passionate friendship of Sally and Clarissa, Woolf captures . . . the intellectual and erotic, the personal and the political . . . [t]ogether they discuss ‘women’s rights,’ ‘how they were to reform the world’ . . .” Eileen Barrett, *Unmasking Lesbian Passion: The Inverted World of Mrs. Dalloway*, in VIRGINIA WOOLF: LESBIAN READINGS 146, 151 (Eileen Barrett & Patricia Cramer eds., 1997).

156. CUNNINGHAM, *supra* note 1, at 135.

157. *Id.* at 92.

158. *Id.*

159. *Id.*

160. *Id.*

161. As further evidence of her independence, it is also relevant that Clarissa V. was artificially inseminated with her daughter. CUNNINGHAM, *supra* note 1, at 137. Mirroring *Mrs. Dalloway*, Clarissa’s teenage daughter is unusual in the sense that she is different from her mother. She is not interested in planning parties or arranging flowers, yet she, like Clarissa, is comfortable in her own skin—combat boots and all. *Id.* at 21, 136–37.

somewhat awkward kiss with her sister. The kiss, though “innocent enough,... feels like the most delicious and forbidden of pleasures.”¹⁶² It is “full of a love complex and ravenous.” It represents the richness that Virginia yearns for from a life in London, and from life itself.¹⁶³ Vanessa returns the kiss.¹⁶⁴ Likewise, Laura shares a deep, emotional moment with her neighbor Kitty when Kitty reveals that she may have cancer.¹⁶⁵ Laura, much like Woolf’s Mrs. Dalloway, wants to experience Kitty’s “secret self.”¹⁶⁶ She wants to feel a personal connection with Kitty that she is unable to feel with her husband.

These female relationships do not necessarily exemplify lesbianism or sexuality, but the desire for an interconnectedness that is unique to women,¹⁶⁷ and which women were not historically permitted to pursue because they were too tightly controlled by men; men controlled their relationships as well as their work. Of course, Clarissa V. in her time and place is not stifled in her efforts to find this kind of relationship and connection.

D. Emotional and Mental Health in The Hours: Virginia, Laura, and Clarissa seek independence, self-worth, and freedom to determine their own identities.

Throughout *The Hours*, Virginia, Laura, and Clarissa each have thoughts that reflect the social status of women that existed during each of their times. Their mental and emotional approaches to life are very much the product of their respective social climates. Virginia and Laura are alike in that they both are forward-thinking women who are relegated to a period in history where they cannot exist as they would otherwise wish to.¹⁶⁸

162. *Id.* at 154.

163. *Id.* at 209–10.

164. *Id.* at 154.

165. *See id.* at 108–10. “What surprises [Laura]—what occasionally horrifies her—is how much she revels in Kitty’s friendship.” *Id.* at 105.

166. CUNNINGHAM, *supra* note 1, at 143.

167. *See* Barrett, *supra* note 155, at 155. “These women’s erotic desires mingle with their longing for compassionate friendship ...” *Id.* In *Mrs. Dalloway*, Clarissa Dalloway admits that “she could not resist sometimes yielding to the charm of a woman, not a girl, of a woman *confessing*, as to her they often did, some scrape, some folly . . . [S]he did undoubtedly then feel what men felt. Only for a moment; but it was enough.” WOOLF, *supra* note 35, at 46–47 (emphasis added). Similarly, in *The Hours*, when Laura Brown shares an embrace with Kitty, “[s]he thinks, ‘This is how a man feels, holding a woman.’” CUNNINGHAM, *supra* note 1, at 109. Cunningham’s Virginia muses as she plans *Mrs. Dalloway*, that Clarissa’s first love will be “a woman. Or a girl . . . she knew during her own girlhood; one of those passions that flare up when one is young—when love . . . seem[s] truly to be one’s personal discovery . . . when one feels free . . . to refuse the future that’s been offered and demand another....” *Id.* at 81.

168. *See* CUNNINGHAM, *supra* note 1 at 79. Laura thinks, “she’s slipped across an

Virginia desires to live in London, to write and create, while Laura wants to break free from her family, to live alone, and to read—perhaps even study. Both women are stifled, and through their thoughts and actions, we are able to see the resulting instability of their emotional and mental health.

Stifled by their societies,¹⁶⁹ Virginia and Laura can only catch a glimpse of true happiness through the processes of writing and reading, respectively. Adding to this is the fact that these two activities are discouraged by their husbands and doctors, and more generally “the male.”¹⁷⁰ As a result, throughout the novel, Virginia and Laura must conduct their activities in secret and put up an elaborate façade of domestic happiness. Laura sneaks away to the hotel room to read *Mrs. Dalloway*, while Virginia ignores meals to write *Mrs. Dalloway* and attempts to escape to London for inspiration. As Cunningham writes of Virginia, “[s]he has learned over the years that sanity involves a certain measure of impersonation, not simply for the benefit of husband and servants but for the sake, first and foremost, of one’s own convictions.”¹⁷¹ Their inability to express and to explore their true passions results in an “impersonation” of a content life, while their real passions rage in secret. As a result, they are depressed¹⁷² and unsettled. They are inwardly frustrated, anxious, and in a general state of turmoil. Their outward emotional states, however, appear numb.¹⁷³ Cunningham writes of Laura: “Laura will not let herself go morbid. She’ll make the beds, vacuum, cook the birthday dinner. She will not mind, about anything.”¹⁷⁴

Further, both Virginia and Laura flirt with insanity and struggle with suicide.¹⁷⁵ Virginia constantly hears voices and experiences headaches that take over her and never go away.¹⁷⁶ Indeed, Cunningham begins his novel

invisible line, the line that has always separated her from what she would prefer to feel, who she would prefer to be.” *Id.*

169. It is also likely that society itself was a contributing factor to Woolf’s mental illness. See generally LEE, *supra* note 139, at 171–96.

170. See *supra* notes 67–68 and accompanying text.

171. CUNNINGHAM, *supra* note 1, at 83.

172. See *supra* notes 65–67, 139 and accompanying text.

173. “[Virginia] is better, she is safer, if she rests in Richmond; if she does not speak too much, write too much, feel too much . . .” CUNNINGHAM, *supra* note 1, at 169.

174. *Id.* at 101.

175. When Woolf originally conceived of *Mrs. Dalloway*, she thought that Clarissa Dalloway would kill herself. Instead, “she made the novel a study of sanity...and insanity.” Jocelyn McClurg, *Currents Run Deep in ‘Hours’*, USA TODAY, Jan. 24, 2003, at 12D. In *Mrs. Dalloway*, madness is represented by the “shell-shocked World War I veteran Septimus Warren Smith.” *Id.*

176. CUNNINGHAM, *supra* note 1, at 70–71. Similarly, Richard also hears voices. See *id.* at 198. His character is a derivation of *Mrs. Dalloway*’s Septimus, the visionary poet who eventually hurls himself out of the window. By making Virginia also hear voices, Cunningham suggests the way in which Woolf injected parts of herself into her *Mrs. Dalloway* characters.

with a detailed, personal narrative account of Virginia taking her own life. In her suicide note to Leonard she writes, "I shan't recover this time."¹⁷⁷ Although considering suicide on several occasions, Laura Brown survives, albeit not without consequence.¹⁷⁸ Ironically, even though Virginia actually takes her own life, Laura is viewed as the most selfish, most self-serving character in the novel. Richard never forgives her for leaving him¹⁷⁹ and devotes most of his life's work as a poet and an author to examining her abandonment of him.¹⁸⁰

But Laura's own struggle with suicide is what links her to Virginia and highlights her inability to find happiness in a society that does not value women's contributions. In such a climate, where women lack meaningful choices, the choice to die is an appealing one:

It is possible to die. Laura thinks, suddenly, of how she—how anyone—can make a choice like that....She could decide to die....[I]t might feel so free: to simply go away....There is comfort in facing the full range of options; in considering all your choices, fearlessly and without guile.¹⁸¹

In their patriarchal worlds, death is deemed a freedom-pursuing act.

Laura's desire to die and Virginia's death can be contrasted with Clarissa's hope for life and the recognition that she lives in a very different world. It is not that Clarissa never has thoughts about death like Virginia and Laura,¹⁸² but for Clarissa, much like for Mrs. Dalloway, "the inevitability of death insists that she do life justice, that she achieve 'the moment' and fill it with her atmosphere."¹⁸³ Her thoughts about death are not as a means to escape but as a source of inspiration.

For Virginia and Laura, there are two lives: the lives they are leading and the lives they can lead in the books they write or read. They have no way to effect change in their lives, and their mental and emotional turmoil is at least partly the result of being stifled. Clarissa V., on the other hand,

177. *Id.* at 6.

178. Laura "wondered, 'Is this what it's like to go crazy?'" There is a quiet way to go crazy, "a way that was numb and hopeless, flat, so much so that an emotion as strong as sorrow would have been a relief." *Id.* at 142.

179. *Id.* at 221. See *supra* text accompanying notes 125-138 (describing Laura's relationship with Richard and her role as a mother).

180. CUNNINGHAM, *supra* note 1, at 220-21, 225. Clarissa observes that, in Richard's book, his mother kills herself in the end. *Id.* at 130.

181. *Id.* at 151-52. "She has been thinking kindly, even longingly, of death." *Id.* at 188. "It would be as simple as checking into a hotel room. It would be as simple as that. Think how wonderful it might be to no longer matter. Think how wonderful it might be to no longer worry, or struggle, or fail." *Id.* at 214.

182. Virginia contemplates suicide and ultimately takes her own life while Laura imagines what would happen if she simply ceased to exist. *Id.* at 5-8, 152.

183. ELLEN BAYUK ROSENMAN, *THE INVISIBLE PRESENCE: VIRGINIA WOOLF AND THE MOTHER-DAUGHTER RELATIONSHIP* 89 (1986).

is living the idea behind *Mrs. Dalloway*; she embodies the woman that Virginia and Laura dreamed about but could not be.¹⁸⁴ Though she suffers disappointment and pain in her life, her life is her own; she has been able to make choices, and make her own life; she is open to life's challenges. She is emotionally and mentally more able to endure life's tragedies because she has experienced autonomy. "[L]ike a cartoon character that endures endless, hideous punishments... [she] always emerges unburnt, unscarred, ready for more..."¹⁸⁵ Clarissa is resilient; she will survive, even when people around her die. This is consistent with the way that Virginia envisions Mrs. Dalloway: "Clarissa [D.], she thinks, is not the bride of death after all. Clarissa is the bed in which the bride is laid."¹⁸⁶

Thus Clarissa V. represents the emotional strength of female characters even in the face of life's most painful tragedies. Perhaps this kind of strength is best expressed by Virginia as she observes her niece, Angelica, who finds and proceeds to bury a dead bird: "Even now, at this late age, the males still hold death in their capable hands and laugh affectionately at the females, who arrange funerary beds and who speak of resuscitating the specks of nascent life abandoned in the landscape, by magic or sheer force of will."¹⁸⁷ It is specifically because of Clarissa V.'s desire to beautify, and because of her emotional strength, that she survives and will survive. Clarissa plans a party for Richard throughout the course of the novel and even when he dies, she pulls herself together to be a hostess as Laura Brown (Richard's mother) arrives at her apartment.¹⁸⁸

By valuing these feminine contributions, Cunningham invokes different voice theory and shows that women are emotionally and mentally

184. For example, Virginia decides "Clarissa will not die, not by her own hand. How could she bear to leave all this?" CUNNINGHAM, *supra* note 1, at 153. Virginia later contemplates:

Clarissa will be bereaved, deeply lonely, but she will not die. She will be too much in love with life, with London. Virginia imagines someone else, yes, someone strong of body but frail-minded; someone with a touch of genius, of poetry, ground under by the wheels of the world, by war and government, by doctors; a someone who is, technically speaking, insane, because that person sees meaning everywhere, knows that trees are sentient beings and sparrows sing in Greek. Yes, someone like that. *Clarissa, sane Clarissa—exultant, ordinary Clarissa—will go on*, loving London, loving her life of ordinary pleasures, and someone else, a deranged poet, a visionary, will be the one to die.

Id. at 211 (emphasis added).

185. *Id.* at 9–10.

186. *Id.* at 121. Exploring what Clarissa Dalloway's relationship with life and death will be, Virginia thinks "Mrs. Dalloway . . . is a house on a hill where a party is about to begin; death is the city below, which Mrs. Dalloway loves and fears and which she wants, in some way, to walk into so deeply she will never find her way back again." *Id.* at 172.

187. *Id.* at 119.

188. *Id.* at 217–26.

strong and resilient in a way that is unique, in a way that men are not.¹⁸⁹ Like Virginia's niece, Angelica, Clarissa will live on to plan another party; she will live on to arrange a funerary bed. Unlike Virginia and Laura, she is emotionally and mentally strong.

V. *THE HOURS'* CLARISSA AS A BEACON OF HOPE FOR WOMEN IN THE TWENTY-FIRST CENTURY

As Cunningham explains, Clarissa Vaughan is a modern Clarissa Dalloway. "She is allowed to do all the things Clarissa Dalloway couldn't do in the 1920s."¹⁹⁰ She has a successful career as an editor and is professionally well regarded. She has close personal relationships with friends, a female partner, and a daughter with whom she was artificially inseminated. She has had intimate sexual relationships with both men and women. Indeed her world includes others who have had intimate relationships with both men and women, such as Richard. Throughout *The Hours*, she is involved in a long-term committed relationship with her partner, Sally, and they share equal roles and responsibilities in their work and domestic life. In addition, her daughter is in an open relationship with another woman, with whom Clarissa V. is trying to develop an understanding as well.¹⁹¹ All of the people in her life appear able to express themselves as individuals based on their personal natures and personalities, rather than on gender concepts which society imposes upon them.

In this regard, Clarissa V. appears to be living in an almost "genderless" world, one recognizing that gender roles are societal, not biological, and that humans have vast personal potential, irrespective of their sex. It might even be said that Cunningham's Clarissa V. is not living

189. See ROSENMAN, *supra* note 183, at 90–91. Rosenman states:

Clarissa's appearance at the end of the novel [Rosenman referring to *Mrs. Dalloway* but also in *The Hours*] confirms the survival of her femininity for it touches both on Woolf's characteristic phrase for praising the mother's magic and on Clarissa's own experience of self-creation marked by the word "there": seeing her enter the room, Peter says, "For there she was."

See also WOOLF, *supra* note 35, at 296. And in *The Hours*, "[a]nd here she is, herself, Clarissa." CUNNINGHAM, *supra* note 1, at 226. Woolf, and likewise Cunningham, deliberately place their Clarissas as a solitary, dominant presence to emerge in, and embody the last scenes of their novels. By doing so the authors emphasize women's unique strength and femininity; they convey the hope for increasing autonomy, self-realization and recognition by society in the future.

190. Hilbig, *supra* note 108, at F10; see also Littleton, *supra* note 61, at 53 ("By creating a viable heroine with many intellectual attributes ascribed solely to men, Woolf destabilizes gender boundaries. Clarissa's talents derive from her social femininity, presenting an alternative to male-identified utilitarian ideology.").

191. CUNNINGHAM *supra* note 1, at 158–61.

in a more “feminist” (i.e. vs. “masculine”) world at all. Perhaps she is living in a more “humanist” world, where the unlimited capabilities of all human beings are revealed regardless of sex, where roles are not determined relative to the “masculine” or “feminine” at all, but where roles are instead determined according to values that are shared by all. Even if Cunningham did not intend for *The Hours* to go quite that far, one conclusion is certain: Clarissa V. by living in a world with dramatically fewer predetermined gender roles and expectations, is the living embodiment of what Virginia Woolf wished for herself and for her fellow women.¹⁹²

Unlike Woolf’s Clarissa D. who had to survive in an age where women’s differences were ignored, Cunningham’s Clarissa V. lives in a world that has potential to value and integrate women’s differences and experiences, perhaps even celebrate them. Likewise, Cunningham’s Virginia and Laura stand in stark contrast to Clarissa V. They can only fantasize about living the life of their dreams due to their circumstances. Their intellectual and emotional lives are controlled by society’s gender-based prescriptions and more particularly and predominantly by their husbands’ demands.¹⁹³

192. Noteworthy here is Virginia Woolf’s book, *ORLANDO*, published in 1928. VIRGINIA WOOLF, *ORLANDO* (1928). *ORLANDO* spans many centuries and explores the differing roles of men and women in society during various periods of time. The story is of a young man named Orlando, born in England during the reign of Elizabeth I. Ultimately, he is appointed by King Charles II as the British ambassador to Constantinople. *Id.* at 118. One night he sleeps for a lengthy period of time and eventually awakes as a woman. *Id.* at 137. He is the same person, with the same personality, nature, and intellect, but he is in a woman’s body. *Id.* at 138. He (now “she”) joins a gypsy group in the hills of Turkey. *Id.* at 141. There, away from society and civilization, she neither feels nor acts differently as a woman. *Id.* at 153. Indeed Orlando’s sexuality appears to play no role in her life at all, while away from civilization. *Id.* It isn’t until she is aboard a ship on her way back to England that she feels the difference, caused by the constraints of the numerous skirts she is wearing as well as the way people react to her. *Id.* For example, when a sailor views a hint of her ankle, it almost causes him to plunge to his death. *Id.* at 157. She then realizes the significance of and difference there is in being a woman. Woolf, ahead of her time, is suggesting something that is basic to feminist thought today—gender roles are societal and imposed on those who live in society, clearly not so imposed on those who live away from it. Gender only exists in relation to society’s expectations. Orlando was meant to be androgynous, to represent the intermixing of the sexes within each of us. See MARDER, *supra* note 2, at 114–15. Thus, is it possible that what Woolf imagined in *Orlando* is continued by Cunningham in the embodiment of Clarissa V. and her world at the end of the twentieth century? Regardless, one cannot help but notice the obvious: Clarissa V. is living in a modern day vision of a world in which gender roles have been significantly changed and blurred, even if not yet abolished, and is thus presenting a vision about which Woolf wrote in *Orlando*, as well as in her other works. See *id.* at 105–52.

193. The heroines in two of Woolf’s early novels, *The Voyage Out* and *Night and Day*, are afraid to marry. For each, the dilemma is “whether a young woman can succeed in satisfying her emotional and intellectual needs with the framework of married life. The question is never satisfactorily answered.” MARDER, *supra* note 2, at 21.

Though Clarissa D., as Virginia wrote her, may be a heroine in her own right and in her own time, Clarissa V. gives her modern¹⁹⁴ relevancy. Clarissa V. alone is at the helm of her life's journey. She has been able to make choices about the intellectual, professional, personal, and emotional aspects of her life, and as a result she is stronger and mentally healthier than either Virginia or Laura. Although at one point Clarissa V. thinks to herself, "[s]he could simply leave her current life and return to her other home, where neither Sally nor Richard exists; where there is only the essence of Clarissa, a girl grown into a woman, still full of hope, still capable of anything,"¹⁹⁵ "the feeling moves on. It does not collapse; it is not whisked away. It simply moves on... out of sight."¹⁹⁶ She feels "simply present as Clarissa Vaughan, a fortunate woman...."¹⁹⁷ Unlike Virginia and Laura, whose desire to escape does not move on, Clarissa V., momentarily longing for another time, recognizes her good fortune in her own time and place. While Clarissa V. loved Richard and continues to love Sally, she is ultimately a modern-day woman—a woman who, by herself and without any other, is strong and capable. She is comfortable and content with herself, her choices, and her life situation. Modern-day Clarissa both dreams of and lives the life she wants:

[S]he loves the world for being rude and indestructible, and she knows other people must love it too, poor as well as rich, though no one speaks specifically of the reasons. Why else do we

194. The concept of "modern" relevancy is of course relative. Clarissa Vaughan, living at the end of the twentieth century in New York City, was as modern and progressive in her own time and place as Mrs. Dalloway perhaps was in hers. More than a decade into the twenty-first century, however, Clarissa Vaughan's life circumstances may be deemed to be less modern and progressive. Same-sex relationships—even same-sex marriages—have today gained recognition in some communities, both legally and socially. See Judith E. Koons, *Just Married: Same-Sex Marriage and a History of Family Plurality*, 12 MICH. J. GENDER & L. 1, 3 n.8 (2005) (stating that same-sex weddings have taken place across the country, including California, New York, Oregon and New Mexico); Ian Urbina, *Nation's Capital Joins 5 States in Legalizing Same-Sex Marriage*, N.Y. TIMES, Mar. 4, 2010, at A20 (reporting that Washington D.C. has joined Connecticut, Iowa, Massachusetts, New Hampshire and Vermont in providing marriage licenses for same-sex couples). Artificial insemination for same-sex couples as well as for single persons who desire to be parents is also accepted in a multitude of places. See Catherine DeLair, *Ethical, Moral, Economic and Legal Barriers to Assisted Reproductive Technologies Employed by Gay Men and Lesbian Women*, 4 DEPAUL J. HEALTH CARE L. 147, 147–48 (2000) (referring to a baby boom among gay men and lesbian women as a result of artificial insemination in the late-twentieth century). Thus, Clarissa Vaughan, considered a modern day woman in her own time, may today be deemed to be a bit more "ordinary." The contrast today, however, certainly reinforces just how modern Clarissa V. was in her time at the end/the turn of the twentieth century. See also *infra* note 233 for a discussion on how the relative meaning of "modern" affects using Clarissa Vaughan's story to teach current law students Feminist Legal Theory.

195. CUNNINGHAM, *supra* note 1, at 92.

196. *Id.*

197. *Id.* at 92–93.

struggle to go on living, no matter how compromised, no matter how harmed?... [S]till, we want desperately to live.¹⁹⁸

In contrast, Virginia and Laura are permanently damaged by their circumstances. Though they show glimpses of a perspective that allows each to be her own person, those glimpses never come sharply into focus. Their inner “dark hours” remain a constant shadow. Clarissa V.’s darker hours on the other hand, are fewer and more contained. For example, although Richard’s death is a dark hour for Clarissa, she will move past it, where Virginia and Laura could not move past their dark hours at all. In moving on, Clarissa V. finds this one “consolation: an hour here and there when our lives seem, against all odds and expectations, to burst open and give us everything we’ve ever imagined....”¹⁹⁹

From a broader perspective, if we see Clarissa V. as representing women and the future, then we know that the struggle is far from over. But those “dark hours” of difficulty, of discrimination, may be less and less. Although the “dark hours” still exist, we, as women, hope for more.

While Clarissa D. emerges unscathed at the end of her novel, Clarissa V. emerges at the end of *The Hours* as a beacon of hope. Clarissa V. realizes on the last page of the novel, “[i]t is, in fact, great good fortune”²⁰⁰ to be alive: “[H]ere she is, herself, Clarissa, not Mrs. Dalloway anymore; there is no one now to call²⁰¹ her that. Here she is with another hour before her.”²⁰² The strength and fortitude Cunningham gives to Clarissa V. make her not only a modern day Clarissa Dalloway, doing what Woolf wished for herself, but also a postmodern feminist symbol of hope for the future. Indeed the values embodied by Clarissa V. have been more fully integrated into her world and may even prove one day to make our world a better place.

198. *Id.* at 14–15.

199. *Id.* at 225.

200. CUNNINGHAM, *supra* note 1, at 226.

201. Noteworthy here is that throughout *The Hours*, Cunningham labels each of his chapter titles using one of the following names: “Mrs. Woolf” (for Virginia Woolf); “Mrs. Brown” (for Laura Brown); and “Mrs. Dalloway” (for Clarissa Vaughan). Whereas “Mrs. Woolf” and “Mrs. Brown” identify each woman based solely on the marriage relationship, “Mrs. Dalloway,” in contrast, is a nickname for Clarissa Vaughan meant to recognize her as having talent for picking flowers and planning parties, talents which she shares with Woolf’s Clarissa Dalloway. Virginia and Laura longed to be recognized for their unique talents and for women’s work but this was not possible for them at the time in which they lived. Tellingly, Virginia’s vision of Mrs. Dalloway sought to recognize those talents and more.

202. *Id.* at 226.

VI. *THE HOURS* AS A FRAMEWORK FOR TEACHING FEMINIST LEGAL THEORY

Each of Cunningham's three women has her own "story" to tell, altogether spanning the entire twentieth century. Their voices provide a far more powerful account of the plight of women during this time than that which could ever be presented in a descriptive, historical, legal case, or legal commentary presentation of facts and events. The fictionalized voice of Virginia Woolf herself is heard representing the early twentieth century. We hear her story as she writes *Mrs. Dalloway* and later as she prepares to and does commit suicide. We hear her as she struggles with mental illness, as she attempts to use writing to escape from the illness, and as she rebels from her overprotective husband, who has adopted the prevailing view of the time: writing and intellectual pursuits can be harmful to women's health.

Representing the mid-twentieth century is Laura Brown, who like Virginia, tells of her desire to escape; her escape, however, is from a life of domestic chores. We hear her as she struggles with feelings of guilt, confusion, and abnormality, for simply questioning whether something is awry. Unarmed with any skill or experience to assess her feelings, she reads the fiction of *Mrs. Dalloway* as the only vehicle available to examine her own "choices" and experiences.

Finally, representing the late twentieth century is Clarissa Vaughan, who needs neither writing nor reading to evaluate her life. She deliberately reevaluates her life and choices. Though she fantasizes about escaping to a different time and a different life, she ultimately concludes that life is meaningful because she has been able to make choices and because life is filled every hour with beauty. She consciously values the everyday activities that the other women in *The Hours* were unable to appreciate because they were either dismissed or ignored by the societies in which they lived.

Because these characters represent an entire century of women's experiences, Cunningham's novel provides a richly provocative and valuable reference for the study and application of feminist legal theory, which developed during the same time frame as Cunningham's novel. Recognizing the relation between law, culture, literature, and storytelling as a powerful tool to share the lives of the marginalized,²⁰³ *The Hours* can be a meaningful backdrop for understanding feminist legal theory as it developed in the twentieth century.

Beginning with Virginia, her life in *The Hours* reflects a world in which she was controlled by men and a patriarchal society, despite the fact

203. See discussion *supra* Part II.

that she was born during a time when many reforms were being enacted to give rights to women that they never had before.²⁰⁴ By the time Virginia Woolf was eighteen, British women were, as a legal matter, free “in their persons and their properties.... and the Women’s Movement was nearing its height.”²⁰⁵ The climax of the women’s suffrage movement was in fact ongoing during the year that Woolf worked on *Mrs. Dalloway*, reflecting the first wave²⁰⁶ of the feminist movement.²⁰⁷

Moreover, the literature of the time reflected the effects of the Women’s Movement. “Many important writers were influenced by feminist ideas, and a significant part of the social criticism in Victorian novels has to do with the grievances of women.”²⁰⁸ Cunningham’s Woolf,

204. MARDER, *supra* note 2, at 6. Just prior to her birth the legal status of women was the same as it had been in the Middle Ages. Women had virtually no legal rights. See ASHLYN K. KUERSTEN, *WOMEN & THE LAW: LEADERS, CASES & DOCUMENTS* 4 (2003) (providing that a married woman lost all legal rights upon marriage to her husband and in effect came completely under the husband’s control); see also MARILYN YALOM, *A HISTORY OF THE WIFE* 185–91 (2002) (discussing marital laws in England during the Victorian era). According to Blackstone, wife and husband were one. Women were unquestionably the property of men. MARDER, *supra* note 2, at 6. Under coverture in English law, women had “no legal capacity,” had no capacity to enter contracts, and, whether married or unmarried, could not own property in their own right. Furthermore, the wife was legally considered an extension of the husband, KUERSTEN, *supra*, at 4, and could be deprived of any say regarding the upbringing of their children. MARDER, *supra* note 2, at 5. But in the last two decades of the nineteenth century, however, including 1882, the year in which Virginia Woolf was born many reforms were enacted. In the year of her birth, for example, the Married Women’s Property Act was enacted by the British Parliament, rendering married women capable of owning real and personal property as her own. *Id.* at 6. Under this law, men no longer had the right to treat their wives as chattel. *Id.*

205. MARDER, *supra* note 2, at 7.

206. The term “first-wave feminism” is used frequently to talk about the beginnings of the feminist movement. There are variations in the exact time frame to which it refers. In this article, the term “first-wave feminism” will refer to the period that focused on women’s suffrage starting in the mid-nineteenth century. However, other scholars, including Levit & Verchick, refer to it as beginning in the 1960s. See LEVIT & VERCHICK, *supra* note 6, at 16 (“The first wave of feminist legal theory began in the early 1960s with the emergence of equal treatment theory”); CHAMALLAS, *FEMINIST LEGAL THEORY*, *supra* note 57, at 23 (marking the early 1970s as the beginning of feminist legal theory with the “Equality Stage”). *But see* KATHARINE T. BARTLETT & DEBORAH L. RHODE, *GENDER & THE LAW: THEORY, DOCTRINE, COMMENTARY* 1 (4th ed. 2006) (explaining that “first-wave legal feminism,” which began in the nineteenth century, focused on formal equality for women, specifically women’s suffrage); *FEMINIST LEGAL THEORY: FOUNDATION* xv (D. Kelly Weisberg ed., 1993) (citing the mid-1800s as the beginning of the first wave of feminism, with women seeking the right to vote and other legal rights).

207. KUERSTEN, *supra* note 204, at 12–13. Women in the United States were given full suffrage in 1920. *Id.* at 13. Virginia Woolf worked on *Mrs. Dalloway* “from the summer of 1922 until the late autumn of 1924.” Francine Prose, *Introduction*, in *THE MRS. DALLOWAY READER*, *supra* note 57, at 1, 2.

208. MARDER, *supra* note 2, at 7. A number of remarkable female characters were presented, e.g. Jane Eyre and Tess of the D’Urbervilles. *Id.* Though the protests of the

during the time she was writing *Mrs. Dalloway*, had been influenced by a time of considerable social change, including a new legal status and new opportunities for women.

Thus, students reading *The Hours* can experience the life of a woman whose youth coincided with a turning point in the history of the early feminist movement.

[Virginia] had been born early enough to know Victorian England from personal experience....[Her] home life... [was], like most middle-class Victorian families, composed of a patriarchal society in miniature. The father... was the center around whom everything revolved.... [But] by the time... [she became] a young woman her world had changed almost beyond recognition.²⁰⁹

Women had been granted new legal rights. Women “won the right to vote, and penetrated the masculine professions.”²¹⁰ Virginia Woolf could now herself become a writer and known as a writer.²¹¹ In the absence of the women’s movement and the legal changes of the time, Woolf no doubt would have been deprived of this opportunity.

However, Cunningham’s Virginia also illustrates that the new legal status of women and their new opportunities did not guarantee they would, as a practical matter, be free from control by men. “[Though] the British patriarch could no longer legally treat his wife as chattel, custom still gave him a powerful influence over all her actions.”²¹² The break from the Victorian past was not as complete as it seemed.²¹³ Cunningham’s

feminists could be dismissed by some, it appeared that the literature of the time could not be so easily ignored. The “storytelling” of the time was able to arouse far more indignation than the parallel real-life protests. *Id.* Through literature, “[m]ore and more people were seeing the point, that although women might be quiet, they were not necessarily satisfied with their lot in life.” *Id.* The paradigm of this ideal was Ibsen’s Nora in *A Doll’s House*, described as the most “effective literary statement of the feminine dilemma” *Id.* Indeed, Ibsen himself noted “in practical life the woman is judged by a man’s law as though she were not a woman but a man. . . . A woman cannot be herself in the society of the present day, which is exclusively masculine society, with laws framed by men and a judicial system that judges feminine conduct from a masculine point of view.” *Id.* at 8 (quoting DONALD CLIVE STUART, *THE DEVELOPMENT OF DRAMATIC ART* 575 (1937)). See also Kristin Brandser Kalsem, *Looking for Law in All the “Wrong” Places: Outlaw Texts and Early Women’s Advocacy*, 13 S. CAL. REV. L. & WOMEN’S STUD. 273, 281–82, 297 (2004) (discussing how nineteenth century female novelists, including Emily Bronte and Elizabeth Gaskell, used their novels as a platform to have women’s true stories and feelings heard).

209. MARDER, *supra* note 2, at 9.

210. *Id.*

211. *Id.*

212. *Id.* at 7.

213. *Id.* at 9. Indeed Leslie Stephen, Virginia’s father, was a formidable yet inherently contradictory influence in her life. He educated her at home; he was her intellectual guide; and she read the books on his shelves and those he brought home for her. *Id.* at 10. He

Virginia, despite her legal rights and her opportunity to write, was nevertheless a victim of the customs lingering from the Victorian era in which men were the controllers and women the controlled. Students reading the stories in *The Hours* at the same time they are studying the history of the women's movement and feminist legal theory can experience the contradiction between the laws and the culture in a way they could not through a nonfiction account. Virginia's "hours," as Cunningham writes them, give voice to her lived experience, a voice and story that is absent from the law and legal commentary.

If Cunningham's Virginia represents a woman who lived in a time of great legal change, Laura Brown represents how much longer it would be until those changes would actually be realized in a meaningful way, as a matter of culture, custom, and social change. It would be at least a half century until developments would take place that would really make a difference.

Laura Brown, a woman, wife, and mother living in the fifties, is also dissatisfied with her lot in life. Like other female homemakers of the fifties, Laura Brown felt that something was wrong with women's roles and status. She began to question whether she wanted something more than solely the domestic work to which she was limited. Unlike Virginia, who lived during social changes that gave her at least a glimpse of formal opportunity, Laura Brown lived in a time without much hope for future progress. She lived in a time that preceded significant changes in laws

"believed that women should be assured equality under the law[.]" *Id.* at 11, and be granted "all sorts of rights, but he was not enthusiastic about the prospect of their using them. He believed that women's place was in the home." *Id.* at 12.

Whatever his sympathy for women who felt that they had been prevented from using or developing their faculties, Stephen could not whole-heartedly support reforms that would give them a chance to do so. The family relation was of paramount importance to him, and domestic life, as he understood it, could not exist unless women stayed at home.

Id. at 12–13.

He was "interested in defining the value of domestic service[s,]" but spoke of the impossibility of calculating the value of what he called "this spiritual force" that molds lives. *Id.* He believed that a greater debt than any other is owed to "those activities which knit families together," *id.* at 12, i.e., activities of the woman who stays at home. In his words: "The highest services of this kind are rendered by persons condemned, or perhaps I should say privileged, to live in obscurity." *Id.* (quoting LESLIE STEPHEN, SOCIAL RIGHTS AND DUTIES 249–51 (1896)). Thus his "desire to worship woman as a higher moral influence [was of course in reality] a restrict[ion] of her freedom . . . [and] a conviction of her inferiority." *Id.* at 14. So Leslie Stephen was in many ways an "incarnation of the Victorian father," *id.*, despite his beliefs in equality and his intellectual and educational influences on Virginia. Virginia was no doubt affected by the contradictions her father presented. According to him, women should be given opportunities but really not be allowed to act upon them.

affecting women, including employment,²¹⁴ pregnancy,²¹⁵ family leave,²¹⁶ marital dissolution,²¹⁷ and sexual harassment,²¹⁸ to name a few. Because these changes were more than a decade away, she did not experience even a hint of them.

Because the values and customs of Laura's time were those of a strong patriarchy where women had little choice, Laura was inevitably prevented from making any meaningful changes to her life.²¹⁹ She felt stifled and trapped, and was further criticized for not accepting and adoring her domestic role as completely fulfilling. Like many of her contemporaries, her personal unrest and turmoil was expressed internally.

Some women of Laura's day did express their unrest with the limited roles women were expected to play.²²⁰ As a legal matter, however, neither the courts²²¹ nor Congress were taking any significant steps to change the status of women.²²² The second wave of feminism had not yet really

214. Equal Pay Act, Pub L. No. 88-38, §3, 77 Stat. 56 (codified as amended at 29 U.S.C. § 206(a) (2007)).

215. *Griswold v. Connecticut*, 381 U.S. 479 (1965) (finding an implicit constitutional right to privacy, which applies to the use of birth control); *Roe v. Wade*, 410 U.S. 113 (1973) (the right to terminate a pregnancy is among the personal liberties afforded by the fourteenth amendment); The Pregnancy Discrimination Act, 42 U.S.C. §2000(e)-(k)(1978). See *infra* note 222.

216. Family Medical Leave Act, 29 U.S.C. § 2601 (2006).

217. See e.g., KUERSTEN, *supra* note 204, at 91-92 (discussing changes in divorces laws, including the rise of no-fault divorce). California was the first state to adopt a no-fault divorce law, which now exist in all fifty states. See Herma Hill Kay, *Equality and Difference: A Perspective on No-Fault Divorce and Its Aftermath*, 56 U. CIN. L. REV. 1, 1-2 (1987).

218. Title VII of the 1964 Civil Rights Act, 42 U.S.C. §§ 2000e-2000e-17 (2007).

219. Laura's lack of choice, like other women of her time, was more than likely also influenced by the need for women to welcome men home from war and put the family unit back where it was before.

220. See generally BETTY FRIEDAN, *THE FEMININE MYSTIQUE* (1963); HELEN GURLEY BROWN, *SEX AND THE SINGLE GIRL* (1962); CYNTHIA FUCHS EPSTEIN, *WOMAN'S PLACE* (1970). For a discussion on women writers in the 1960s, see also GAIL COLLINS, *WHEN EVERYTHING CHANGED: THE AMAZING JOURNEY OF AMERICAN WOMEN FROM 1960 TO THE PRESENT* (2009).

221. E.g., *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989) (holding that employers cannot consider gender stereotypes in employment decisions); *EEOC v. Madison Community Unit School*, 818 F.2d 577 (7th Cir. 1987) (holding that discouraging women from coaching boys' teams and then paying female coaches of girls' teams less than male coaches of boys' teams in the same sport violated the Equal Pay Act).

222. E.g., Equal Pay Act, Pub L. No. 88-38, § 3, 77 Stat. 56 (codified as amended at 29 U.S.C. § 206(a) (2007)) (prohibiting sex based discrimination between men and women who perform equal work); Title VII of the 1964 Civil Rights Act, 42 U.S.C. §§ 2000e-2000e-17 (2007) (prohibiting discrimination on the basis of sex in the hiring, promoting, termination, and other aspects of employment); the Pregnancy Discrimination Act, 42 U.S.C. § 2000(e)-(k) (1978) (amending Title VII to include discrimination based on pregnancy and other medical conditions related to childbirth in the definition sex discrimination); and the Family and Medical Leave Act, 29 U.S.C. §§ 2611-2654 (1993)

begun.²²³

In Laura's time, few, if any, doors were open to women to pursue a career. In the work world, women were hired to serve men (as they did in the home) as secretaries, receptionists, and child care workers.²²⁴ It was rare for a woman to have a career in a traditionally masculine profession.²²⁵

Cunningham gives voice to the lived experience of women in the 1950s through Laura's frustration as she escapes to read *Mrs. Dalloway*, her ambivalence toward her husband and child, and her dreams of a different younger unmarried "Laura," one who might have become something or someone else, if given the opportunity. Laura's "hours," as Cunningham writes them, provide students the opportunity to experience life in the 1950s and the legal constraints that preceded the equality stage of the feminist movement that would come to the fore in the 1970s.

Finally, Clarissa V., a woman living at the end of the twentieth century, ultimately finds that she is not dissatisfied with her life. She lives in a time after the push for formal equality had already occurred. At the end of the twentieth century, women could become—and many had already become—doctors, lawyers, professors, accountants, authors, and many other traditionally masculine occupations or professions.²²⁶ The law had

(granting up to twelve weeks of unpaid leave after childbirth or adoption, to care for a seriously ill child, spouse, or parent, or for an employee's own illness).

223. Whereas the first wave of feminism united women over the issue of suffrage, the second wave of feminism united women over the issue of women's roles being limited to the domestic realm and equality, especially in the workplace. Second wave feminism began in the 1960s after the publication of BETTY FRIEDAN'S *THE FEMININE MYSTIQUE*, *supra* note 2220. See BARTLETT & RHODE, *supra* note 206, at 24. Indeed Laura Brown's character appears to typify many women in the 1950s who were the impetus for *THE FEMININE MYSTIQUE* and for second wave feminists who led the way in seeking opportunities for women to work outside the home.

224. See Christine Jolls, *Accommodation Mandates*, 53 *STAN. L. REV.* 223, 293 (2000) (providing statistical information indicating that even as recently as 1990 occupation fields including receptionists, secretaries, and child care workers were over ninety-five percent female).

225. For example, the percentage of "women lawyers increased from 1 percent of the profession in 1910 to 3.5 percent in 1950," but was still only 3.5 percent in 1960. Cynthia F. Epstein, *Encountering the Male Establishment: Sex-Status Limits on Women's Careers in the Professions*, 75 *AM. J. SOC.* 965, 967 (1970). The percentage of women in the medical profession only increased from 6 percent in 1910 to 6.1 percent in 1950 and 6.8 percent in 1960. *Id.* Finally, the percentage of female engineers actually decreased from 1.2 percent in 1950 to 0.8 percent in 1960. *Id.* See also COLLINS, *supra* note 220, at 20.

226. See U.S. DEP'T OF LABOR & BUREAU OF LABOR STATISTICS, *WOMEN IN THE LABOR FORCE: A DATABOOK* 27–34 (2004) (providing 2002 annual averages of women in various occupations). By the early twenty-first century, women made up 29.2 percent of lawyers, 30.6 percent of physicians, and 10.8 percent of engineers. *Id.* at 27–28. The number of women in the male-dominated professions increased much more significantly in the forty years after 1960 than in the forty years preceding 1960. See Epstein, *supra* note 225.

come a long way; now, not only was equal opportunity²²⁷ required, but depriving women of opportunity²²⁸ or discriminating against them in the workplace resulted in punishment.²²⁹ Additionally, new causes of action such as sexual harassment were created to help eliminate subtler forms of sex inequality.²³⁰ Clarissa V., a successful book editor, certainly reaped the benefits of her era.

Taking it a step further, Clarissa V. lived at a time representing the “diversity stage” of feminist legal thought, a time subsequent to many legal reforms giving women opportunities.²³¹ Clarissa V. lived during a time in which it was not only important to hear women’s voices, but to make sure that the voice represented was not mistaken for just one universal or essentialist woman.²³² Lesbian women, women of different races, ethnicities, color, and socioeconomic backgrounds had been excluded from the legal discourse of the past and were now speaking up to have their lived experiences heard and integrated into feminist legal thought. Clarissa V., a lesbian woman living at the end of the twentieth century, represents at least a part of that diversity, though obviously not a woman of color and certainly not from a background of poverty. Indeed, from an anti-essentialist perspective, using *The Hours* as a teaching tool may be criticized because *The Hours* presents only upper-middle class, privileged, and white characters, thereby excluding numerous other voices. However, because the book is historical, spanning the twentieth century, *The Hours* accurately reflects the reality of the time and the realities of the women’s movement as it developed. It was late in the twentieth century—indeed, when Clarissa V.’s story takes place—that issues of diversity among women were emphasized as a critical part of the women’s movement.

Clarissa V., living at the end of the twentieth century, lives in a new and different, almost genderless, world where the distinction between men and women appear to matter less than ever before. In this historical

227. In the early days after the passage of Title VII, some courts found that Congress intended only to “give all persons equal access to the job market, not to limit an employer’s right to exercise his informed judgment as to how best to run his shop.” *Willingham v. Macon Tel. Publ’g Co.*, 507 F.2d 1084, 1092 (5th Cir. 1975).

228. Title VII of the 1964 Civil Rights Act, 42 U.S.C. §§ 2000e-2(a)(2) (2007).

229. *Id.* §§ 2000e-2(a)(1).

230. *See* Estrich, *supra* note 22.

231. The diversity stage focused its attention to differences among women. Women of color and lesbians had claimed that they had been left out of classical feminist analysis. Thus, the hallmark of the scholarship during the diversity stage was its attention to differences among women, rather than the differences between men and women. *See* CHAMALLAS, FEMINIST LEGAL THEORY, *supra* note 57, at 19.

232. In feminist legal theory, “essentialism” is often used as a derogatory label referring to the categorization of “women” as a single group and the practice of analyzing women’s experiences as universally shared and inevitable occurrences. *See* CHAMALLAS, FEMINIST LEGAL THEORY, *supra* note 57, at 78–88; *see also supra* note 6 and accompanying text.

context, she lives in a world that celebrates the potential of all human beings, regardless of their sex. She values every-day, ordinary activities and relishes in their beauty. The world has increasingly seemed to accept and value women and their roles. Her “hours,” as Cunningham paints them, gives the student-reader²³³ a greater understanding of both the practical and legal status of women living at that time than even the most progressive cases and legal commentary could provide.²³⁴

233. Noteworthy here is that for law students today, Clarissa Vaughan’s story is just another piece of the history of the twentieth century, no more or less than women’s suffrage belongs to that history. Because they have grown up with an awareness of issues like same-sex marriage and artificial insemination, students today may not realize that even in the 1990s, these were matters that were gaining recognition only at a snail’s pace (and likely limited to large urban areas such as New York City, where Clarissa Vaughan lived). But these matters were largely still considered quite alarming in a multitude of communities across the country. Thus, when teaching Clarissa Vaughan’s story, it might be helpful to emphasize just how ahead of her time Clarissa Vaughan was meant to be.

234. For example, even though the law has recognized a cause of action for sexual harassment, there is still a long way to go for the law to integrate women’s voices and experiences. See *Shaw v. Autozone*, 180 F.3d 806, 812–13 (7th Cir. 1999) (assuming and expecting certain behavior from a sexual harassment victim in order to allow her to obtain recovery under sexual harassment law). Another example is the struggle that women victims of domestic violence have faced in convincing courts to hear their stories and to recognize their legal significance. Courts were initially reluctant to recognize battered woman syndrome, first identified by Dr. Lenore Walker in the late 1970s as a legitimate defense. See Audrey Rogers, *Prosecutorial Use of Expert Testimony in Domestic Violence Cases: From Recantation to Refusal to Testify*, 8 COLUM. J. GENDER & L. 67, 72, 76 n.33 (1998) (describing the initial reaction to the admissibility of expert testimony on battered woman syndrome for the defense as mixed due to some courts’ distrust of the scientific validity of the syndrome and others’ belief that the expert would infringe on the jury’s credibility judgments). After the New Jersey Supreme Court became one of the first jurisdictions to allow the defense to use expert testimony on battered woman syndrome in *State v. Kelly*, 478 A.2d 364 (N.J. 1984), “courts in every jurisdiction have approved the admissibility of expert testimony on battered woman’s syndrome when raised to support a self-defense claim.” *Id.* at 76–77. However, women’s stories are more often than not excluded, misconstrued, or limited legally. For example, battered woman syndrome has been irrelevant in proving the defense of duress in some jurisdictions. See, e.g., *United States v. Willis*, 38 F.3d 170 (5th Cir. 1994); *United States v. Smith*, 987 F.2d 888 (2d Cir. 1993) (both finding that subjective evidence of battered woman syndrome is not relevant in proving affirmative defense of duress). Furthermore, evidence of battered woman syndrome has been used to support a batterer’s defense. See Melanie F. Griffith, *Battered Woman Syndrome: A Tool for Batterers?*, 64 FORDHAM L. REV. 141, 183–87 (1995). Thus, courts are open to hearing evidence of battered woman syndrome, but seemingly without an understanding of the true context, story, or voice of women. Courts have struggled with finding a place “legally” to put battered woman syndrome because the law (patriarchy) had constructed narrow definitions and categories—especially defenses—to reflect the male experience and into which women’s cumulative experiences in this regard simply did not and could not fit. See text accompanying note 17; see also Evan Stark, *Re-Representing Woman Battering: From Battered Woman Syndrome to Coercive Control*, 58 ALB. L. REV. 973, 982 (1995) (arguing that the way battered woman syndrome is often portrayed in the courtroom “depict[s] the experience of only a small subset of battered women, even among

VII. CONCLUSION

By giving voice to these women and presenting their personalized and contextualized stories in the time in which each lives, Cunningham²³⁵ has created a complete resource for the application of feminist legal thought as it developed throughout the twentieth century. A day in the life of each of these women, presented in one neatly packaged novel, allows the reader to apply a full range of feminist thought—from equality to difference, to dominance, and to postmodern feminist theory—as they are reflected over time in culture and society. Using this novel to accompany the study of feminist legal theory as it has developed offers a rich Law and Literature perspective and understanding.

Taking it one step further, reading *The Hours* concurrently with legal theory will also advance the idea that life's events, including legal wrongs, may be experienced in vastly different ways, especially for those who are unfamiliar to us, who have been marginalized, or who have been otherwise unheard. Experiencing their stories may thus facilitate an openness to hear a multitude of voices as well as develop the skills with which to counsel others. As a result, law students hopefully will be better prepared for a world that is more diverse and global than ever before and one in which difference—culture, customs, and values—is integral to society as a whole.

The verisimilitude of *The Hours* solidifies the notion that narrative is a useful medium and teaching tool. The stories and the time frame presented in *The Hours* bring suppressed voices to the fore; interject emotion, rather than deny its existence; and benefit the reader by exposing, sympathetically, the differences in people's experiences. Ultimately *The Hours* has the potential to affect society by enlarging contextual understanding of human and institutional relationships.²³⁶ As Clarissa V. emerges as an icon of hope for feminism in this century, a valuable lesson emerges as well. Engagement with literature can be a powerful vehicle to effect change in attitudes and perspectives, which may in turn provide contemporary solutions to social and legal problems.²³⁷

the white, middle-class, and relatively impaired victims on whose behalf these portrayals have generally been employed. Meanwhile, the emphasis in these frames on violence, trauma, victimization, and pathology evokes a woman who is not credible to herself, to her attorney, or to the court.”).

235. It is both remarkable and impressive that a man wrote *The Hours* and so effectively was able to imagine and articulate women's voices, express their thoughts and feelings, and tell their stories. *The Hours* reflects not only Cunningham's outstanding talent as a novelist, but also his deep and meaningful knowledge of Woolf's work. Together, his talent and knowledge have given him a unique and unmatched ability to present, creatively and insightfully, twentieth-century feminist perspectives.

236. See *supra* note 23 and accompanying text.

237. See *supra* notes 7–34 and accompanying text.

