More than a century ago, Florence Dixie imagined her utopian worldview of the time and social landscape that we inhabit today. An overview in this first decade of the twenty-first century showcases that pollution, poverty, and inequality, relating not only to the gender and class issues that Dixie examined but also, for example, to discrimination based on race and sexual orientation, remain very much a part of the scene.¹

In the final pages of *Gloriana*, the stranger in the balloon wants to know the story of the past in order to understand what he sees in the present. From the “history” the guide recounts, the reader learns the future of the novel’s characters. In this way, the novel highlights the perspective that history offers, not only on what has and has not been accomplished, but also on where the future might lead. As historian Gerda Lerner explains, “In preserving the collective past and reinterpreting it to the present, human beings define their potential and explore the limits of the possibilities” (221).

This study of women writers in nineteenth-century law and literature is also very much about legal history. As I have argued elsewhere,² an examination of only those legal narratives of the past that are included in “official” legal texts—legislative histories, statutes, judicial opinions—perpetuates the myth of “women as marginal to civilization and as the victim of historical process” (Lerner 223).³ This, in turn, has devastating future effects because with “no precedent for significant action, heroism, or liberating example,” women “cannot imagine alternatives to existing conditions” (Lerner 222–23). A critical challenge of feminist jurisprudence is the
uncovering of evidence of women’s significant and active role in legal history. In discussing the narrative advocacy of women writers (in real-life courtrooms, in the court of public opinion, and in the legal forum provided by the novel form), it has been my aim to bring to light, impress on the historical record, and hence submit to the court of critical opinion a range of heretofore suppressed evidence of nineteenth-century women’s feminist jurisprudence.

Similarly, In Contempt: Nineteenth-Century Women, Law, and Literature also introduces “new evidence” to consider in evaluating the cultural role of the nineteenth-century novel. In analyzing the mutually constitutive relationship between culture and law, Naomi Mezey suggests employing the ethnographic method of “thick description . . . in an effort to locate the slippage and elision between the two, directing us not so much to a singular explanation as to neglected questions and revealing juxtapositions” (38). The outlaw novels discussed in this study are sites of this kind of slippage and elision. They challenge and resist a singular explanation of the novel as serving a policing role in society. They bring to light new and different questions about gender and the law, and they create new knowledge when juxtaposed to more canonical texts on which prior judgments about the cultural work that the novel performs have been based.

Finally, I hope that this study will energize, enrich, and expand the field of law and literature, addressing issues that have kept it from producing “the excitement that it is capable of generating” (Baron, “Law,” 1060–61). Specifically, Jane Baron has identified a need in this field for a more thoughtful approach to interdisciplinarity and a more critical analysis of “how we categorize knowledge and why” (1061). Similarly, Julie Stone Peters has suggested that the field of law and literature has “tended to exaggerate disciplinarity, caricaturing disciplinary difference through each discipline’s longing for something it imagined the other to possess” (449). Also of concern is the fact that the law and literature movement has been slow to acknowledge the contributions of literary women and the significance of gender, with Judith Resnik characterizing women as “almost invisible” in this field (349).

Feminist theory and methods question and break down limiting categories. They also ensure the relevance of women’s experiences and stories. Disciplinary boundaries, as well as traditional ideas about which texts should be the objects of study, have resulted in the suppression of much of the women’s writing presented in this book. With its emphasis on the role of women writers as advocates and its explorations of the performance of feminist jurisprudence in their publications, this study is intended to
bridge texts and disciplines in transformative ways. *In Contempt: Nineteenth-Century Women, Law, and Literature* advocates for explorations at the intersections of law, literature, history, and feminism, specifically ones that take into account the important legal and literary precedents that are “outlaw texts.”