Eliza Orme's Ambitions
Politics and the Law in Victorian London

Leslie Howsam

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1. An Unthinkable Job for a Woman

The challenge of trying to explain what it meant that women could not be lawyers in Victorian Britain reminds me of a novel I read many years ago. P. D. James's *An Unsuitable Job for a Woman* is about a female private detective, Cordelia Gray, whose professional activities raised eyebrows. But 1972, when that book was set and published, was well into the second wave of the feminist movement in Britain. Eliza Orme lived at the time of the first wave, which extended from the moderate 'suffragist' campaigns of the 1860s to the militant 'suffragettes' of the 1910s. The key issue of those years was to get the law changed to permit women to vote in parliamentary elections on the same basis as men. That generation also sought to create a range of suitable jobs for women—occupational work in shops and offices, professional careers in teaching and medicine, even a few private detectives. Feminists of the 1860s and 70s worked to change the law, around issues like married women's property and appropriate working conditions as well as women's suffrage, but they did not devote their collective energy to breaking into the legal profession. That was beyond unsuitable: it was unthinkable.

Orme has been accorded a modest place in the history of women's professional work in law on the strength of her 1888 degree, the Bachelor of Laws (LL.B.) from University College London, the first ever in England. That was remarkable, but not unthinkable; it was regarded by contemporaries as a notable achievement, but one that had nothing to do with the realities of professional accreditation in a patriarchal society. Indeed, Letitia Walkington earned the same degree at the Royal University of Ireland a few months later. But as women, Letitia and Eliza could no more be full-fledged lawyers than they could be clergy or soldiers or sit on juries, because they were not regarded as equal to

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men. Thirty years went by, encompassing the turn of a new century and a world war, before the Sex Disqualification (Removal) Act of 1919 allowed the first women to qualify as barristers and solicitors. Or to put it another way, Eliza Orme's best years for work and achievement were long behind her before the notion of licensed women practitioners in the legal profession stopped being unthinkable.

I put it that way because, while it is impossible not to say that Orme was the first woman in England to earn a law degree, it is also inherently misleading. She was never allowed to use the academic training of her discipline, the rigorous lectures and examinations in jurisprudence, legal history, political economy and other subjects. Not directly, not to be a barrister or solicitor. And yet she had a life to live and a living to make, both before and after earning that academic qualification. It is even more misleading to assert that she failed to be called to the bar or to join the Law Society. To say that is to fall into what historians call 'presentism', which means projecting contemporary social assumptions backwards onto the past. It is very difficult to think ourselves back to the 1870s (even the 1970s seem impossibly long ago!) to a time when women's full equality meant something, but not what it does now. Then, full equality meant the vote, and protection for married women's property, but almost nobody could imagine a worldview built on assumptions about reliable contraception and socially-sanctioned childcare. It also meant that women should struggle (and it was a struggle) to become doctors, because medicine was a caring profession and there were situations where treatment from someone of the same sex was desirable. None of these visions of equality, however, suggested that women should be licenced to practice law. They did not stretch to a challenge, on the basis of gender, to an enterprise at the heart of cultural, social, economic, and political life, a challenge to that ramshackle non-code of judgments, traditions, assumptions, and interpretations that kept Britain's whole patriarchal machine going. Ladies scarcely belonged in the courtroom as witnesses, most people believed, and certainly not as prosecutors, jurors, or judges. Not when subjects might arise that were deemed inappropriate for ladies to hear, especially unmarried ones. To allow women to be lawyers would have been to upset a whole lot of assumptions better left unquestioned. The prestige of the profession might diminish if women were allowed to participate. And at a more mundane economic level, the innovation would create a body of competent, disciplined competitors

for male lawyers in the marketplace. Into this impossible situation, the young Eliza Orme calmly proposed to insert herself.

She might even have had a further goal in mind. Let us consider the way an ambitious young man of the late-Victorian decades prepared himself for a career in public life. Not necessarily, but quite often, he began with a university degree in law. He followed that up with a few years in professional practice while he went about getting acquainted with powerful people by participating in the activities of social clubs, political parties and other special-interest associations. He also, quite often, made a name for himself with occasional journalism, a name that aligned him with the political views of powerful men in the generation ahead of him while drawing their attention to his own attributes. Eliza Orme's university mentors were providing that sort of background to her male peers, and she was smart enough to recognize how the process worked. I do not know her motivations, but having observed that she took each of those career-building steps herself, I am prepared to speculate about where she hoped they would take her.

She prepared herself for public life by getting involved with various liberal causes, notably Home Rule for Ireland, while still a student. Once she had the degree in hand, she began to manage a newspaper for a Liberal Party organization, writing editorials on political subjects and serving on the organization's executive council. But given the time and place she lived in, that organization was a women's auxiliary and the newspaper was their organ. And this is where the story gets complicated. She was solidly committed to women's suffrage, but she was also prepared to strategically compromise that commitment in order not to embarrass the leadership of the Liberal Party. Part of this attitude likely came from her legal training and her pragmatic approach to life. But part of it might also have been ambition. Thwarted ambition, I have to say. She certainly had some successes, but she was not, nor ever could be, a candidate for Member of Parliament, and never elected to a position where she could contribute to changing the government's approach to governing Ireland. That does not mean she did not think about it. Starting out as a teenage activist in the 1860s, she probably expected the vote would come to women in plenty of time for her to use law as a stepping-stone to politics. That had, after all, happened in several other jurisdictions, so why not in Britain?

But before we get to her story, it is time to tell you a bit about mine.

Eliza and Me, and the 1980s

Just before I got acquainted with Eliza Orme and began to learn about how academic feminist historians thought about women and gender, I also got acquainted with a way of thinking called the history of the book. Book history looks at a handful of things that were long taken for granted—what happens in a reader's brain and body while they are immersed in a book; why publishers have more influence on that experience than authors might want to admit; and how a text makes its way around a community of readers in a myriad of material forms. To put it another way (and now I am quoting myself) book history means studying the way people in the past gave material form to knowledge and stories, how they made intangible texts accessible, in the form of tangible objects like books and periodicals, across the barriers created by time and space. My reputation, such as it is, is for book history rather than women's history—just as Orme's was for liberal politics rather than for legal practice. Now she is remembered differently, and maybe I will be too, one day. Looking back, I realize what a long time it took me to learn to be a historian. I am one, but so unconventional that I have spent a good part of my career trying to explain my discipline to my interdisciplinary colleagues, the book historians—while also interpreting book studies for my disciplinary colleagues, the historians.

I came back to studying history in 1981 at the age of thirty-five. In Jessica and Neil, I had a remarkably satisfactory daughter and a profoundly committed life partner. Behind me were a stalled career, a failed first marriage, and an undistinguished BA in history; ahead of me might have been another job, but instead I began to think about returning to school. Without any particular vocation in another direction, it made sense to enrol in some undergraduate History courses at the University of Toronto to refresh my earlier experience. This time around, the whole enterprise of historical thinking was engaging, in particular the course on Victorian Britain. New scholarship in 'history from below' was both intellectually challenging and compelling from the perspective of social justice. Meanwhile, my tentative start on a career had been in the publishing division of a social service organization promoting justice for people with intellectual disabilities. This was not a literary publisher, but they produced books and a magazine to advance the cause. There

I had learned a bit about how books and journals were put together, and about how a voluntary society interacted with its own publishing program.

One day in the summer of 1982, Neil came home from one of his bookstore prowls with a newsstand copy of the journal *Daedalus*. It had an article that he thought might interest me: 'What is the History of Books?' by Robert Darnton. I had never heard of Darnton, but his historical approach struck a deep chord: a way of thinking about the past that hooked on to my recent experience of book-making. For the information of book historians who are reading this, I still possess that single issue of the journal, complete with a price sticker from Lichtman's bookshop in Toronto. For the information of those who are not book historians, Darnton's article is iconic; it is still read and taught extensively, reprinted and excerpted often, and quoted in almost every introductory essay on the subject. This item, the first material iteration of a much-cited piece of writing, now in the possession of a practitioner in the field, encapsulates almost everything you need to know about book history. It is also almost, but not quite, the last you will hear about book history in these pages.

By the time I read the article, I was preparing to begin a master's degree at York University. In those days, York and the University of Toronto sponsored a joint Victorian Studies MA program. This entailed an interdisciplinary seminar on literature and history, and the requirement to take one full course in the discipline outside one's specialty. The seminar was initially terrifying, but I quickly made friends with a couple of women who were fellow students. There were two professors, a historian, Albert Tucker from York, and a literary scholar, John M. (Jack) Robson from Toronto. The seminar met on the U. of T. campus, in the very room at Victoria College where Robson led the project to edit the complete works of John Stuart Mill. We all brought our own undergraduate backgrounds and graduate ambitions to a set of readings that included both novels and histories. I was even more nervous about the second obligation, not having any experience with studying English literature since those long-ago undergraduate days. One offering, from Michael Collie, seemed especially daunting, with a syllabus full of books I had never heard of and some not even by literary authors. Another looked safer, covering Dickens and Gaskell

and Brontë: but that one was fully subscribed. I was signed in, perforce, to Collie's course, and entered the room with great trepidation. That was not only where I met Eliza Orme, but also where I first found people to talk to about the history of the book.

Later, we joked that this was a course on Victorian authors named George: Borrow, Eliot, Gissing, and Meredith. My first essay was about George Eliot's relationship with her publishers, but Gissing was inescapable. Michael Collie had recently compiled a bibliography of the novelist's writings and was deeply enmeshed in the minutiae of that troubled life. He was also engaged in a rivalry with the preeminent Gissing scholar, based in France, Pierre Coustillas: they disagreed on almost everything and reviewed each other's books scathingly. Gissing had needed a lot of help in the 1890s, not least to extricate himself from an unfortunate marriage. One of the women who provided aid and comfort was called Eliza Orme. The following year, I undertook to write a paper about her. Coustillas, in his edition of the novelist's diary, had said she was kind to Gissing. Collie, perhaps only to be contrarian, suggested there might be more to her life than niceness. I went to the *National Union Catalogue* to see what books, if any, this paragon might have written. She had two, and her name was inscribed thus: Eliza Orme, LL.B. I asked Michael what he thought that meant, and he was unimpressed: 'maybe an honorary degree?' he speculated. That did not sit well with my feminist sensibilities, and it served as a research challenge.

It is difficult now, in 2024, to reconstruct how, in 1984, I went about finding out who Eliza Orme was. I have forgotten a lot, and research methods have changed so much. For that first assignment I had only York University's Scott Library, and the occasional foray to Robarts Library at the University of Toronto, at my disposal. (And sadly I no longer possess the essay I wrote.) There was no internet, no search engine, just print catalogues and print indexes in the reference section of the libraries, and access to Inter-Library Loan for really obscure works. I suppose I asked them to borrow copies of her books, *Lady Fry of Darlington* and *The Life of Saram Chana Pal*, from other institutions. Probably the resources like *Poole's Index to Periodical Literature* and the *Reader's Guide to Periodical Literature* turned up one or two of her articles in mainstream journals like *The Examiner* and *Longman's Magazine*. With an index reference in

hand, I could find the relevant issues on the library shelves. (The fifth volume of the *Wellesley Index to Victorian Periodicals*, with its crucial index to authors, didn't appear until several years later.) There wasn't much information, but the fragments were intriguing. Moreover, they didn't jigsaw together into a coherent narrative, which is perhaps why they were unsettling and ultimately unforgettable. She had written some sort of a government report, too (although I don't think I found that until later). I itched to know more. But the English course was just a course, Victorian Studies was not a viable program for a doctorate, certainly not for a historian. Anyway, nobody in the History department was open to supervising a PhD on women in nineteenth-century Britain and why they were not allowed to be lawyers. Even in the mid-eighties, such a program of study was still pretty close to unthinkable.

As I have mentioned, John M. Robson was a leading expert on John Stuart Mill and almost from the beginning I knew that Orme knew Mill. However it never occurred to me to consult Jack about my Eliza Orme research. Had I done so, the trajectory of the project might have been very different. But despite the ideal of a Victorian Studies program integrating history and literature, the academic world operates in remarkably water-tight compartments. Jack was a wonderful mentor to me, taking an interest in my dissertation work as it evolved, and giving me opportunities to take on some academic leadership, but we never discussed this mutual interest. I also got to know his wife Ann Robson, whose research as a historian focused on Mill's step-daughter Helen Taylor. It was not until years later that I learned Ann Robson had written a very brief article about some editorial work that Orme did for Taylor, and decades after that when the internet helped me find Mill scheming to give Eliza Orme her own opportunities in women's movement leadership. But this is to get ahead of the story.

It was another of the Georges—not Gissing but George Borrow, the author of a Victorian best-seller in 1843 called *The Bible in Spain*—who helped me find a research program for a PhD. Michael Collie had spent time the previous summer in the archives of the British and Foreign Bible Society, in whose employ Borrow had found the source material for what we might now call a work of creative non-fiction but is conventionally regarded as a travel book. When I told Michael I thought I would like to do something on the history of publishing, he told me that

the Bible Society still had all its nineteenth-century publishing records. To a historian, the fact that the publishing in question did not pertain to works of literature was irrelevant. What was important was that the Society worked with printers and binders to transform the technology of book production, and that I could identify the people involved, the women as well as the men, and the way the society played gender off against religion, and vice versa. My official advisor, Albert Tucker, was most impressed by the existence of the archive; he did not think of the project as book history, but rather as social history. Michael understood, though, and became my unofficial advisor. I kept in touch with Michael and his other students as we all embarked together on learning about a new way to think about the book. Together we read *Bibliography and the Sociology of Texts*, a radical approach to the study of the material book by a literary scholar called D. F. McKenzie. Darnton and McKenzie, between them, provided the intellectual scaffolding for the dissertation that became my first book, *Cheap Bibles*, and for most of the scholarship that came later. The PhD was 1989, the book came out in 1991, I started my first academic appointment, at the University of Windsor in 1993 and was tenured in 1998.

By the time I finished the doctorate, the study of women's history was much more established than it had been when I started, and so was the history of the book. It is difficult now, in the 2020s, to describe what studies in both social history and book history were like in the 1980s. Both were hovering on the verge of radical transformation, but there was very little academic infrastructure to support the intellectual excitement. Of course, there were precursors of various kinds, especially in the study of Victorian fiction and poetry by women. In departments of history, however, people like Leonore Davidoff and Catherine Hall on the gender side, and people like Darnton on the books side, were just beginning to supervise their own graduate students. There was no one like them in Toronto, not for modern British history, and I was not in a position to move. Had there been a potential advisor and mentor in women's history, my choices might have been different. We women students did some reading on our own, but the official coursework requirements were focused on issues of social class, not gender. There was no historian who specialized in book history, either, but Collie was a bibliographer and he introduced me to the other bibliographers who

worked in English departments and university libraries in the city. Bibliography was yet another field that was transforming in the eighties, at that time just on the verge of its encounter with social and cultural history—D. F. McKenzie meeting Robert Darnton.

Even before my dissertation was finished and ready to defend, I started applying for appointments in modern British history in universities—mostly in Canada, but a few in the United States, too. There were not many available. For people on the job market in my discipline, the pattern has been to mark time while enriching one's research portfolio by securing a postdoctoral fellowship. A postdoc also provides a modest income. My first application for a fellowship, in 1989, was unsuccessful; my second, in 1990, was successful. The first would have been in women's history, a project on Eliza Orme and other women seeking to be lawyers in Victorian Britain. My article on Orme had been published in *Atlantis* (a Canadian women's studies journal) the same year, and a professor at Carleton University, Deborah Gorham, was keen to supervise the postdoc. But the application was not funded and there was no explanation why not. My second attempt was in book history, a project on the archives of the publishers Henry S. King and Charles Kegan Paul (archives that were conveniently available on microfilm). The King/Paul research led to my second book, and it promised to contribute to a third, the product of an ongoing collaboration with Michael Collie in the form of a study of the International Scientific Series. King and Paul had been the British publishers of that series. But do not look for that book in the library; the collaboration ended abruptly before our work together was finished.

The *Atlantis* piece was called 'Sound-Minded Women: Eliza Orme and the Study and Practice of Law in Late-Victorian England'. Before being accepted by *Atlantis*, the article was turned down by *Victorian Studies* and by *Albion*, the two leading journals of the time. (I still have the reports, which can be summed up as the reviewers telling me Orme really was not all that important.) The quote in my title came from one of her own articles, published in *The Examiner* in 1874:

> We have often felt the want of a word to express the opposite of a weak-minded woman. 'Strong-minded' unfortunately suggests a host of weaknesses of which a very typical one is that peculiar taste which a few women have for trying to dress like men. The women who have been

> driven into notoriety by the refusal of just and moderate recognition, and those who try to enliven the dulness of a purposeless life by being uselessly eccentric, are generally called strong-minded. Society has adopted the word to describe the abnormal result of its own over-restrictions. How, then, can we speak of women who can take a journey by railway without an escort, who can stand by a friend through a surgical operation, and who yet wear ordinary bonnets and carry medium-sized umbrellas? The *Saturday Review* gives us exactly the right expression when it speaks of 'sound-minded women'. The word explains itself.

Obliquely, too, Eliza Orme's jibe at the social restrictions on independent-minded middle-class women seeking a just and moderate recognition also explained itself.

At the time I characterized Orme as 'a prominent public figure and a prosperous spinster'. I had not found any personal papers, just some census records and entries in city directories along with a handful of references in books and periodicals about better-known contemporaries. Anxious for something of human interest to recount, I cited the intriguing possibility that George Bernard Shaw might have used Orme as a model when he created the character of Vivie Warren, the independent professional daughter in *Mrs Warren's Profession*. Even better, I mentioned how George Gissing noted that she smoked a cigar with the gentlemen, 'as a matter of course', after a dinner-party. I had access to an interview she had given to the *Law Journal* in 1903 when she was fifty-five years old, to her journalism in mainstream periodicals, and other miscellaneous evidence, some of it collected in odd moments during my dissertation research in British libraries. With this I wove together a narrative and concluded that 'Eliza Orme would be dismayed to know that she was being represented to posterity in terms of her gender. She thought of herself as an educated person, an authoritative expert, prepared to give her opinion on subjects ranging from Home Rule in Ireland to jurisprudence in India. Even her views on women's work and education were offered as if from a distance, as if the restrictions of contemporary society did not apply to Eliza Orme'. All these years later, I suppose I would still say most of that, though I hope I have found a better historical framework to express the ideas. Finally, though, I do have something more personal to report than about that cigar. Still, the anecdote did make a difference back then. One colleague had got hold of her views on the working conditions for barmaids and drew the

conclusion that she must be teetotal: the episode of her smoking a cigar with a party of men was enough to convince him that he was wrong.

Another scholar read that article too, someone who had heard of my work on Eliza Orme and tried to make contact, initially through Michael Collie. Incredibly, she was right there on the York University campus, but not in the History Department, nor in the English Department, or anywhere in the faculty of arts or humanities—she was in the Osgoode Hall Law School. Which, as far as us getting together intellectually was concerned, might as well have been on the other side of the moon. Mary Jane Mossman's book, *The First Women Lawyers: A Comparative Study of Gender, Law and the Legal Professions* (2006) had a whole chapter on Eliza Orme that leaned heavily on my 1989 article, citing it generously. But we only met much later and have since made up for lost time by becoming very good friends.

I did not really feel like a historian while doing a PhD in the subject at York University—that came later, thanks to my colleagues at the University of Windsor—but I did feel like a researcher. I discovered a passion for the archives, and a capacity to spend patient hours reading through documents written in the nineteenth century. Some of them in atrocious handwriting, though thankfully not all. The French historian Le Roy Ladurie said that historians are either truffle hunters (who search for nuggets of knowledge) or parachutists (who survey the past from a great height). I learned at York that I am the first kind of historian. A fellow student who was a parachutist—someone immersed in theoretical approaches—was rather disdainful. She waited to go to the archives until after she had worked out what questions she hoped to find answered there. Whereas I went to the archives early, eagerly, even joyfully—just to find out what was there and to display it to my readers. The comparison is too clumsy, really. All of us are both kinds of historian. But my way of approaching the Bible Society of the first half of the nineteenth century allowed me to see something that had been overlooked by other scholars, which was that they were a publisher, and not really a religious organization. (It helped that I already knew about publishing by an advocacy organization in my own time.) All that research also prepared me for a decades-long search for nuggets of information about Eliza Orme, beginning with her life before law.