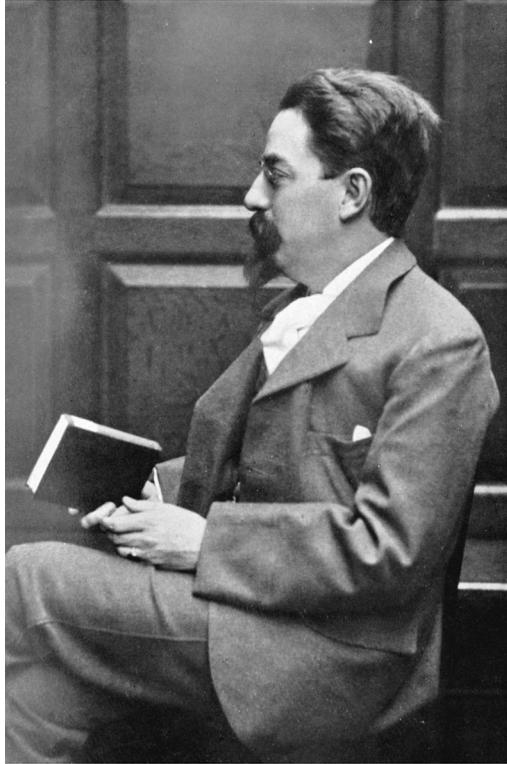


Sidney Webb and Gray's Inn

The *London Encyclopaedia*, now in its 3rd edition, is a mine of information about the capital. Its short, but informative, entry on the Inn finishes with the sentence that Sidney Webb was a member. Now that's an interesting fact – Sidney Webb, the great Fabian and founder, amongst other things, of the London School of Economics. And a fact of which yours truly, a long time Fabian (until judicial appointment) and a holder of two chairs at the LSE, was ignorant. Indeed, the story is even more interesting because as a student member of the Inn Sidney Webb won a great number of its prizes. But let us start at the beginning.



Sidney Webb

Education and the Civil Service

Webb was born in 1859. His parents owned a shop in Cranbourn Street, near Leicester Square. His father did the books for the shop and then for neighbours. Webb attended a day school nearby in St Martin's Lane run by a Mr Pincher. In 1872 he and his elder brother were despatched to Switzerland to learn French and then to Wismar on the Baltic, near Rostock, to learn German. Almost immediately on his return to England in 1875 Webb obtained a position in a colonial broker's office, no doubt

assisted by his fluency in French and German.

From 1876 Webb was to have great success in examinations, initially through attending evening classes at the City of London College (later the City of London Polytechnic) and later at other institutions such as Birkbeck Literary and Scientific Institution (now Birkbeck College). He became a member the London Library and read voraciously at the British Museum. Despite the offer of a partnership if he remained with the broker until he was 21, he sat the Civil Service examination and entered it, first as a clerk in War Office in 1878, and then at the Inland Revenue in 1879.

Webb also participated in the many debating and political societies which had grown up in late Victorian London. One of these was the Zetetical Society, based in Conduit Street, where Webb first met George Bernard Shaw in 1880. Shaw later recalled Webb's mastery of the facts on any subject debated. In 1883 Webb began lecturing in political economy at the Working Men's College, founded by a Christian Socialist in the 1850s.

Success in a further Civil Service examination in 1882 led to Webb's appointment as a first-division clerk in the Colonial Office, based in Downing Street. He had come second to a graduate from Corpus Christi College, Oxford, Sydney Olivier, later Lord Olivier, who in later life had a distinguished career in the Civil Service. From about 1882, Webb and Olivier lived at the Colonial Office as resident clerks, Professor Royden Harrison commenting that 'the fate of the British Empire being regularly left in their hands overnight'. It was through Olivier that Webb met Graham Wallas, who after Shrewsbury School had been with Olivier at Corpus as a classical scholar. After a time as a school teacher, Wallas eventually became a lecturer, then Professor of Political Science at the LSE. Among the Fabians, Webb, Olivier and Wallas were to become known as 'the three Musketeers', with Shaw as d'Artagnan and Annie Besant as the fifth wheel of the coach.

Gray's Inn and law studies

It was on 30th October 1882 that Webb was admitted to Gray's. In the Inn's records he is described as 'Sidney Webb, of the Colonial Office, Downing Street, second son of Charles Webb, of 33 Gerard Street, Soho, public accountant'. The following year Webb was awarded the second Whewell Scholarship at Trinity College, Cambridge. Named after a 19th

century polymath and Master of Trinity, it was a scholarship later held by a number of distinguished international lawyers. The scholarship required Webb to live in college for the year, but Webb demonstrated that the Master and Fellows had a discretion to waive the condition. The Permanent Under-Secretary at the Colonial Office commended Webb on the skilful case he had made. The Earl of Derby wrote on Webb's behalf. But Trinity refused to budge. Harrison says that Webb felt cheated and the incident 'has its place in any explanation of Sidney's complex, but basically antipathetic, attitude towards the classical, literary and aristocratic cultural tradition of Oxford and Cambridge'.

So Webb turned to his studies in law in earnest, both the examinations for the Bar and those for the LL B of the University of London. By Trinity term 1883 he held a first class studentship in Roman law at Gray's. Grand Night at the Inn in 1883 was held on 9th June, in the presence of, inter alia, the Lord Chief Justice, Lord Bramwell (Lincoln's and Inner) and Lord Justice Bowen (Lincoln's). *The Times* of 11th June records that before dinner the Inn's scholarships were awarded. Webb had come first in the examination for the History of England, Political and Constitutional, and was awarded the Bacon Scholarship, worth £45 per annum, and tenable for two years. Second in the examination was Henry Edward Duke, who was awarded the Holt Scholarship, also tenable for two years, but worth only £40 per annum. Duke was later a Tory MP and President of the Probate, Divorce and Admiralty Division and, in 1925, was created Lord Merrivale.

At the time the University of London was an examining, not a teaching institution. Students could sit examinations when enrolled at University College or King's College or through private study. There was much contemporary discussion whether this model encouraged cramming. In the later 1880s a Royal Commission under the former Lord Chancellor, Lord Selborne, was appointed to consider the issue. The LL B had been opened in 1867 to those who were not graduates in Arts. Webb sat the intermediate examinations in law in January 1884. There were papers in Jurisprudence, Roman law and the Constitutional History of England. When the results were published six candidates passed. Webb was one of two students to appear with first class marks. His marks qualified him for an award.

Eighteen months later, in May 1885, Webb sat the Bar examinations. Conducted by the Council of Legal Education they were held in Lincoln's Inn. Afterwards Webb wrote to Wallas that he was cast down,

'partly I suppose by the reaction from the excitement of my last week's examination'. The results were good. Webb was given the Barstow Law Scholarship, founded in 1878 under the will of Mary Barstow, widow of James Barstow, a Bencher of Gray's Inn. The next month, on 17th June, Webb was called to the Bar at Gray's. Also called at Gray's that day were F L Firminger, R C Willis, W G Stack and C H Glascodine. Firminger seems to be the only one to have practised at the English Bar, as a member of the South Eastern Circuit, from 2 Dr Johnson's Buildings. In 1907 he published a book on the Workmen's Compensation Act 1906. He died in 1912. Glascodine was a solicitor and in his 40s. He was a civil servant. By 1910 he was assistant clerk of assize for the South Wales circuit, based at the Royal Courts of Justice.

In a letter to Wallas on 8th December 1885 Webb said that he might attempt the LL B examinations in January, 'tho' if I do, it will be "just as I am", without any cram'. Webb did sit the examinations, the papers in Common Law and Equity. The Common Law papers were on Tuesday, 19th January, the first from 10am to 1pm, the second from 3 to 6pm. Each paper had 12 questions, all compulsory. The subjects were wide ranging – land law, agency, building contracts, contract, bankruptcy, procedure, evidence (bad character), bills of exchange, election law, property law and divorce. The questions mainly required short essays ('Candidates are requested to give reasons for their answers'), but there were some problems:

'A purchases from B, a broker, acting for X, a disclosed principal, certain specific goods, of which no others were obtainable in the market. X repudiates the contract, alleging, as the fact was, that B had no authority from him. A, acting on B's assurance to the contrary, sued X to enforce delivery. The action failed, A being ordered to pay the defendant's costs. What remedy had A, and on what heads of damage was he entitled to recover, against B?'

The Equity papers followed the next day on the same lines, with 10 questions per paper. Again many subjects were covered – land, equitable remedies, set off, shipping, wills, trusts, procedure, equitable mortgages, fiduciary duties, companies, settlements, partition, and infants.

When the results were published in February 1886, Webb was placed in the third class along with five other students all of whom, like Webb, had prepared themselves by what the lists in those days described as

'private study'. There was one second class mark, awarded to Dudley (later Sir Dudley) Stewart-Smith, a student of University College and later Vice-Chancellor of the County Palatine of Lancaster. Webb had, as he put it, 'come a mucker', but he now had his LL B.



Early days of the Webb partnership

The Fabian Society

So Webb could describe himself, as he did, as 'Sidney Webb LL B, Barrister at Law'. He did that as the author of the chapter entitled 'Historic' in one of the most important socialist publications of all time, *Fabian Essays in Socialism*, published in December 1889. Later Webb was to recall how the Fabian Society, founded in 1884, had neither office, salaried secretary, nor any other income apart from what the members contributed. Publishers having told them the Essays were 'commercially unproducibile', the authors published them themselves. George Bernard Shaw, the editor and author of two chapters, compiled the index, chose the paper and typed and drafted a handbill announcement. The *Essays*

were a sell-out and went to further editions.

The argument of Webb's chapter, and a theme of much of his later work with Beatrice Webb, whom he married in 1892, was that British socialism was part of the democratisation of society. Individualism and the unrestrained ownership of capital were impermanent in the face of political emancipation, the regulation of capital and the growth of municipal administration. 'Lord Bramwell will give cogent reasons for the belief that absolute freedom of contract, subject to the trifling exception of a drastic criminal law, will ensure a perfect State.' His Lordship, continued Webb, was a survival from an earlier epoch, before the publication of John Stuart Mill's *Political Economy*. Complete individual liberty, with unrestrained private ownership of the instruments of wealth production, was incompatible with the common weal. Individualism had failed to ensure a decent life for four-fifths of the population, keeping many workers permanently poor through no fault of their own.

Whether Webb ever thought of a career at the Bar his biographers do not say. He probably had neither the money nor contacts. In the letter to Wallas in December 1885, referred to earlier, Webb had written that a career at the Bar required some money and a liking for it. In another letter to Wallas, on 14th June 1887, he wrote strongly recommending the Bar as an adjunct and a possible way to success should Wallas give up school-mastering. There was dining – in those days the requirement was 72 dinners – but 'you only have to dine 3 days, 4 times a year, all within 7 months. It would cost, at most £130 and might cost nothing' ie, if, like Webb, Wallas won scholarships, which Webb estimated gave him £450. The Bar would give Wallas two chances of picking up guineas. First, there was coaching: 'You could count on picking up a good pupil or two in Grays (sic) Inn alone. I could have had several.' Moreover: 'You would clearly earn a few pounds at the Bar, at the very worst – you know several solicitors – you would go to the Western Circuit – your father knows Judges etc', perhaps the latter reference being to Wallas' father having become vicar of Barnstaple in 1861 and later rector of Shobrooke, Devon.

Webb himself did not go to the Bar. In 1891 he resigned from the Civil Service, entered the London County Council in 1892 as member for Deptford, served from 1903 to 1906 on the Royal Commission on Trade Union Law and in later years on numerous other commissions. He was MP for Seaham in the 1920s, President of the Board of Trade in 1924,



The Webbs in the days of the Poor Law Campaign

Secretary of State for Dominion Affairs and for the Colonies, 1929–31, and in 1929 he became Lord Passfield. He was given the OM in 1944.

His (and Beatrice's) publications were legion. As for the Fabian Society, the *Essays* placed it firmly on the map. As Michael Holroyd puts it, 'socialism was made respectable in capitalist terms'. Norman Mackenzie, who edited the Webbs' letters, from which the quotations above have been taken, contrasts Webb's penchant for constitutional procedures with the bohemian and almost insurrectionary approach of other socialist sects of the time: 'Sidney liked persuasion rather than rhetoric, facts rather than fancies. He saw in the Fabian Society a possible instrument for achieving, as its founders declared, a new moral order as well as an improved social system.' Webb, Shaw, Wallas and Olivier (as secretary) dominated it through its early years. Beatrice joined at Sidney's prompting in January 1891, and the pair took control well into the 20th century. It remains today as a powerful voice within the Labour movement. And around the Royal Courts of Justice the LSE is ever expanding.

Master Ross Cranston FBA

This essay was suggested by a visit to the Inn by Richard Faulkner (Lord Faulkner of Worcester).