



GEORGE DEREK GORDON HALL

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1924–1975

I

GEORGE DEREK GORDON HALL died in Oxford on 15 September 1975, at the early age of fifty, only two months after his election in July 1975 as a Fellow of the British Academy. It was an election which gave him great satisfaction and encouragement, and his friends and colleagues shared his hopes that further contributions to legal history would come from his pen. But in the last four years of his life he had suffered from severe illness, and his death, when it came, though sudden, was not unexpected.

Derek Hall (for it was by his second Christian name that he was known among his colleagues and pupils) was born on 8 November 1924, the elder son of Albert Avondale and Elizabeth Winifred Hall. His early years and schooling were in South Shields, and he retained a strong loyalty to that part of the country. It cannot have been entirely an accident that, after his election to a fellowship at Exeter College, Oxford—a college traditionally associated with the West Country rather than the North East—an excellent succession of boys from South Shields Grammar and Technical School found their way to Exeter College, and had successful careers there. In the early years of the Second World War, Derek was sent as an evacuee to Appleby Grammar School, and from there he won an Open Scholarship to The Queen's College, Oxford. He began his studies in the Honour School of Modern History, but was called up for service in the Royal Air Force from 1943 to 1946. On his return to The Queen's College, after the War, he changed to the Honour School of Jurisprudence, in which he was awarded a first class in 1948.

Derek Hall's first academic appointment was as lecturer in law at the University College of Wales, Aberystwyth, and, although he was there for a brief period only, he retained happy memories of the work, and a particular affection for Professor Llewellyn Davies, which was warmly reciprocated. Already his gifts as a teacher and scholar were evident. It was the great good fortune of Exeter College, Oxford, to elect him in 1949 as a Fellow and lecturer in law, in succession to P. S. James,

who had become Professor at Leeds. It was a college with a strong legal tradition, and the great authority, Dr. Geoffrey Cheshire, F.B.A., had been a Fellow there from 1912 to 1944, when he became Vinerian Professor of English Law at Oxford, and a Fellow of All Souls College. Derek was a Fellow of Exeter College for twenty years; he was Sub-Rector from 1954 to 1957, and again from 1963 to 1966, and he was elected Proctor by the College from 1962-3. In 1969 he became President of Corpus Christi College, Oxford.

Before his marriage in 1952 to Susan Penelope, the daughter of Vice-Admiral and Mrs. J. W. Carrington, Derek lived in College as a bachelor. Other bachelor colleagues living in were W. G. Barr (Rector of Exeter College since 1972) and E. W. Kemp, the College Chaplain and Fellow in medieval history (later Dean of Worcester and Bishop of Chichester) and they formed a friendship which he valued to the end of his life. In the twenty years in which Derek taught law at Exeter College, he proved to be a powerful, rigorous, demanding, but sympathetic tutor. He expected the highest standards of work, but he tempered the wind to the shorn lambs, provided they were doing their honest best. His pupils were represented in all parts of the class lists, and all received the care, the encouragement, and the praise they needed. Each tutorial was a personal experience and each pupil an individual. And his interest in them was not confined to the tutorial. He was on the touchline and he appreciated the sportsman. But as one who played games himself, he did not, as some academic persons do, overestimate or, worse still, underestimate the value of games in University life.

The post of Sub-Rector in Exeter College combines the offices of what would be called 'Dean', the chief disciplinary and welfare officer, in another College, and also that of Vice-Gerent or Vice-Rector. Derek's relations with undergraduates were straightforward, sympathetic, and unequivocal. To those in trouble or depression he was a source of great strength. The width of his understanding was remarkable. There were few in the College who were unable to take reproof from him, when it was needed, and he did not hesitate to speak his mind. He had a great gift of directness in dealing with undergraduates and colleagues alike.

In his period as Sub-Rector from 1954 to 1957, it fell to his lot, while still in his early thirties, to preside over the deliberations of the College which arose from the retirement of E. A. Barber, F.B.A., from the rectorship and the subsequent election

of K. C. Wheare, then a Professor at All Souls College and later President of the Academy from 1967 to 1971. And when Wheare was called upon to take his turn of duty as Vice-Chancellor of Oxford University from 1964 to 1966 Derek was again called to the office of Sub-Rector, and, in effect, acted as Rector during this period. His readiness to shoulder this burden, in addition to his teaching and research, was remarkable. 'I shall keep you informed of what is going on', he told the Vice-Chancellor, 'and when anything goes wrong, I shall tell you about it—*afterwards*.' He was a colleague of courage, infinite consideration, and reliability.

For university administration, in which he showed his gifts first as Junior Proctor in 1962–3, he displayed great aptitude, founded upon thorough preparation, a keen interest in the subject, and a determination to let nothing pass that was questionable or shoddy. The price of liberty and efficiency in a university such as Oxford, which professes to be self-governing, is interminable discussion and interminable participation. 'Academic politics', he thought, 'were not interesting or worthwhile in themselves. Their only proper purpose was the service of the University as a place of learning. He had no sympathy with those who were too busy to contribute, but not too busy to grouse, and he had too no sympathy for those whose taste for the corridors of power he had adjudged unworthy.'¹ His contribution to the work of the Hebdomadal Council from 1963 to 1973, and to the General Board of the Faculties in the same period (he was Vice-Chairman of the Board from 1967 to 1969) was thorough, trenchant, and free from compromise. In all these influential proceedings, he displayed no liking for the pomposities of office, almost indeed no comprehension.

His election as President of Corpus Christi College, Oxford, in 1969, in succession to W. F. R. Hardie, though a surprise to those outside the College, was recognized at once as absolutely right. If we who do not belong to the College may presume to say so, Derek Hall seemed to possess all the virtues of a Corpus man and to represent the distinguishing qualities of that College—its devotion to academic excellence, its close and intimate sense of community, and its high seriousness. Derek would have rejected the 'accusation' of high seriousness, but it

¹ We quote here some words used by Mr. W. G. Barr, the Rector of Exeter College since 1972, in the address he delivered at Derek Hall's Memorial Service in the University Church of St. Mary the Virgin, Oxford, on Saturday 22 November 1975.

was a quality he possessed to a remarkable degree, without shame and without affectation. Corpus seemed to be the ideal college for him and his election to come at the right moment. And there were many of us at Oxford who hoped and expected that he would succeed in due course to a period of office as Vice-Chancellor for which he was so well-qualified.

These hopes, it soon became apparent, were not likely to be realized. Soon after taking office as President, he had the first of a series of illnesses, and 'the full service which he most dearly wished to give to the College and the University could not be given'.¹ But there remained hope and some encouraging signs that his work as a scholar could be continued. He had already to his credit the edition of *Glanvill*. In the copy of this book which he gave to the then Rector of Exeter, when Vice-Chancellor, he wrote: 'This, in case you are interested, is what I have been doing in my "spare time".'

II

Glanvill, written at the end of Henry II's reign and only a few years before the earliest surviving record of the king's court, is important to legal historians both as the earliest systematic account of English law and as the earliest source whose context they can hope to reconstruct. It is also a great book, covering much ground with an almost mathematical rigour and economy. There are no unnecessary words, no large assertions, no self-importance or fuss. There is just a sense of definitiveness. One who had mastered his business was reducing it to principle because that was how his mind worked. We do not know who he was, but he must have been much the same kind of person as his editor. Indeed, although Derek was always his own man, it is possible to wonder whether some of his mental habits owed a little to this task. The harmony comes out most clearly in the translation, which catches perfectly the terse strength of the text. And the text, with its economical apparatus, shares the definitiveness of the original. The historian can feel confident that this is what the author was saying, and that what the author was saying was in some sense 'right' at the time. That sense of security represents a major achievement by the editor of a work such as this. It is about the technical details of a world whose main outlines are obscure. For all the details there is a mass of later material, which the editor must master to make sure that

¹ We quote again from the Rector of Exeter's address.

his rendering makes sense. And then he must, as it were, suppress that learning, to make sure that the sense of his original is not tainted with ideas and outlines proper only to the later materials. Legal historians will long use this *Glanvill*; and their genuine tribute will be that they can forget the editor.

The project for a new edition of *Glanvill* had originated with Professor (now Sir Richard) Southern, who invited Derek to help and whose own interests then turned elsewhere; and Derek's involvement with his other book began similarly. The Selden Society's edition of *Early Registers of Writs* was originally undertaken by Miss Elsa de Haas of Brooklyn College; and it ran into various obstacles, including the Atlantic Ocean, which Plucknett as Literary Director no longer had the strength to overcome. Plucknett asked Derek to help; and this help grew into total responsibility for the largest register in the volume, a substantial and important 'Commentary', most of the apparatus, and a care for the whole for which again historians will long be grateful. Their debt is the larger because, while hesitation over *Glanvill* sprang from diffidence, Derek's growing involvement with the *Registers* was due entirely to good will. Apart from the difficulty inherent in joining in any project already well advanced, there had since this particular project was started been a certain change in the terms in which it could be conceived. Legal historians could no longer equate development of the Register of Writs with the growth of the law itself; and though it was still important to know when individual writs became generally available, that was a question which might more readily be approached through the plea rolls and writ files. Without this unifying theme, the manuscripts raised questions which an editor had to tackle, but which were largely beyond any editorial reach. Who made these formularies and for what purpose? Was there some official master register and how was the content of that determined? How was an original writ obtained and who drafted it? Such questions will ultimately require the detailed study of a great many surviving registers, especially for names, dates, and arrangement, and of other material too. It will be a much easier and much smaller task for the 'Commentary', which will long be essential to any work on medieval English law, and which comes as a bonus to another basic text upon which historians can rely.

The modesty suggested by the genesis of both books shows also in the articles. Though they range widely in subject and period, there are not many of them, and they are all presented

as technical inquiries limited in scope. This is always misleading. For example the work on the Cornish hundreds on which he was engaged at his death could, had things been otherwise, have become an original and major inquiry into the actual working of the judicial system in the fourteenth century. With others, what turns out to be at stake is some large assumption hiding questions that ought to be asked. The particular inquiry is completed, meticulously and definitively, but no claim is made. The reader is left to notice that the view has altered, or not. Similarly Derek's unwillingness to press his own ideas in scholarly talk or correspondence contrasted almost oddly with his firmness in academic business. In the last edition of the *Concise History* Plucknett has a footnote to his rendering of the notorious *Humber Ferry Case*: it thanks Derek (then a young man) for manuscript readings which would replace 'or' in the printed year book by 'and not'. The change transforms the sense of the report and the importance of the case; but Plucknett did not alter his account of it and probably never saw the point.

With so reticent a scholar, everything that remains demands specially attentive reading: even book reviews sometimes made important contributions. Most of his extraordinary knowledge of the medieval materials, and of the modern work done on them, is of course lost. But in another way his contribution continues. There can be few scholars, certainly few dying so young, whose help has so often been acknowledged by others. In the *Registers* his own important acknowledgement, typically and with complete sincerity, was to two research pupils. For the medieval period at least, the future of legal history must lie with historians rather than with lawyers. Derek attracted young historians to the legal sources in a way that nobody else ever has; and one of the encouraging facts about a still underdeveloped subject is that his pupils (and, in one or two cases already, their pupils) are established in history faculties on both sides of the Atlantic.

III

'Derek Hall was most deeply grateful for having been allowed to spend almost all his adult life at Oxford. What he could not understand was anyone young or old in Oxford, seemingly unaware of his good fortune or ungrateful for his privilege.'¹

Derek's relations with his pupils were a model of unaffected friendship, and, it is not too much to say, of equality. He treated

¹ We quote again from the Rector of Exeter's address referred to above.

them as fellow-students. Some of them were, of course, nothing of the kind, but they were not uninfluenced by his enthusiasm and seriousness. But most average pupils appreciated enormously being treated sincerely and genuinely as fellow-students and they responded wonderfully. And for those few who were as good as he was, he had no difficulty in treating them as equals or indeed (as can happen with a bright pupil) as people from whom he could learn. One of his great joys and (though he did not know it) one of his great successes was the enthusiasm with which his pupils discussed their work together, quoting Derek's opinions of their essays and trying to do their best to satisfy his high standards, and to hold their own with him. His skill in selecting pupils was great; he saw the good that was there behind some unpromising exteriors; he got the best out of them in spite of some remarkable incompatibilities of temperament. They could take his praise and his criticism, and they seldom misunderstood either. His pupils were in a remarkable degree his friends.

In all his relations with pupils and colleagues, his wife Susan, herself a scholar, played an active part in the College itself and at the College ground. And her courage and steadfastness in his last years of illness were to mean everything to him and to his friends. He, with her, was a regular attender at the College Chapel in Exeter College. In matters of religion, though exhibiting no more than a moderate enthusiasm for clergymen, his attitude, like his attitude to other profound and serious subjects, was reverent and without any kind of arrogance whatever. This deep respect, for him an active quality, made the scholar as well as the tutor and the administrator. People did good things in Oxford, and so its institutions must work. Pupils must realize their own capabilities. Lawyers long dead were doing their best with real problems. There was as little room for condescension as for compromise.

K. C. WHEARE¹

¹ The author would like to acknowledge the help of Professor S. F. C. Milsom, F.B.A. in writing this memoir.