

Conversations with Professor Tony Jolowicz

by
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First Interview: Early Years (1926-1946)

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Between January and April 2009 Professor Jolowicz was interviewed three times at his home at Barrington, near Cambridge to record his reminiscences of over sixty years of an illustrious academic career, the majority of which was spent in the Faculty of Law at Cambridge.

The interviews were recorded, and the audio version is available on this website with this transcript of those recordings. The questions and topics are sequentially numbered in the three interviews for use in a database of citations made across the Eminent Scholars Archive to personalities mentioned therein.

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

Professor Jolowicz's answers are in normal type.

Comments added by LD, *in italics*.

All footnotes added by LD.

1. Professor Jolowicz, thank you very much for agreeing to be interviewed for the Eminent Scholars Archive. Over the past few years, I have been talking to eminent academics associated with the Faculty here at Cambridge and I hope to use this opportunity to record reminiscences of your life, as well as memories of your colleagues and friends.

In this way, we will be able to create yet another valuable contribution to an archive of the Faculty's history, stretching back to just before the Second World War. You have had a very illustrious career. Listeners will also be aware that your father, Professor Herbert Jolowicz, was a famous Roman lawyer³. So, perhaps we can spend some time in this first interview recording your anecdotes of him, because he too has associations with the Faculty. Your father was born in London in 1890. Can you tell me something about his family background?

Yes, his parents, well at least my grandfather came here... [pauses to find some papers]. This is a kind of family tree of the Jolowicz clan. It is very out of date but it goes back far. This was prepared by an American member of the family because, as you no doubt know, Jews didn't have surnames until the 1800s or so. This goes back to the 1800s.

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³ Herbert Felix Jolowicz (1890-1954), All Souls Reader in Roman Law, Oxford (1920-31), Professor of Roman Law, University College London (1931-48), Regius Professor of Civil Law Oxford University (1948-54).



2. So this goes back to 1871?

A clan, and they would have divided it up in this complicated way.

3. They were from Hungary?

No, no, Poland. There was no such place as Poland in those days but what became Poland.

4. Your father was born in this country?

In London, yes.

5. Presumably his father came from Poland?

Yes at a place called... [Looking through papers] He was born here... My grandfather had come over from what is now Poland as a teenager about 1865.

6. Right, and that was Herman?

Yes, Herman Jolowicz.

7. Do you know why he came to this country?

Well, I think probably because of fears of pogroms and so on. Because Poles were never very pro-Semitic. Did you ever see Fiddler on the Roof?

8. In my youth, yes.

Well that's not far from the truth. I don't think he was actually pushed out. The family were booksellers, the origin...but if you want a little anecdote that I didn't notice even until I looked at this last night again, that he apparently used to say was that Justinian was the founder of our family.

9. How interesting.

Because, my sister wrote this out, how true it is I don't know, that when he got a full-time appointment at Roman Law UCL, he thought he had enough income and proposed to my mother. That was why he used to say that Justinian was the founder of the family.

10. That's delightful. Well, it would be lovely if I could make a full copy of that and then we can incorporate that into the...

Yes, certainly, yes. Well don't worry, there's a lot of text, quite a lot of text that you could...you could take what you wanted from that.

11. Thank you. So your grandfather settled in London?

Well, he came via Lyon, actually. He was a silk merchant and he, apparently, went first to Lyon, which was the focus of the silk industry at that time, and then came to London. Fetched his wife-to-be from Poland, got her over here and they were married here. All their children were born here, my father being the youngest one of three.



12. Your father went to St Paul’s School, where he excelled...?

Well, he got prizes and things. He did classics.

13. And what led him to law?

Well, he came up, he read the classics here [LD: *Trinity College*] and then switched to law as something he was not sure he might practice at one time. But he was interested in the Roman Law - the classical side of things. He came up, I think, in 1908, and for what it’s worth, there used , you probably know, they used to divide the first classes and he got what was known as a 1:1 and then he went over to Germany.

In 1913-14, he moved to Germany - Heidelberg and Freiburg were two great centres of Roman law. His German was extremely good of course and the lecturers there and people apparently showed some surprise to see one of the lecture audience writing notes in English from the German lecturer. And in the summer of 1914 he went on a walking holiday with a friend in the Black Forest and, of course, no communications in those days and they never saw a newspaper and they emerged into a little town somewhere on, I think, 1st August, which has a certain importance, and discovered what was going on and he got out with about three days to spare. On 4th August, the war started and he went into the Army. To begin with, the infantry, the Inns of Court Regiment, so-called. And he was as a perfectly ordinary subaltern and he was, at one point, sent to Gallipoli and he made... and this is sort of anecdote-ish. He once introduced me to a gentleman called Mr Price and said to me, which was an odd remark I thought for a father to make to his son, “You owe your life to Mr Price”.

What had happened, apparently, he was in Gallipoli and Mr Price was an intelligence officer in Cairo and he went down briefly with a totally unimportant disease, I should say that it was Rubella. An adult male... you know with an adult male German Measles doesn’t matter and he got German Measles and was out of action for a bit. They sent word to my father’s unit in Gallipoli to send a subaltern who spoke fluent German immediately back to Cairo, at which point my father was pulled out. About a week later his unit was virtually totally destroyed.

So he had a lucky stroke there and then he was in the intelligence for the rest of the war in Cairo and later in France again (he had been in France). And so he had four years plus as a soldier in the First World War and then went into an academic career.

14. So he had completed his law Tripos before the war broke out and then he volunteered, and he went into the Inns of Court, to the Bedfordshire Regiment?

Yes, that’s right.

15. And he was also one of the select band of people who were involved in military operations in the Second World War and—

Yes, he went back again into the Army. Certainly, not operations in the normal sense of going out trying to shoot people and being shot at. He was an intelligence officer.

16. You don’t have any idea what he was doing at that time?

Well, he was always very careful about it. It was mainly to do with the interpretation of enemy wireless. He was not at Bletchley, but he did have quite a lot to do with the Enigma business and I can’t tell you much more about it than that really. Except that latterly he became



an instructor where there was a school for the intelligence people in North London. He did say, after it all, when he went back to teaching Roman Law and Jurisprudence that he found it very difficult not to begin the first lecture by saying, “Now, you must remember that it is of the utmost importance that you do not mention a word about these lectures once you have left this room.” And then he went back into teaching and that was it. But he was, I have always thought it says something about the century: my father who was a scholar, a peaceable man, spent eight years, effectively, of a relatively short life (because he was only 64 when he died), as a soldier.

17. I noticed that he was called to The Bar. Did he practice as a lawyer before going into academic life?

Very, very briefly. He was given a pupillage, but he didn't really practice, I think he appeared in one or two cases but nothing much.

18. He became a lecturer in 1924 at UCL in Roman Law and Jurisprudence.

You've done a good deal of research.

19. And then he was Dean of law at UCL. Did he ever speak to you, Professor Jolowicz, of his experiences at UCL?

No, there is a gap in that, if I may say so. He also had, for quite a long time, dates I am not quite sure about, he had the All Souls readership in Roman law at Oxford, and for quite a long time he traveled back and forth to Oxford to teach as a member of All Souls. So he was teaching at both London and in Oxford for a number of years. Certainly, I think, when I was born, he was doing that sort of thing. We lived in London, the family lived in London, but he went back and forth to Oxford once a week.

20. And it was during this period that you were born, in 1926?

That's right, yes. Actually at that time, and again dates are a bit dicey. He wasn't actually very busy being a professor, he was being a special constable, because it was in the general strike. But I think I was born just after the general strike, I'm not quite sure.

21 Before his premature demise, he was the Regius Professor of Civil Law at Oxford for six years, 1948 to 1954, and by the time he was in the post, Professor Jolowicz, you were 22 years old. Do you have any anecdotes of this period or reminiscences?

Well, when you went to... Well, I suppose by that stage, I came up to Cambridge when I was 22 in '48. I decided that having been in the Army myself, I had a two-year degree and decided that I wanted to do a bit more without doing any more exams: I didn't want to do the LLB. And so, under Jack Hamson, I wrote a dissertation for the Trinity College prize fellowship which, to my immense surprise, I got. And I was so headed for The Bar and I went on and did my pupillage and so on and I think my father was mightily surprised because he was known to say once, “I wish that boy would do something with enthusiasm even if it was only football”. I was a pretty slack schoolboy, I think.



22. Professor Lipstein⁴ remembers going to your father's house for his [PhD] examination in 1936, you probably wouldn't have...

No, I do remember that very well, particularly because, this is more a reminiscence of Professor Lipstein. He was the first person who acted as a supervisor for me in International Law. And I went along for the first supervision with two or three other people, I can't remember, and he said to me "Oh Tony, the last time I saw you, you were in your pyjamas leaning over the banister". And I never really forgave him for that, because all the others were looking goggle-eyed - "what, is he just a freak?". That was the first time I met him and he did his viva at my parents' house and then they had a dinner party.

23. Oh, how lovely.

But there was a strong connection, perhaps this is something to do with the German side of things, Martin Wolf was an important figure in this way. As I say, he was my uncle by marriage and, of course, Lipstein was pupil of my uncle in Germany.

24. That's right, yes.

And even now to a small extent, but its dying, is that if I'm abroad somewhere where there are Germans about, and if I let it drop that I am a nephew of Martin Wolff⁵. Oh! He was a really very important man.

25. Interesting, yes.

And Lipstein I felt that very much ... Mann, Francis Mann was also a pupil of my uncle.

26. Very interesting. We've mentioned before that Professor Stein recalls meeting you at your home in Oxford. He mentioned that your father was very kind to him. Roman lawyers were thin on the ground and they tended to, sort of, look after each other and your father invited him to lunch, but you perhaps do not recall that, Professor Jolowicz, that meeting?

I'm afraid I don't. No. That's the occasion when I was underneath the car.

27. When you were underneath the car. That was Professor Stein's first sighting of you. Your father's famous book, the *Historical Introduction to the Study of Roman Law*, which first appeared in 1932 was when you were six years old, the first edition came out. And then of course, 20 years later, the second edition came out. Did you help your father at all with this?

No. I am not a Roman lawyer at all.

28. The subsequent edition in 1972, with Barry Nicholas, is still on the reading list because the other day somebody was looking for it - one of the first years.

Oh, it's just been reprinted.

⁴ 1909-2007. Later, Professor of Comparative Law at Cambridge.

⁵ 1872-1953. Wolff, Martin, Born Berlin 1872. Emigrated to England in 1938. Previously Professor of Law at University of Berlin. Specialised in International Private Law.



29. Right. Do you think, Professor Jolowicz, that your father considered this to be his most important work?

I should suppose so. Well, important: it is the biggest one and I think unfortunately there was a posthumous publication of a partly finished thing that he... *Roman Foundations of Modern Law*.

30. I have seen that actually.

And I had something to do with that, and my mother really did a great deal with that. And then I did publish what turned into a book for him, his jurisprudence lectures.

31. I have noticed that and I'm having a look at that actually. Very interesting. Professor Jolowicz, that brings us then to your own childhood and your early career. Your boyhood was spent in pre-war London while your father was at UCL. Do you have any recollections of London at this time? Interestingly, Sir Eli [Lauterpacht] also grew up in London at this time.

Yes, well we knew each other. Eli is the only extant human being whom I have known longer than anybody else, including my own sister.

32. How come? Because he is older?

No, he's younger than me.

33. No, but he's older than your sister?

Yes. I have known him almost since birth. Our fathers, of course, knew each other and I have known Eli since he was born, because I am that much older than he is. We have known each other forever.

34. Very interesting, yes.

Well, he was shot off to America when the war started and I wasn't. I stayed here.

35. You were at the—

I was at the Hall when it started, my school. Prep school.

36. Yes, in London?

Yes.

37. Any recollections of..?

Well, I was still there in September of '39, and the school was evacuated to a sort of great manor place in Buckinghamshire. I can remember quite a bit about that extraordinary house - beautiful house, but hopeless as a school. It had a main staircase made of marble, which we were not allowed to use. Florence Nightingale... there was a Verney family of the middle



aristocracy, I think, who let it to the headmaster of the school⁶. I think [he] probably never believed that he would have to evacuate, but he needed something to show the parents, that he had got a lease on this house, should the war break out. He was only there for a term, took the school back to London just in time for the Blitz. By which time I had left, I left after one term, I think, before I went on to Oundle⁷.

38. Where you were, to some extent, you were away from any of the—

That was a boarding school, yes.

39. Yes, and you were there for your entire... All of your schooldays were spent at Oundle.

Yes, well once I got to the age of 13 (it was '44, I think), I went there. No, it can't have been. 1940 it was.

40. So you were sheltered to a great extent from the war whilst you were at Oundle?

Yes.

41. Was there anybody, Professor Jolowicz, at the school who particularly influenced you - teachers perhaps - that you remember?

Oh yes, I suppose my housemaster, who was a man called Walker. William Walker – classics master and I did the classics there, very poorly, and he was quite a character and very keen on the school. And I think it was a good school and my son went there.

42. So it was a happy time?

Reasonably so, yes. There are always worries but...

43. You completed your schooling before the war ended ,and you went into the forces in 1944, staying there for four years?

That's about right, yes. I went on one of these Army short courses. The school had this training course and I went to a, I think it was called a WOSBI - War Office Selection Board, and I was selected to go on one of these very curious courses, looking back, by the Army for six months, to a university... a university short course. And I was sent to Oxford and I am still an undergraduate member of Oxford University - I get all the stuff. I was a member of Brasenose. There are some mistakes [*LD: referring to his sister's family history*], as I know my sister says I was at Christchurch, but that's wrong. I was physically at Christchurch, they combined. Brasenose was taken over by the Army and Brasenose undergraduates were put into Christchurch. So I lived in Christchurch but I was a Brasenose member and still am.

⁶ Claydon House, in Aylesbury Vale. Florence Nightingale's sister Parthenope married (in 1858) Harry Calvert Verney Bt, Earl Varney (1801-1894), and Florence spent much time there. It was given to the National Trust in 1956.

⁷ Public boys school (now co-educational) in Northamptonshire. Founded 1556 and maintained since by the Worshipful Company of Grocers of the City of London.



44. Interesting. Do you have any memories of your time in service, especially towards the end of the war?

Well, I did this short course and then I went in the regular way and I served in Egypt, mainly the Canal Zone and I think I had six months in Cairo. It was a surreal existence in a way because the war had ended and I was out there in the Canal Zone or in Cairo. My father had been demobilised, being very senior in age, and was in the first group to be demobilised after the war, and they came out to see me and we had a holiday in Egypt. They came out and we went on a Nile cruise from Cairo to Luxor.

45. That sounds delightful.

It was great fun; it was very weird. It is the only time I've been on a ship which didn't have a captain, it had a manager. It was weird in a way because it kept running aground - you know, the Nile, the sand shifts in the Nile. It was very gently, it would go quietly up a sandbank and stop and the water in your glass hardly moved and then to move they would get out a pole and push it off. That was very nice and I remember my father, who had been in Egypt, as I have said,...They stayed in Shepherds - a famous hotel and he was very pleased because he could still find the bar. And I was in Egypt for the best part of two years, I think, more than two years, in charge of a little transport organisation which employed all Egyptian drivers. That was very troublesome because they all stole everything they could lay their hands on, anything moveable was stolen. And we had these drivers and we couldn't leave them anything moveable on their vehicles, no spare wheel. So, if anyone had a flat, we had to send somebody out to rescue them. That was quite tricky in some ways. And most of that time I was on my own, not entirely alone, I mean with other English soldiers, but I was in sole command of that thing, quite small.

46. Well, you were quite young then?

Yes.

47. Aged about 21 or 22?

That's right, yes. I had my 21st birthday out there.

48. So you left the forces in 1948 and you arrived at Cambridge as an undergraduate to your father's old college, Trinity.

During the period, after I had been demobilised and coming up here, I knew I wasn't going to be a serious Roman lawyer and he agreed, that I could get rid of the Roman law in Bar exam before I ever came up. So I went to his lectures at University College and had, what you might call, supervisions at home with my father and took the Roman Law Bar examination before I came up.

49. Did you enjoy his lectures?

It was a very weird experience. Enjoy isn't...I should say it was quite embarrassing because some people in the audience knew who I was, and others not, and you would get this sort of episode would happen and somebody would say in the middle "oh, silly old beggar" and "shush..." But I survived it. I didn't spend any time there. I went to the college for these



lectures and nothing else and I came away... well, I used the library. I worked there a bit. So I don't know what this says about me. I was nothing to do with University College really, I just sort of slipped in.

50. Right, it reminds me of the fact that Sir Eli and Sir Hersch were at one point both on the staff at Cambridge and I don't think that has been the case before in the history of the Faculty, that there has been father and son together as staff members, it's very interesting.

Professor Jolowicz, when you came to Trinity, you would have been one of the post-war mature students who had seen a good deal of life before entering college.

Well, I was one of the youngest. I was 22 when I came up. We weren't all mature students. I was one of the youngest people around because many people had been in the Army. They were six years in the Army and some of them were much senior to me.

51. Professor Lipstein mentioned that when the "warriors" came back it was sometimes quite an uncomfortable fit for them because some of them had held positions of importance, and so forth.

Well, of course, yes.

52. Do you remember any of the weekenders that the Faculty made use of during this time? Professor Stein was mentioning..?

Of whom I was one. Because when I had done my degree and done this thesis I went into pupillage and while I was a pupil at the Bar, I came up here every weekend, almost. I spent the first year, before I got my fellowship, teaching at University College Oxford.

53. What were you teaching, Professor Jolowicz?

Oh, contract and tort. The first year, the mod students in Oxford and perhaps you will like this because it's a bit of dig at Oxford. The Oxford... the University College tutor, the old tutor – Marsh⁸, I can't remember his first name [*LD: Norman*]. I said to him when he offered me this job, coming up on Fridays and teaching here. And one of the reasons I was very happy to be there was because I went home, I spent Friday nights at home. And I said to Marsh, "is it all right if I do it the Cambridge way because I didn't know anything else" and he said, "What is the Cambridge way?" I said I would tell the undergraduates to send me their essays to chambers by the latest Friday afternoon, I would read them on the train before I saw them for supervision. He said, "Oh that's marvellous, no Oxford Don would take that trouble." Because at Oxford they made them read them out in the class.

I did that for a year and then I got this fellowship here, so I decided I wouldn't go on at Oxford because I would rather come back to Trinity, as a weekend fellow. Not all weekenders were fellows of course. But for that period I went backwards and forwards from London to here every weekend and then I generally went across to Oxford home and then went back to London and lived a triangular existence. I think the weekenders was a very good thing actually, from the undergraduates point of view. Not too many needed people who were concentrating on the

⁸ Norman Marsh, CBE QC, Member of the Law Commission for England and Wales, 1965-78; formerly Director of the British Institute of International and Comparative Law, Secretary-General of the International Commission of Jurists, Fellow of the University College, Oxford.



academic side, but you could get a great deal more attention from the class if you said to them, “Now, this was worrying us in chambers last Thursday, what do you think about it?”

But I’m afraid most people thought this was a poor substitute for proper academics. I don’t agree.

54. Really? Lord Lane⁹ was a weekender.

Yes, he was. I know a lot of them... some of my group were weekenders, Gordon Slynn for example, Lord Slynn¹⁰, as he became, was a weekender under me, as it were.

55. Professor Jolowicz, I wonder if I can ask you to give any anecdotes or reminiscences of colleagues at this time, colleagues or fellow students. Names that I have here are Sir Derek Bowett¹¹, for example, he is one year older than you are so you would have been perhaps...

Well, I never knew him particularly well. I knew him of course, but our interests were not very much alike. An anecdote, not about him, but an anecdote about Hersch Lauterpacht and along with a lot of other people I think, including Robbie [*LD: Jennings*¹²]. We went, of course, to his lectures on international law, which were outstandingly good. And lots of us, myself included, decided that we really wanted to be international lawyers but that wore off quite quickly, we became quite sceptical about international law.

56. What was the reason for that?

Well, he could be very persuasive but I have always had difficulty with the idea of a law which is dependent upon consent, and I don’t like states.

I wanted to go to the Bar and I never saw a future in that. It was quite a long time before I decided. I had this dilemma, this is part of this same period, did I want to go and make a career at the Bar, or did I want to go back to academia? And Jack Hamson, who was an enormous influence in my life, brought me back here. I had such an extraordinary degree of luck in my life, unmerited. Going back to the coming to Cambridge/Trinity at all, I didn’t have any of the problems that young people have today. My father, this is a story, my father wrote to John Burnaby¹³, who was the senior tutor at Trinity, at that time in charge of admissions, “Dear John” – he’d known him when they were both up here before the First World War – “Dear John, my

boy will be out of the Army shortly. Will you have him at Trinity? Yours ever Bertie”. “Dear Bertie, delighted of course”. So I got in and when I got an assistant lectureship, I didn’t apply, Jack fixed it for me when I came back and I don’t regret my decision. I still do sometimes wonder would I either have been a Lord Chief Justice or have starved to death many years ago, had I stayed at the Bar?

⁹ Geoffrey Lane (1918-2005), Lord Chief Justice (1980-1992).

¹⁰ The Right Honourable Gordon Slynn, Baron Slynn of Hadley, GBE, PC, QC (1930-2009) was a British jurist specialising in European and International Law, and a former judge of the European Court of Justice and Lord of Appeal in Ordinary.

¹¹ Whewell Professor (1991-91).

¹² Later, Sir Robbie. Judge President of the International Court of Justice (1991-1994).

¹³ 1892-1978. Dean of Trinity, Regius Professor of Divinity (1952-58).



57. That's an interesting thought. Professor Jolowicz, was Professor Stein one of your fellow students? Did you see a lot of him?

No, I think the only way I can really answer this question is that I arguably didn't make a great deal of use of my time at Cambridge. I had three main interests: the law, music and rowing. And maybe all my friends were lawyers, or musicians or oarsmen. Mostly also in Trinity.

58. When you say music, were you a musician, did you play an instrument?

Yes, I played the clarinet.

59. Did you play in a group?

I played with the college orchestra.

60. Lovely, do you still play, Professor Jolowicz?

No, I'm afraid that's all gone now. I have got them upstairs but I haven't touched them for donkeys' years.

61. Were there lots of concerts in those days, in Cambridge, that you could go to?

Oh yes. Not as many as there are now. My own college music society are running more than two concerts in a day, that's too much.

62. Did you have anything to do with Sir Robbie Jennings?

Only as a pupil attending his lectures, mainly after Sir Hersch went off to The Hague.

63. Any recollections of his lectures, or him as a lecturer?

By comparison with Hersch Lauterpacht – boring. He wasn't really a patch on him as a lecturer because I discovered later that Hersch always appeared to lecture without notes. Yet, he had it all there and I discovered later that he spent most of the day, in the morning, he lectured at twelve, and up until twelve he was going through the lecture, as it was going to be.

64. Dedicated?

Dedication.

65. Sir David Williams¹⁴. Was he someone whom you may have encountered?

Oh yes, much younger. I used to have a sort of teasing relationship with David when he first came here from Nottingham. It was mainly the memory about one of my friends, a number of other undergraduates who have disappeared. I spent a great deal of time on the river with the boat club, much more than I should have done, and that involved being on the committee, running the May Ball and that sort of thing. But I don't think I had any particular friends, apart from Eli, whom, as I said, I have known forever, amongst the law graduates, as they now are, who graduated after my time. I have a lot of friends who went on to the Bar and so on.

¹⁴ Sir David Glyndwr Tudor Williams (1930-2009), Rouse Ball Professor of English Law (1983-92), President of Wolfson College (1980-92), Vice-Chancellor, Cambridge University (1989-96).



66. Mr Pritchard, do you have any recollections of him?

Yes, he is younger than me. He was already on the Faculty when I was around and I knew him.

67. Interesting.

He got involved heavily in administration in Caius. And his wife has been ill I think for donkeys' years.

68. Yes, he's someone who is very good at record keeping. He is someone you could phone with say some obscure name...**Perhaps Sir William Wade?**

Well, he taught me of course. The two people who were most responsible for my career, I would say, were Jack Hamson and Bill Wade. And Bill became a very good friend, he was a bit younger than Jack and we used to row together, but I was back again, not as it were, as undergraduates. We would take a pair or boat out on the river and go up and down.

69. Glanville Williams?

Well again, I knew him of course, but only as a member of the Faculty, as the staff. But after I had become a member, we saw quite a lot of him in and out of the Faculty, but...

70. Professor Jolowicz, that brings me then to staff who taught you. Here I have Patrick Duff.

No, he never taught me.

71. Oh, he didn't teach you?

I didn't do Roman law, you see?

72. You didn't do Roman law, right. Professor Lipstein may have taught you?

Oh yes, yes, in his International Law, my first year in international law supervisions. That was his limit of seeing me I think.

73. Perhaps Professor Bailey?

Only his lectures.

74. Professor Parry - any recollections of him?

He never taught me - I didn't do any of the things he was teaching, but he was a strange person. You never quite knew where you were with him.

75. I sort of worked out that he was actually in the Secret Service during the Second World War and he was posted to Ankara for a year.

I never knew that.

76. Well, it's just what I think, but I have asked a few scholars. I asked Sir Eli and he laughed and he said, "You'd better ask his son". So I am going to contact his son because

he was, by all accounts, a maverick and quite a bold personality and I would like to know more about him.

Yes, indeed, I didn't know that. We had quite a row with him at one point - I didn't know he said about either of us. I was quite a long time the representative on the SPTL [*LD: Society of Public Teachers of Law*] council and a notice went round about the annual meeting, about delegates, and he wrote me a flaming letter - and he was serious. It was outrageous to reflect it was indelicate at a meeting of a society of which he was a member; he wasn't a delegate, he was going in his own right. He was very tiresome about that.

77. I have on my list here as well, Harry Hollond.

Well, I knew Harry Hollond very well because I wasn't taught by him but he was more or less a contemporary of my father, a bit senior, but any lawyer from Trinity of that period and earlier and perhaps a little later, has a stock of anecdotes. He was a very remarkable man and he was described by Goodhart, which partly explains it, as an absolutely truthful man by which I mean not only that he never told a lie, but he always told the truth and he was a menace in some ways. But I have always thought that somebody should collect these anecdotes before we are all dead.

One of, I think, the most terrifying stories was, I had known him for a very long time because he was a friend on my father's. When we very newly married in this house, they came to dinner here and the conversation at the table got around to married women doing jobs. Now, his wife, I don't know if you know, was bursar of Girton, university lecturer in economics and all the rest of it. A heavily occupied lady. And Harry maintained that you could not do a job and be a decent wife and a bit after it Marjorie remonstrated, and he had a very distinctive mode of speech with very precise accents on the consonants, "Few men have tolerated what I have tolerated. You must remember, Marjorie darling, I am a freak." I have always wondered, what does the young host say next? Endless stories like that, he was an extraordinary man. But he was Vice Master for ages when I was up.

78. Did they live in separate homes?

She lived in Girton and he in Trinity. And they bought a house; you know that stone house in Madingley Road, which is now occupied by barristers?

79. Very beautiful, actually.

Well, they bought that when Marjorie retired. She lived for a bit in Madingley Hall and they bought that house without ever going inside it. Then it was extremely uncomfortable there, almost no heating except what we all called the varicose vein fire because it was one of those very old fashioned fires with the coils. He was a great force in the college and he wasn't a great scholar, published practically nothing but he was an administrator and he is really the creator of the Faculty as we know it.

80. I hadn't heard that before. I knew that he hadn't written.

There's an article in the *Cambridge Law Journal*, I think, about him.



81. Do you have any recollections of Emlyn Wade?

Yes, because he was a friend of my father's and we were pushed around in our prams along with his eldest daughter, who was more or less my exact age. And he was a nice man, a very severe parent and I don't know whether this sort of thing should go in, but he called me into his room in the Old Squire [*LD: Squire Law Library - then in the Old Schools building*] one day because he had known me forever, and said, "Tell me, I want help, why is it that when an undergraduate goes to see Hersch Lauterpacht, within a couple of minutes he is more or less sitting on Hersch's desk and swinging his legs and when they come to see me, they stand to attention?" And he simply... he had no knack of dealing with people on a, sort of... he was too much The Professor always with the other graduates, whereas Hersch had a way that could put you at your ease in no time flat.

82. How interesting, I had no idea. I had always thought that Hersch Lauterpacht was very, sort of...

He wasn't Germanic. You would think that of him, but anyhow you know what a German professor is supposed to be like?

83. Absolutely, yes.

Hersch wasn't like that at all, I don't think.

84. Actually, there is something very relaxed about Sir Eli as well.

Yes, very.

85. Professor Jolowicz, do you recall Mr Mickey Dias at all?

Oh yes.

86. He's actually the oldest Faculty member.

Is he older than Toby Milsom?

87. I think he is.

Yes, he was a fellow of Trinity Hall. He was, of course, senior to me and I don't think he ever taught me, I knew him somehow, much more when I became a member of the Faculty myself. I liked him. I don't see him much now. I meet him in the street occasionally.

88. Of all the eminent scholars, he was the one who has seen the most active service. He was actually involved in bombing submarines.

I didn't know that.

89. Yes, he was a rear gunner. When I asked him about that, I said, my goodness to think of you sitting in one of those doing that sort of thing, and he said, "Well, I thoroughly enjoyed my war".

Oh, did he?



90. Yes. His father was a judge and so was his uncle.

Yes, he nearly got thrown out by his family for marrying an English girl.

91. Really?

Oh yes, that was always one... well, I heard it as an undergraduate, that he had been more or less excommunicated by his family for reverse racism.

92. Good heavens. Then, of course, very sadly, he lost his wife.

Yes, that was quite an awful thing because he... You know what happened?

93. I never actually quite could bring myself...

Well, they had this friend who they went to on holiday to stay with somebody living in... I've forgotten which African country. Mickey was busy, he'd got a lot of exam papers to mark, so he took them out with him. And this man, their host and his friend, was an amateur pilot and he said "let's go off, we'll get off for the day, I'll fly you all to wherever and have a lakeside picnic". And Mickey refused as he had to get on with his scripts and this friend, apparently had never actually passed the medical tests for a pilot and something happened and he crashed the plane into a mountain and they were all killed and Mickey was left there marking scripts and...

94. Isn't that incredible? I had no idea. I knew that it was a plane crash but I assumed it was a commercial flight. That's even more sad, actually.

Professor Jolowicz, you practised as a lawyer for a time, this was before you decided to devote yourself to academia and this was more or less up to the point of your father's early demise, do you think that his demise had something to do with your decision to..?

No, I had come back by then. And it isn't quite right because, although I had the idea of staying at the Bar, I was in practice and doing weekends here. Then I decided to come back. But I'd never completely given up; there was a long gap when I didn't do much. I am cursed with some kind of a conscience and I thought you can't maintain a practice if you're not around, you can't say no I can't do that case because I'm lecturing on Monday and you can't just clear off, that's not fair to the undergraduates. But at the end of my active career, I was doing a certain amount of advisory work and I have actually twice addressed the House of Lords, which I quite enjoyed and got involved in things because of the Comparative Law aspect of what I was doing. What I was doing as a youngster was simply mainly industrial accidents, people falling off ladders. But I did go on and get a certain amount of work as a member of the Bar and, as I say, I can tell my grandchildren that I have addressed the House of Lords.

95. I've noticed that actually. I have been starting to do some research on the main part of your career and the area of course that you were working in, Comparative Law, is very important. So I am looking forward very much, if you are agreeable, in a second interview, to discussing how you established yourself as a comparative lawyer?

Oh, yes, I've got a nice little story about that.



96. Wonderful. Well, Professor Jolowicz, that brings us to the end of our first interview.
Have you got the sort of thing you had hoped for?

I have and more, and all that remains is to thank you again so much for participating and looking forward to the next time.

