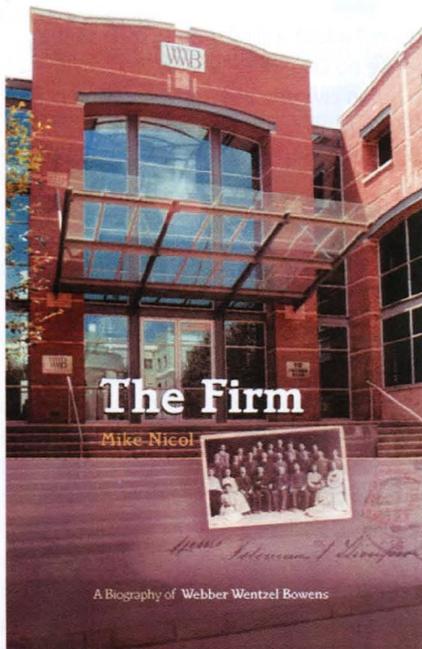


The Firm: a Biography of Webber Wentzel Bowens

By Mike Nicol • Random House (2007) • 240 pages • Soft cover R250 (VAT incl)



The history of a legal firm has the potential to be dull fare', wrote Chief Justice Corbett in his introduction to Bobby MacSymon's *Fairbridge Arderne & Lawton: a history of a Cape law firm* (Juta, 1990). This history of Webber Wentzel Bowens, while not to be confused with John Grisham's eponymous bestseller, is not that.

Three reasons emerge why this is so. The first is that the author is an accomplished professional writer, not a lawyer or a loyalist. The second is that he writes with candour and humour. (This, for instance, is how he captures the hierarchical divide:

'At one match, Peter Grealy, then an articulated clerk, was batting with Norman Barlow. Both were regarded as good batsmen and cheeky run takers. Grealy was facing and hit the ball past the square-leg umpire.

"Come, Norman, come," he called.

Barlow responded but as they passed he muttered, "It's Mr Barlow to you."

The third is that the firm wanted a

conventional history, but Nicol, after some research, came back with a different proposal. He wanted to tell the story as a biographical one: the lives lived in the law, and their difficulties and failures as well as successes. As Chief Justice Chaskalson writes in his foreword, the story told is indeed "about people, about their lives in the firm, about the decisions they took, and the impact they had on the growth and development of the firm".

The origins of the firm lie in a partnership between two attorneys imbued with the frontier spirit: Edward Solomon ('an excellent if hardbitten lawyer,' in the judgment of the *Dictionary of South African Biography*, which Nicol does not cite) and his brother-in-law, Thomas Thomson. Their practice commenced in Fort Beaufort in the Eastern Cape, in 1875. But the discovery of gold in the Witwatersrand in 1888 took them north. In their knowledge of mining law and the newly-formed Rand Mines Ltd, JCI, Goldfields, Union Corporation and General Mining as their early clients lay the roots of their success. They with others - notably Charles Wentzel and Frank Dumat - in time came to form the firm Solomon Hull Webber & Wentzel.

Its survival and growth through the years of the Jameson Raid - Edward Solomon was a member of the Reform Committee who stood trial in Pretoria's Market Hall and was convicted by Gregorowski J - and the Boer War make interesting reading. A divorce in the firm followed the political fury related to 'the Chinese question,' and the wider post-Boer War labour conflicts. Solomon and Hull retired.

The buccaneering spirit of the times is well illustrated by the eight-year dispute between Solly Joel and Sir JB Robinson. Van Hulsteyns were the attorneys of record for

Joel but Webber & Wentzel advised him. When Robinson was ultimately ordered to pay one million pounds in damages, Joel paid the fees - and added a sizeable cheque to Van Hulsteyn's senior partner, Sir Willem van Hulsteyn, as a bonus to be divided among the staff as he saw fit. The baronet trousered it. The conduct, more than the loss, still rankles.

The growth of the firm after the Second World War is particularly well documented. Difficult choices between clients (especially corporates and trade unions), the slide into press control (and the growth of media work) and rule by emergency regulation, and a planned merger with Deneys Reitz sunk by one remark by a WWB partner at a premature celebration party make good reading. So, too, the account of 'Young Turks, New Ways' (less flatteringly the former were known to some older partners as the 'Young Turds').

But for this book, the firm's contributions to areas not noised about abroad - its support for the LRC, and public interest litigation generally - could easily have passed unremarked. This is in contrast with at least one competitor which asserts a pioneering prominence in these respects, not particularly matched by the historical record.

The firm is now ensconced in its striking building in Fricker Road, with an art collection which speaks of the times. Its young Turks grow ample, or silver-haired, or both - with another generation emerging. They are unlikely not to do as well for the law in South Africa as their forebears.

This account of our turbulent legal past, and the lives of WWB men and women in it, is a very good read.

Jeremy Gauntlett SC, Cape and Johannesburg Bars

Erratum: Philip Myburgh not 'SC'

Philip Myburgh was incorrectly elevated to senior status by the editor - see page 30 of the April 2007 issue. We apologise to all concerned.