

**Conversations with Professor Peter Gonville Stein**  
**First Interview: Early Life (1926-1947)**

Date: 5 July 2007

*Between July and November 2007 Professor Stein was interviewed three times at the Squire Law Library in the Faculty of Law at the University of Cambridge to record his reminiscences of sixty years of his association with the Faculty.*

*The interviews were recorded, and the audio version is available on this website with this transcript of those recordings.*

*The questions 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, **questions in bold type**

Professor Stein. Answers in normal type

Comments added by LD, *in italics.*

**1. Professor Stein, by interviewing Emeritus eminent scholars, I am hoping to record aspects of the history of the Law Faculty at Cambridge that might otherwise go undocumented. Your legal career extends over sixty years to the immediate post-war era, while your memories extend to before the war. During the course of our conversations, I hope you will be able to reminisce on some of the illustrious academics whose careers began in the pre-war years, as well as your own, and recounting your own experiences over the second half of the twentieth century. If you agree, perhaps we can follow a chronological agenda and begin with your early life which covers the period 1926 to '47.**

Yes.

**2. You were born in Liverpool and your father was a solicitor?**

Yes. Well, he was a barrister when I was born. It was in the 30s and, you know, he didn't do very well as a barrister. So, he decided in the mid-30s to switch and become a solicitor, which wasn't a very common thing in those days because solicitors were regarded as socially inferior to barristers. But I always remember, and it had an effect on me, that in order to be honourably disbarred from the Bar, he had to pay Grays Inn twenty pounds, which was quite a lot of money in those days. Considering that it was penury that was making him do it, I always thought that was rather mean and that was partly why I never contemplated going to the Bar myself, but became a solicitor.

**3. You were exposed to the law, therefore, throughout your childhood?**

Well, a little bit, but I was a classicist at school and I took the scholarship exam in Cambridge as a classicist and when I came up as a Naval Cadet in, I think it was, April '44, the beginning of the Easter Term. I had to do an academic subject, as well as naval things like navigation. And so I carried on with classics then. I didn't really decide to switch from classics to law until I was away from Cambridge in the Navy. The more I thought about it, the more I thought I didn't really want to go back to classics. I had forgotten a lot of the Latin and Greek and so I made up my mind then that I would switch to law, and become a



solicitor. I came back in '47. I was away for three years from '44 to '47, and in the latter part of that the Navy enrolled me on a course to learn Japanese.

**4. How interesting. So just coming back briefly to your school life. You were at Liverpool College in 1938?**

Yes that was the school.

**5. Yes just going back a little bit. Was there any reason that you went to this particular school?**

Well, my father had been at it and he was very keen that I should go. And eventually I got a scholarship that covered all the fees.

**6. I had a brief look at the website and it's about £8,000 these days.**

Oh, ridiculous.

**7. It is quite expensive.**

*[Laughs]* It was £45 then.

**8. Did your classical background start at school?**

Yes.

**9. You mentioned your Greek as well as your Latin, you did both of these at school?**

Oh yes, of course.

**10. And did this fire your interest in Roman History?**

It made it easier when I did Roman Law, because I could translate the texts without too much difficulty.

**11. You began pre-war at the Liverpool College. Did the War affect your school life?**

Oh well, I wasn't evacuated or anything like that. The number of boys at the school - it was purely boys - the number of boys at the school reduced considerably during the war. A lot of people went away from Liverpool and the school itself was bombed, but I insisted on staying. I didn't board, I stayed with my grandmother. My father's mother continued to live in Liverpool and she looked after me and I cycled to school every day. It was quite a long way. It was about five miles.

**12. Five times Grange Road.**

*[Laughs]* Yes.

**13. That was very long. So we come then to the War, which you've touched upon, and may I ask what was your role? You were in the Navy, the Royal Navy?**

I started just as an ordinary sailor but as I say, I heard about the Japanese courses and eventually I was enrolled on one to learn Japanese in Bedford, because Bedford was near Bletchley where the interceptions were being made.

**14. And how did you find doing Japanese, having done Greek and Latin?**

It doesn't feel like learning a language, it is more like a sort of crossword puzzle. But I quite enjoyed it. It was very intensive, lasted for six months. But that was in the summer of '45 by then.



**15. I am fascinated that you learnt Japanese. Did you find you put it to use during that time?**

No. It was only to translate it. We were the lowest of the low. Interpreters spent much longer at it and were much more advanced. But I was trained just to translate intercepted radio messages which were put in to Romaji, which is Roman letters.

**16. It's very interesting. So where were you posted?**

I finished the course just about the time that the war ended and the dropping of the atom bombs at Hiroshima.

**17. Did you see active service?**

No.

**18. And you finished your service in 1947?**

Yes. I was commissioned as a translator, but they didn't know what to do with me because the Americans had taken over all the translation. They had, after all, Americans who were of Japanese descent and who knew Japanese, and were much more suited to translating than we were. But they cast around for something that we could do and eventually decided I should be what they called an EVT, which is Education and Vocational Training. This largely meant handing out leaflets to sailors who were going to demobilised as to what openings there were, you know, welding and all these various trades. That was quite interesting, but not very exciting. And I was sent to the Far East and I was stationed in Singapore for a while, because I was Education Officer on an island off Singapore main island. This is a naval base called HMS Sultan.

**19. Do you remember the ship that you travelled on?**

I can't remember the name. Oh, it was called, I think, *Eastern Prince*? [LD: see details<sup>1</sup>]. Something like that... I kept a diary then and I could check that up for you if you wanted?

**20. That would be interesting. Yes, perhaps next time we meet. It must have been quite exciting to have gone out...**

Yes. I'd never been out of Britain before I set off for the Far East and we went as far as Ceylon as it then was, Sri Lanka now. I reported to the sort of "chief" Education Officer in Trincomalee and he sent me to Singapore. So, eventually I arrived in Singapore, and I found that fascinating.

**21. It must have been. Do you have any impressions that stand out? Any recollections?**

Not really. I did a bit of broadcasting there, because there was a service called British Far Eastern Broadcasting Service and they needed readers to read these educational scripts about important figures like Delius. So I did a test and they thought my voice was then quite suitable. I used to go and broadcast occasionally for them.

**22. How lovely. And it was around about this time that you were thinking of your career and perhaps time you applied to go to Gonville and Caius?**

No, well, I'd already got an exhibition in classics there. Because I took the scholarship exam at Caius before I came up as a cadet. I'd been at Caius as a cadet. My father had been at Caius, in fact, and my mother was at Cambridge as well. Of course, she



never graduated because women weren't allowed to graduate in those days. They weren't members of the University, it was pretty shocking.

**23. What was her subject?**

Oh, she was a modern linguist - French and Italian.

**24. Interesting.**

But my father was a fanatical Caius and I was christened in the chapel. I was born in Liverpool, but I was brought to Cambridge a few months old in order to be christened in Caius Chapel.

**25. Thus your middle name?**

Yes.

**26. I wondered about that. So you found yourself at Gonville and Caius from 1947 to 1951?**

Yes and after I had come out of the Navy.

**27. Did it feel strange being back in a civilian situation?**

Well, yes, but we had to work quite hard to catch up. If you were ex-service you got all sorts of concessions, but you had to do everything quickly. So I did Law Qualifying II. That was really when I became interested in Roman Law because I had Daube as a supervisor, and he was a very inspiring teacher.

**28. Did you find Cambridge a strange place?**

No, not really, no. You see, I had been a few months there three years before.

**29. Any particular recollections of the college or life at college?**

Well, being an exhibitioner I lived in college. I lived in college for the whole time and I never had lodgings outside, which was very convenient and I made a number of friends, whom I still have. In fact, last Saturday I went to dinner. It was about the sixteenth reunion of my contemporaries.

**30. Was it a fairly large group of you then who made it on Saturday?**

No, we are reduced now in numbers, both with death and...

**31. So the staff members from that period...?**

I didn't do law until 47. I had done classics when I was up before, and I only switched when I came back.

**32. And Faculty members, whom you would have encountered included Emeritus professors, Winfield and Guttridge?**

Yes, but I never met them.

**33. Perhaps Professor Holland?**

Yes I have had lectures from Holland and Emlyn Wade. But I didn't do international law. In those days, you chose to do international law or something else and in Law Qualifying II, Roman Law and in International Law were mutually exclusive, so you did one or the other.



**34. So you might have had Professor Duff?**

Yes I went to a few lectures, but of course I succeeded him.

**35. Any recollection of Sir Hersch Lauterpacht?**

No.

**36. And of the list of lecturers that we have here [*LD showed Professor Stein a list*]?**

Yes, when I came back, the dominating figure was Hampson really. He was regarded generally as the most sort of interesting lecturer. He did the contract lectures. I, personally, didn't find him quite as inspiring as a lot of other people, but I attended his course in contract.

**37. He had a house in Cranmer Road.**

Yes.

**38. Any other recollections of people on this list? Perhaps something about David Daube in this time?**

Yes, well. Being at Caius, you see, we didn't have a Law Fellow. Daube was at Caius, but he was an ex-fellow, partly I think for dietary reasons. He was an orthodox Jew and it was difficult for him to eat in college. But he supervised me and I got to know him quite well and it was he who kept up my interest in Roman Law. So when he moved to Aberdeen he needed someone to help him. So he offered me a job.

**39. That was in about 1953 or so that you moved up to Aberdeen?**

I graduated in '49 as a BA and then took the Law Tripos. I then took my solicitor's articles because I could get away with two years if I took it then at that stage. Otherwise I might have stayed a little longer in Cambridge. But I wanted to take full advantage of the concessions. So I graduated in '49 and then I discovered that you could do the LLB (as it then was) externally. I said I would do that, and various friends lent me their lecture notes. So, I was fully prepared while I was doing the first year of my articles. I was articled to my father's firm in South East London.

**40. This would have been in about the early 50s perhaps?**

I started my articles in '49 and yes, I did two years articles and I qualified as a solicitor in '51. Because in those days you had to take separate exams to become a solicitor.

**41. Just before we move from your time at Gonville and Caius. Presumably David Daube was a most influential person ?**

Oh yes.

**42. Do you have any specific recollections of him during this time?**

Well, it is difficult to separate these times when I was an undergraduate from later, when I was living round the corner in Aberdeen. I suppose it's partly because I was a decent Latinist from the time that I had been a classicist that he took an interest in me. I think he more or less decided that if I was willing, I would be an assistant there.

But just before I finished my articles in '51, I began to apply for jobs. I applied for an assistant lectureship at Nottingham and also for a fellowship to go to Italy to do Roman Law and I got both, fortunately. I opted to go to Italy, but when I was away, Nottingham said "I will you still come and be an assistant lecturer?" The salary scale there was, I think, four



hundred and fifty per year. But they said in view of my age - I was twenty six - they would give me five hundred. So I went to Nottingham for a year. I agreed to stay for a year, but Aberdeen wrote in that time and said, "Will you come here to do Roman Law?" I said, "I am committed to spending a year in Nottingham", which I did in ... whenever it was, fifty two.

After that, I moved. No, sorry I was in Italy from '51 to '52 and then I was at Nottingham from '52 to '53. In '53, that was the year I got married for the first time, and then I moved to Aberdeen.

**43. Ah, so just briefly, before we move away from your time at Gonville and Caius. Professor Stein, do you have any memories of Professor Lipstein during that period?**

No. I mean, I must have met him.

**44. And Clive Parry?**

No, not really. You see...

**45. They were in a different field?**

Yes.

**46. You actually became a solicitor in 1951, and you practiced?**

No, I didn't really. Having done my articles, I was qualified to practice, but I always preferred academic life. When I was in Italy I was in a college founded by one of the few millionaire saints in the calendar<sup>2</sup>. Most saints are pretty poor, but this man Charles Borromeo was fabulously wealthy. His family owned the Borromeo highlands on Lake Maggiore.

**47. In Nottingham who did you meet? Do you have any recollections of anybody there?**

Well, I was there with my friend Thomas, J.A.C. Thomas.

**48. I didn't realise he was from Nottingham.**

Well, no he was from here, really, Trinity. I had known him slightly, but he was ahead of me in Cambridge. But he was very kind to me when I went to Nottingham. He was also, of course, in Roman Law and we eventually shared the course and did half each. I also had to teach contract and conveyancing, because, being a solicitor, it was assumed that I knew all about conveyancing. So I was quite busy. I was in lodgings in Nottingham.

**49. And then you decided to go to Aberdeen?**

They wrote and offered me a job while I was in Nottingham and I knew that this would mean I could go on with Roman Law.

**50. Which was your main interest?**

Yes.

**51. So you became a lecturer in Jurisprudence in Aberdeen in 1953?**

Yes, that's right.

**52. To '56?**

Yes, the two subjects were joined together - Roman Law and Jurisprudence.



**53. And you became the Professor in Jurisprudence in 1956?**

Yes Daube moved. He was a Professor of Jurisprudence with responsibility both for the Roman Law and Jurisprudence. He was appointed to the Regius Chair in Oxford in '55 when de Zulueta had died<sup>3</sup>, and so I had to carry on for a while as the lecturer in charge. Eventually they appointed me to succeed Daube in '56. I was quite happy because my mother was a Scot.

**54. I noticed in “Who’s Who”, she had a Scottish surname.**

Oh yes.

**55. So you felt at home in Aberdeen?**

Reasonably. My mother thought Aberdeen was the Arctic Circle, you know, because she came from Edinburgh. Though she did occasionally come and see us.

**56. It must have seemed more remote in those times, Aberdeen, than it is today.**

Yes.

**57. They had all that oil ...**

That was long before the oil.

**58. Isn't it a granite, austere city?**

It was pretty austere. But I enjoyed it there and there were plenty of grants to enable you to go away to libraries if you'd needed.

**59. And you, of course, were close to Daube during this time?**

Yes. I was very close to him for two years before he moved in '55 to Oxford.

**60. Was he just down the passage?**

Well, yes. I used to go and discuss my dissertation with him at his home. There was a problem. Should I get a Scottish legal qualification? I thought there was no reason why I couldn't be a solicitor in England and an advocate in Scotland. But I discovered that there was an agreement that you couldn't do that. Most people said I must have some sort of Scottish legal qualification. So I did a PhD at Aberdeen and it included a little bit of Scots Law.

**61. Did he supervise you, Daube?**

Yes. Yes he suggested the topic, which was *Culpa in Contrahendo*. That was the title of my dissertation - *Fault in the Formation of Contract*.

**62. Presumably he was a very supportive supervisor?**

Oh, yes. No, he was an excellent teacher and I suppose he has influenced me more than any other.

**63. Any recollections of him during this period?**

Well, I remember years sitting in his study in Osborne Place, Aberdeen, across the fire.



**64. Oh, it sounds lovely. Professor Lipstein told me that when he first came here in 1934, he was doing Roman Law but he quickly decided to give it a miss because Daube was here as well and he was, in Professor Lipstein's own words, much better at it. So Professor Lipstein concentrated on private international law.**

Yes.

**65. So was he a very a kind man, Daube?**

Oh yes.

**66. As well as being very brilliant, he was very kind.**

Oh, he was a very generous man, in terms of his time and affections.

**67. It must have been quite a loss when he moved?**

Yes, I was very upset at the time. But I liked Aberdeen very much. I think I might have stayed there, but the main problem was that you never had any graduate students because once they'd graduated, they went away. It was part of the policy to send them either to Oxford or Cambridge or to an American University to get further experience.

**68. I noticed in your article in *Jurists Up-Rooted* that you said that Roman Law really was a London/Cambridge/Oxford subject.**

Yes. Although every university then had to have some sort of elementary course in Roman Law, because you needed it for the Bar, the only ones that really had chairs in Roman Law were Oxford/Cambridge and the London, and Scottish universities. Roman Law is much more influential in Scotland than in England.

**69. You were very young when you became the Professor in Jurisprudence, you were only thirty.**

Yes.

**70. And you must have been one of the youngest appointments?**

I was very lucky. Aberdeen did sometimes appoint people young. Two of the Professors, when I became a Professor there had been younger than I was when they started. This was the Professor of Greek, and one of the Divinity professors. But I was very lucky.

**71. You became Dean of the Law of Faculty at Aberdeen in 1961. Do you have any recollections of your time in this office?**

Well, there were only three professors, a Professor of Scots Law, a Professor of Jurisprudence and a Professor of Conveyancing, who was part-time. They took it in turns to be Dean. We'd just chair Faculty meetings.

**72. Do you have any other reminiscences of your time in Aberdeen of the Faculty, perhaps the Kings College site?**

Law had been located in old Aberdeen on the Kings College site long before I came there. It was in a converted church, as the Scots are always re-arranging their ecclesiastical arrangements and you know, the Free Church and the united free and all that. We were lucky with the library there. Professor de Zulueta<sup>4</sup> in Oxford sold his own private library of Roman Law books to Aberdeen before he died [*LD: 1958*]. So I had this nucleus of Roman Law in the library and they very kindly agreed to maintain it. They bought more or less anything that I asked for.





**73. You must have developed the library's collection considerably?**

At Aberdeen, yes.

**74. And the subject, itself, because it's still very strong, isn't it?**

Well, fortunately the present Principal is an historian, who did Roman Law with me while he was an undergraduate in arts. You could do it in arts or in law, and he was very keen to maintain Roman Law.

**75. Who is he, Professor?**

Duncan Rice.

**76. Did you find differences between the English and Scottish educational systems?**

Yes. But I never did get a Scottish professional qualification. I mean, I had the Aberdeen PhD, but otherwise I stayed as an English solicitor. I sweated blood to become an English solicitor and I didn't really want to give it up.

**77. Meeting up with David Daube again introduced you to people like Coing who had an influence on research, you mentioned ...**

Yes, Daube used to be a great one for inviting people to come to Aberdeen. I met Coing quite early and talked to him about his plans and I was one of the first people on the scientific council of his Max Planck Institute for Legal History and kept in touch with what he was doing. I always felt that it was a little bit artificial to stop studying Roman Law with Justinian and that one really should go on and discuss this and study what happened in the Middle Ages, the *ius commune* and all that. Coing was in the forefront of that, but also there were other important figures for Roman Law, like Kaser<sup>5</sup>.

**78. Did you meet him in this time?**

Yes.

**79. Also through David Daube?**

Oh yes. But at this time I became a professor, myself and I used to go to conferences and meet people... [laughs] I see you've got down my colleagues [LD had a list].

**80. Yes.**

A dominant personality in Aberdeen was T. B. Smith, who later became Sir Thomas Smith when he moved to Edinburgh. He dominated Aberdeen. He revived law, which had previously been a sort of part-time study.

**81. In comparison with other disciplines, the formalising of legal studies was relatively late development?**

Well, it had always sort of hung on by its fingertips because the chair of law, which is Scots Law, had been there from the beginning, whereas Jurisprudence was a new foundation. There was a Principal at the university who was a lawyer, who had previously been Professor of Scots Law, Sir Thomas Taylor and he was very influential.

**82. Well, that takes us up to the end of your time at Aberdeen in 1968.**

Yes that was when Professor Duff retired.



**83. And you took his chair?**

I succeeded him. I was never elected, because, for the Regius Chair, you were appointed.

**84. Yes. One of the most prestigious chairs.**

I'm a Harold Wilson appointment, I think. It was a letter I got from Downing Street - "Mr Wilson would like to give your name to Her Majesty". So I wrote and said, "Yes please."

**85. You must have left Aberdeen with mixed feelings?**

I did. But I felt there were more wider opportunities in Cambridge. But of course, I knew Cambridge, although I had been away for, in effect, nearly twenty years. I came down in '49 and it was '68 when I came back.

**86. You had already mapped out your career by the time you came back to Cambridge. You had already established yourself?**

In a way, that was my ambition - to get one of the Regius Chairs. I knew Duff, and I think Duff and Daube probably recommended me to the Patronage Secretary of the Prime Minister, who was the person who actually made the appointment in those days.

**87. Interesting. Perhaps next time we can talk about your time at Cambridge and your colleagues at Cambridge and I might be able to ask you about the background to some of your books. Do you actually have a bibliography Professor Stein which I might look at?**

Probably somewhere. I'll look for it.

**88. From what I've compiled so far, it strikes me that you wrote a good many books, long works. I have the last one here.**

Yes, which is translated. The only one I've made any money out of [*laughs*]. It's translated into a number of languages.

**89. I was looking at it and it seems to be quite an accessible text, which is why I'm going to buy it. I would like to read it. I don't like reading these library books because of what people do to them. I find that very annoying.**

Oh dear. I know, it was originally published in German because it was commissioned by Fischer Verlag, for a series of pocket books, *taschenbuche*. I made it a condition that I wrote it in English and they arranged for a friend of mine, a German professor, to translate it into German. The great attraction from my point of view was that there were pictures. So I could choose about a dozen pictures...

**90. Well I must thank you very much for very kindly coming in and agreeing to be interviewed.**

Not at all.

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<sup>1</sup> Renamed *Empire Medway* (1946). Photos at: [http://gen.deltanz.net/gen/r\\_g\\_hall/eastern.jpg](http://gen.deltanz.net/gen/r_g_hall/eastern.jpg)  
[http://hmtships.googlepages.com/Eastern\\_Prince.jpg/Eastern\\_Prince-full.jpg](http://hmtships.googlepages.com/Eastern_Prince.jpg/Eastern_Prince-full.jpg)



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<sup>2</sup> Borromeo College, University of Pavia. Website:

[http://en.wikipedia.org/wiki/Image:Collegio\\_Borromeo\\_\(Pavia\).jpg](http://en.wikipedia.org/wiki/Image:Collegio_Borromeo_(Pavia).jpg)

<sup>3</sup> This is a slip of the tongue. It was Professor Herbert Jolowicz, who had died in 1954. Daube did take up the chair in 1955.

<sup>4</sup> Francis de Zulueta (1878-1958), Regius Professor of Civil Law at Oxford 1919-48

<sup>5</sup> Max Kaser (1906-'97). Professor of Roman Law at Münster, Hamburg and Salzburg

