

Conversations with Mr R. W. M. Dias (Emeritus Fellow of Magdalene College)

by
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First Interview: Early Years – 1921-1951

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Between January and March 2007 Mr Dias was interviewed three times at his home in Babraham Road to record his reminiscences of nearly seventy years of his association with the Faculty of Law at the University of Cambridge. He is one of the very few remaining scholars whose experiences extend to pre-Second World War times, and at the time of writing, he is the oldest living ex-member of the Faculty.

The interviews were recorded, and the audio version is given on a parallel page of this website. Here we present a transcript of those recordings. Visitors will find that the two do not appear to match because we have taken the liberty of cutting and pasting portions of the transcript to produce a more coherent narrative of Mr Dias' career. In particular, portions of the third interview, where we "tidied up" some loose ends relating to his childhood have been combined into the first interview.

Interviewer: Lesley Dingle, **her questions and topics are in bold type**

Sir Derek's answers are in normal type.

Comments added by LD, *in italics*.

All footnotes added by LD.

1. Mr Dias, as you know, we have recently initiated an eminent scholar's archive and the first person we spoke to was Professor Lipstein. This opened up some very interesting reminiscences and, if I may say so, there are some similarities with your situation. You both arrived in Cambridge before the Second World War and in addition to seeing the department go through the trauma of war, you have both had to adapt to a new way of life in a strange country. You have been associated with the Faculty of Law and the library for almost 70 years, but I'd like to start before that with your early life in Ceylon. So could you give me some recollections of your early days, for example where you grew up, your family, your home, your education and were you exposed to law at an early age?

Yes, well, I was born in 1921 and until the age of 18 I lived in Ceylon, in Colombo. My family was very legal, my grandfather was a Judge of the Supreme Court and my father was a Judge of the Supreme Court, so it was inevitable that I should follow suit.

2. Do you have any memories of your grandfather? You were a child at the time.

Oh, very much a child. He had retired I think. I mean, I took a conscious interest in this sort of thing.

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3. About how old would you....?

Well, I hadn't quite reached my teens then, so I was still very young.

4. And he was a frequent visitor to your home?

Well it depends how you define frequently. We lived in different parts of the country. He lived in Colombo most of the time, well, all the time really.

5. And you lived?

Well, my father of course was a District Judge, and he was posted to various outstations.

6. Did you go with him?

Oh no, no. I would remain based in Colombo.

7. With your mother?

Yes.

8. And he would adjudicate, and then come home again?

But only after fairly long periods of time - weeks.

9. Do you recall the places where he would have been based?

Well, yes. I think he first went to a place on the west coast, a place called Chilaw, and from there he went as a District Judge to the xxxxxxxx.

10. What was his special topic, in which he had become expert?

Criminal law and particularly criminal procedure.

11. Did you meet any of his colleagues?

Frequently, yes.

12. Do you have any recollections of any names?

Not particularly, not outstanding, but I have met most of them.

13. Visitors at your home?

Oh, certainly from time to time, yes.

14. It must have been a very stimulating and exciting atmosphere in which to grow up?

Well, I suppose it was. During that period one thing my father did and that was to have me as his amanuensis while he was hearing cases and that was very interesting indeed. So I used to sit on the Bench beside him at his dictation and record the evidence

15. You would record the evidence?

Yes.



16. Fascinating. So what age were you?

Oh, teens.

17. That must have been wonderful.

It was great, yes. It was very interesting to hear a case being thrashed out in Court between Counsel and all the rest of it.

18. I find it very interesting that you didn't become bored.

I don't think I was ever bored because of the unfolding dramas.

19. Do you recall any of the dramas?

One or two of the murder cases, but they were nothing spectacular. The procedural cases were also very interesting.

20. Any specific cases?

Yes, I remember one divorce case which attracted a lot of attention from the press, and the sordid details of the divorce dispute were fascinating.

21. The press were reporting on this every day?

Oh yes, daily.

22. But you were there. You heard both parties give their side.

Hearing it all.

23. No other special recollections you have?

No except that before I came to England, for just over a year, I attended the Ceylon Law College, and attended a couple of courses of lectures.

24. You got a good grounding.

A very good grounding.

25. And that was when you were 17 or 18?

That's right.

26. Did you get a scholarship to come to Cambridge?

No, but I believe that when I was born the first thing my father did was to enter my name in Trinity Hall, the college, and as a second thought he enquired after his wife and baby [*Laughs*]. He was devoted to the Hall.

27. Weren't you the first family member to go to Trinity Hall?

Oh no, no, my grandfather was at Trinity Hall and my father was there. And my daughter has been there. Sharon.



28. There was a long tradition?

Oh, a very long tradition.

29. So when you came across, you came on your own?

Well, I came with my father.

30. With your father initially?

Yes, in 1939.

31. Did he go back after that?

Yes, he went back.

32. He just came and brought you? By ship?

That's right. In those days, yes, by ship and partly overland. By ship to Marseilles and then over France to England.

33. It must have been lovely for him to revisit all his old...

Oh, very much so. And the trouble was that he was still trying to re-live the life he lead in 1909 to 1913.

34. [Laughs] Which was what sort of life? How did it contrast with the life that was then...?

Well, the life that I'd got into was of course of wartime Britain and rationing, all the rest of it, black out, this, that and the other. Of course his was unlimited money and he had a whale of a time.

35. When you came the war clouds were gathering?

Very much so, yes. I think it was inevitable then. There was the looming threat of war and I was very, very worried in case something would happen in the international scene which would prevent me from coming to England.

36. Was there an ominous sense as you made the journey that maybe your boat might be attacked or was it perhaps too early at that point?

No, it was too early at that date, but we knew that war was coming, but quite when it would come we just didn't know.

37. You obviously had a very happy childhood in Ceylon. Before we move to the time when you arrived in Cambridge, do you have any specific recollections of your childhood?

No, as you say, a very happy childhood and for a long time I was the only child. You see my mother died when I was 17 days old, but I had, I think, the world's most marvellous stepmother, she really was absolutely super. No, I can't remember anything outstandingly special about my childhood except that it was a very happy childhood.

38. And you arrived in Cambridge as a young impressionable man at the age of 18?

That's right.



39. Did you find that it was a big change from life in Ceylon?

No, because I think the life in Ceylon was more or less modelled on the English style so it was no great change as far as I was concerned.

40. Gosh, it sounds so exciting.

Well, it was all very new and I was reared to come. I had been looking forward to it for years. Still there you are.

41. That was planned for you right from the beginning?

That's right.

42. As a young boy you knew this would be your future?

That's right.

43. When you arrived in Cambridge, war had not yet been declared is that right?

Not yet declared? No. We landed in England, I think in the August and of course war was declared in about a month's time after that.

44. A month?

Mm.

45. Do you remember how it felt when that happened, when that declaration was made?

Well, I can tell you almost exactly. I remember vividly we heard the news whilst my father and I were still in the street, I don't know what we were doing there actually and then we heard that we were at war because we knew from the previous evening's news that an ultimatum had been given to Germany and that this would now expire the following morning, which it did.

46. And your father was still with you, he hadn't gone back yet?

Yes, he was.

47. So you were in the streets of Cambridge?

Not in Cambridge, in London.

48. It must have been quite a sombre moment?

Very sombre moment, we were not quite sure what to expect.

49. No, and he still had to go back.

He had to go back, that's right. He travelled back, I think, sometime in October or November...the danger of a submarine attacking the shipping was ever present, but still there was no attack of any sort. He got back very safely.



50. And you would only have known that he had arrived by letter really, when he wrote to you?

Or cable.

51. Did he come to visit you again in Cambridge?

No he never came here.

52. Did you see him again after you obtained your degree?

Oh yes. Because I went back in 1949, I think, yes, that's right. I went back in 1949 for the long vacation here and I revisited the family and so on and so forth.

53. I see. So life for you as a young student began at Trinity Hall?

Trinity Hall, yes.

54. And do you have any recollections of Trinity Hall in those early days?

Only that it still seemed to me to be a carry over from the peacetime Cambridge. Rationing hadn't really begun to bite and all the rest of it. So the first year was really a sort of continuation of the old peacetime Cambridge and Trinity Hall.

55. Much the same?

Much the same, yes.

56. In the second year did the student numbers drop?

They did, yes. I think the reason is that practically every Cambridge college, in fact not practically, *every* Cambridge college had given over half its buildings to the Royal Air force, so we had the RAF quartered in Trinity Hall as in other colleges.

57. Did you eat with them in college?

No, no, no, no. They had their own time for meals and we had our own times and although I think as far as the under graduates were concerned, we were all very willing and anxious to make friends with the servicemen but I think it was the service that said no; this is service life for them and we don't want too much fraternising. We did fraternise on the sports field playing rugger occasionally and soccer, but apart from that there was very little contact.

58. Quite formal?

Very formal.

59. Did you notice in the second year that there were changes, did rationing set in, changes in the college to the way... was there a difference as the war progressed?

Well yes, the rationing of course got tighter and tighter but apart from that one adapted to the slowly changing lifestyle.

60. And you just did the best you could?

Indeed, yes.



61. Yes, but there were fewer students and fewer lecturers?

That is true; quite a number of the lecturers had been called up or went into the services: fewer students of course.

62. Do you recall roughly how many students there were in your class?

I can't recall that offhand, but since all the colleges attended lectures together and so on and so forth, it seemed quite a full house.

63. Yes, but certainly nothing like the numbers that you have today where you have about 250 in the first year?

No, no no, nothing like that, no.

64. Did your lectures take place in quite a formal atmosphere? Did you wear gowns?

Oh yes, always and you had to wear gowns after dark in the streets.

65. Was there much socialising?

I find that very difficult to answer because I have no experience of what it was like before the war, but such as there was, I should have thought there was a good deal of socialising between the colleges and in the college itself, yes.

66. What form did that take?

Chiefly I think over tea, teatime because with the rationing it was very difficult to organise dinner parties and things like that, but then of course one did meet members of other colleges in lectures and after lectures and of course on the sports field.

67. So that was quite an important form of social recreation?

Oh indeed, yes.

68. So we come now to some of your lecturers in this period, 1939 to 1942, when you did your law degree and I wonder if we can look or talk about some of the professors.

Professor Buckland is the first one that springs to mind, was he one of your lecturers?

Very much so. In fact in my final year I took a very special subject which nobody had taken for years and I used to go to Professor Buckland every week to his house and receive instruction from him first hand at his house.

69. How delightful.

Yes.

70. Was this in Cranmer Road?

Was it Cranmer Road, Professor Buckland? May have been, I've forgotten now.

71. And what subject was this?

Roman law.



73. Which was his speciality.

It was. He was the world authority on the subject.

74. Had you any experience of Roman law before you came to Cambridge?

No, no.

75. Because you'd been a schoolboy?

That's right.

76. Yes, and was he a nice man, Professor Buckland? He was of course very highly regarded.

Oh heavens, he was tremendously regarded, but he was also a very peppery and I suppose rather a frightening figure. He was a tiny little man but, and...

77. Very forthright?

Very forthright, yes, but one had the greatest admiration for him.

78. It must have been quite an experience to be the sole student?

Indeed.

79. I mean, you had to be well prepared?

Yes, I know [*Laughs*] yes. Yes, he was a person who didn't suffer fools gladly and one had to be very careful and come thoroughly prepared and so on and so forth, but underneath all of that he was very kind and very helpful.

80. Dedicated?

Oh very much, yes.

81. Someone else who taught you was Sir Hersch Lauterpacht?

Yes.

82. Any recollections of him?

Yes, he was a remarkable lecturer. I have never seen him with any notes in his hand, he used to lecture as it were out of his head and never at a loss for a word or phrase and his lectures were remarkably good, wonderful.

83. Fascinating.

Yes, that was great.

84. So you really felt you learnt something?

Oh, very much so.



85. Did you have supervisions with him as well or did you...?

Oh no, no, he was a professor and professors didn't supervise, no, no.

86. Did you ever have occasion to meet his son?

Eli, Eli Lauterpacht? Oh yes, very much so. Eli was, he was a junior to me as an undergraduate and he went to Trinity, yes I had quite a few dealings with Eli, yes.

87. I'll ask you more about him when we come to your colleagues at Cambridge when you became a lecturer.

I see, right.

88. Professor Winfield?

Yes, yes. I was very very fond of Winfield and of course he was at John's and I didn't sort of socialise, if I may use that word, with him that much, but nevertheless I used to enjoy his lectures very much indeed.

89. Were those lectures on tort?

Tort, yes.

90. Of course you later edited the formal work on tort?

Oh yes, yes.

91. Which I will return to when we talk about your work. You must have at an early stage been inspired by him because you later excelled in the law of tort?

Oh yes, yes. Percy Winfield was, I think, a very prominent figure in my sort of life and also he had a very dry sense of humour, which was very pleasing I must say.

92. The Whewell Professor McNair must have given you lectures in international law perhaps?

No, it was Professor Lauterpacht who did the lecturing in international law. I was never lectured to by McNair, but I did get to know him.

93. At that stage he wasn't perhaps doing international law?

No, I don't think... no he was not lecturing then.

94. Do you have any recollections of him?

Of McNair?

95. Yes.

Not as vivid as I have of the people who actually did lecture me and with whom I came into contact.



96. Professor Hazeltine perhaps?

No, Hazeltine no. Do you know the only recollection I have of Hazeltine was when war broke out Hazeltine went round sort of shaking people by the hand and saying “We’ll see this through together, old boy” and as soon as France collapsed he was off to America and never saw him again. *[Laughs]*

97. Professor Gutteridge?

Oh yes, he was marvellous and he was a wonderful cook.

98. Was he?

Oh yes, rather.

99. Did he invite you for meals or...?

No, again you see rationing constrained us all. No, I haven’t actually been entertained by him in that way.

100. But that was something he liked to do?

Oh yes, he was a wonderful cook.

101. He was a great friend of Professor Lipstein.

Yes

102. Who paid him from his own pocket when he didn’t get his lectureship at Trinity, Professor Lipstein was in an awkward situation and...

Well I know he was at Trinity first.

103. Yes, and Professor Gutteridge came to his aid.

Well, I’m not a bit surprised, he was like that.

104. Did he lecture you?

Gutteridge? Yes, not very extensively, but I did attend some courses of his lectures.

105. Was that Comparative Law?

Yes, I suppose in a way, yes.

106. And then Harry Holland at that stage was a Reader and perhaps you were taught by him?

Lectured to by him, yes. A very formidable and frightening figure, but again very kind underneath all of that, yes.

107. His wife lived in a separate house, as I understand?

That’s right, I think... immediately after they got married, the rumour was that they then went to their respective establishments and stayed there for the rest of their lives.



108. One of the lecturers who lectured you was Wade, Sir Emlyn Wade.

Well, he was a professor, yes. [LD: *he was the Downing Professor*]. Now, Emlyn Wade, he knew my father very well, when my father was up here, and he too was an extremely kind man and formidable in a way, but nevertheless kind.

109. And the Regius Professor of Civil Law was?

Buckland.

110. And he was succeeded by Duff, who was a lecturer in your time?

Yes, Patrick Duff, yes.

111. Did he teach you Roman Law?

Yes, yes he did lecture.

112. Do you have any recollections of him?

Not very many because I didn't come across him all that much, but...

113. He wasn't quite as eminent as Buckland?

No, not as eminent and he didn't do very much. He didn't write an awful lot. He wrote one textbook, but that's about all and he didn't write any articles either, so he didn't really influence an awful lot.

114. He wasn't that prolific?

No.

115. Somebody called Mr Barnes, do you remember him?

Oh, Henry Barnes, yes, he was at Jesus. He was a lecturer in Criminal Law, our own supervisor at Trinity Hall warned us against going to Mr Barnes and after a couple of lectures from Mr Barnes I gave up. The point was that the law department of London University had been evacuated to Cambridge and Mr Seaborne Davies was the lecturer in Criminal Law at London University; so all the people of my college attended Seaborne Davies' lectures and not Henry Barnes' lectures.

116. Interesting. No other recollections of him?

Of Henry Barnes? He was very fond of the bottle I must say but, no, I didn't come across Henry very much.

117. Doctor Ellis Lewis?

Ah yes, he was a fellow of my college, Trinity Hall and he was my supervisor in my second and third years. Oh yes, I remember Ellis Lewis very well indeed.

118. A very nice man?

A very, very nice man.



119. He was also the librarian for a number of years of the Squire Library.

The Squire Law Library that's right, yes.

120. And Bailey?

Yes, he was at St John's. Again, I was not actually supervised by him, but I was lectured by him, and his wife was an international lawn tennis player, so I used to have tennis games with her quite a lot, yes.

121. That sounds very nice.

Oh yes, yes.

122. He later became the Rouse Ball Professor. Mr Hamson, do you remember him during this time when you were a student?

Very well indeed, yes. Well, of course Hamson was taken prisoner of war and he only came back to Cambridge after the war was over and again I got to know Hamson very well indeed.

123. Mr Jackson, any recollection of him? [LD: became Downing Professor in the late 60s].

Oh yes, well he was my supervisor during my first year; he was at St John's. A very good lecturer but apart from that I don't know that I had very much to do with him.

124. Someone else that was around when you were a student was Mr Whalley-Tooker.

Oh, Whalley-Tooker of Downing. Yes, he supervised me during my first year. No, I haven't got any outstanding recollections of him except that he was quite a character in his quiet way.

125. One of your fellow students at that stage would have been perhaps René David, or would he have been a bit older than you?

Oh older, I don't think I ever met him.

126. Ah, and David Daube?

Oh, David Daube oh yes, yes. He lectured to me quite a bit and in my final year I used to go to him, to his house for instruction. He didn't lecture in the law school, but since I was the only student doing that particular subject, I used to go and take instruction from him at his home.

127. Very interesting and what subject was that?

Roman Law.

128. Do you remember at that stage Professor Lipstein? When you were a student he would have been doing, or perhaps he would have finished his PhD?

Oh, he'd finished his PhD but then he was interned for the first part of the war and I got to know Lipstein in the middle of the war when he was released from his internment and I got to know him better and better as the years went by. I was very fond of Lipstein. He died a very short while ago.



129. **It seemed to us all very sudden, even though he was 97.**

I know.

130. **We still didn't expect him to die somehow. In some way you remind me of Professor Lipstein - he came across as well and became very much a Cambridge academic.**

Very much, yes. Of course he had a far worse time of it in Germany: he couldn't stand the regime there.

131. **No, but he took to Cambridge in much the same way as you did.**

Oh yes. Yes, very much.

132. **Well, this takes us up to the war. You joined up in 1942, and until 1946 you served as a rear gunner.**

Yes.

133. **Why in Coastal Command? How did that come about?**

Well I don't think the choice lay with me or any individual. When I joined the RAF we were drafted into Coastal Command.

134. **I see, and where did you fly?**

From where? Well it was the very northeast of Scotland, Kinloss, Dowcross[?], Lossiemouth and Wick on the northern arm of the Moray Firth. We were covering the North Sea submarines and coastal reconnaissance and ?understanding alien coast, Dutch and Belgian coasts.

135. **Fascinating, for three years you were?**

Yes.

136. **You must have sometimes been quite uncomfortable?**

I don't recollect being uncomfortable, no.

137. **You were in a plane for most of the time in your service?**

Yes.

138. **But do you remember the conditions, how many of you were there in the plane?**

Ah now, we were what they call a Leighlight Squadron. The leighlight was a millions of candlepower searchlight fixed to the underside of the plane and we had to home onto the submarine by radar and in the last mile or so switch on the leighlight and if we had done our drill properly the submarine would then be in the centre of the beam and then we dropped our depth charges visually. So...

139. **Gosh, it does sound to me quite an experience, quite a change from your life at Cambridge?**

Oh, very much so, yes.



140. **But you seem to have taken it all in your stride?**

Oh, I confess I enjoyed every minute of it.

141. **Wonderful.**

It's not a very nice thing to say perhaps about wartime activities, but still there you are.

142. **The contrast between writing your jurisprudence textbook to being a rear gunner is to me quite interesting and I wonder whether you were thinking jurisprudential thoughts as you were flying?**

I don't recollect any, just as well I suppose.

143. **So you returned after the war to London? You became a barrister?**

Well, as a matter of fact I took my bar exams whilst I was still in the services. But after I was demobilised, I came back to Trinity Hall. I didn't go to London.

144. **Immediately. Did you go to London when you became a barrister?**

No, not really, no.

145. **You didn't actually spend time in London in the aftermath of the war?**

No.

146. **Did you practice?**

No.

147. **You were appointed then to a position at Aberystwyth in 1949?**

'49, yes.

148. **1949 and you were there until 1951?**

Yes.

149. **What made you go to Aberystwyth?**

Well, there was at that time no opening in Cambridge and I don't know who it was, but I think it was perhaps Harry Holland or Ellis Lewis or someone who got in touch with the professor at Aberystwyth, Professor Llewellyn Davies who had a vacancy on his staff and he offered me a lectureship through the university at Aberystwyth and I went there.

150. **Did you enjoy your time there?**

Enormously.

151.: **It must have been quite different sort of place to Cambridge?**

Oh, very different. I don't know what it's like now, I haven't been back to Aberystwyth for years and years, but it really was a very enjoyable place. Out of the way but...



152. **Yes, remote.**

Oh, very, very, but that made it all the friendlier, you know.

153. **I can imagine. Who were the most influential people at Aberystwyth during that time?**

Oh well, the Professor, Professor Llewellyn Davies. In fact, it was a small law department and we all worked together.

