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Normanton, Helena Florence

(1882–1957)

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Helena Florence Normanton (1882–1957)

by Elliott & Fry, 1945

Normanton, Helena Florence (1882–1957), barrister and feminist campaigner, was born on 14 December 1882 in London, the eldest of two daughters of William Alexander Normanton (1853–1886), pianoforte manufacturer, and his wife, Jane Amelia (1850–1900), daughter of Thomas Williams Marshall and his wife, Harriet. When Helena was aged four, her father was found dead in mysterious circumstances with a broken neck in a railway tunnel. Her mother sought respectable ways to support her daughters, letting rooms of the family home at 30 Willington Street, Woolwich, to the wives of officers, but soon moved to Brighton where she ran a small general (grocery) store and later turned the family home at 4 Clifton Place into a modest boarding-house.

Education and admission to the bar

Helena Normanton excelled at school and in 1896 won a scholarship to York Place Science School in Brighton, the forerunner of Varndean School for Girls. In July 1900 she left as a pupil teacher, and after her mother's death she helped to run the family's boarding-house before leaving Brighton to accept a place at a teachers' training college at Edge Hill, Liverpool (1903–5). She lectured, predominantly in history, at both Glasgow and London universities, and was for a time tutor to the sons of the baron de Forest, a Liberal MP.

During the period up to 1918 Helena Normanton appears to have combined a teaching career with a developing interest in the position of women, becoming a prolific writer and public speaker on feminist issues, and furthering her own education, reading for a history degree at London University (passing with first-class honours), and holding a diploma in French language, literature, and history from Dijon University. Described by her niece Elsie Cannon as a 'suffragette—though not of the ultra-militant kind', she was active in the campaign to extend the franchise to women. Perhaps drawing on her own childhood experiences she recognized that many women and children could not rely, as society then expected, on a morally responsible male capable of providing financial security. On 1914 she published a pamphlet entitled *Sex Differentiation in Salary* arguing for equal pay for equal work. On the front cover a 'Special War Notice' challenged readers to consider the plight of female headed households: 'During and after a war, many soldiers' wives and widows become the breadwinners for families. Should they be paid according to their sex or their work?' Pamphlets advertising public meetings organized by the Women's Freedom League throughout 1919 list Helena Normanton as a speaker and she was also an ardent and practical supporter of the Indian National Congress and editor of its London-based organ *India* (1918–20).

In the preface to her book *Everyday Law for Women* (1932) Normanton wrote that she conceived the ambition of becoming a barrister at the age of twelve during a visit to a lawyer with her mother. Her first application to be admitted to the Middle Temple, in 1918, was presented immediately after the enfranchisement of women became law but was unanimously refused. Undeterred, and supported by the Women's Freedom League, she lodged a petition against the benchers' decision at the House of Lords. However, before the date fixed for its hearing, the *Sex Disqualification (Removal) Bill* (1919) was introduced which allowed women entry to the legal profession; the press attributed its enactment in large part to her campaign. On Christmas eve 1919, within forty-eight hours of the passing of the new act, she made a second application to the Middle Temple, and was successful. She became the first woman to be admitted to the Middle Temple as a student to the bar. Unusually, she took the three compulsory parts of the bar examination simultaneously, passing with first-class marks in one part and second-class marks in the other two. She was called to the bar on 17 November 1922, a few months after Ivy Williams had become the first woman to do so.

The pioneering barrister

On 26 October 1921, while a bar student, Helena Normanton married Gavin Bowman Watson Clark (1873–1948), son of the Scottish politician Gavin Brown Clark, and her application to retain her maiden name after her marriage attracted considerable public interest. Helena deplored the loss of a woman's identity on marriage and its disadvantageous legal results. While she believed in the respectability of retaining the title Mrs she also wished to maintain continuity of identity in her professional career. She was the first married British woman to be issued a passport in her maiden name (1924) and also fought for the right of women who married foreigners to retain their British nationality. Later in life she quipped, 'Anne Boleyn did not change her name even though she married the King. He at least had the decency to leave her with her own name even though he took her head' (*Yorkshire Post*, 26 March 1954). The couple had no children.

Despite the many barriers Helena forged a successful legal career that included some notable ‘firsts’. She was the first woman to obtain a divorce for a client and to lead the prosecution in a murder trial (May 1948). She was the first female counsel in cases in the High Court of Justice (1922), the Old Bailey (1924), and the London sessions (1926). In a breach of promise case she obtained for her client the highest damages in such a case obtained by a woman up to that date—£1250 and costs. In 1925 she became the first woman to conduct a case in the United States, appearing in the test case in which a married woman's right to retain her maiden name was confirmed. In 1949, with Rose Heilbron, she became the first female king's counsel in England and Wales.

Despite these achievements, Normanton felt betrayed by members of the legal profession who fabricated myths that were damaging to her career. Charges of advertising (forbidden by legal etiquette) were made against her, as the notoriety she had gained from her writing, public speaking, and feminist activities ensured that as one of the first women to be admitted to the bar she was a focus of (unwanted) attention. Believing that these rumours had led to the rejection of her application to practise on the western circuit, in April 1923 she requested the bar council to hold a full inquiry into whether she had ever advertised herself. She called attention to the way in which male barristers used their relatives as vehicles for self-promotion, and supplied documents indicating the great trouble she had taken in trying to minimize public scrutiny. She curtailed her public speaking engagements, forfeited a handsome income writing for the daily press, and resigned from all the organizations and committees of which she was then a member. No notification of the outcome of the inquiry was given to her and she continued to complain of the inequity of treatment of male and female barristers by the bar council. A further incident arose in 1933 when she was referred to in the press as the 'senior practising woman barrister in England'; the general council of the bar urged her to make clear that she was 'in no way responsible for the description'.

Conscious of the difficulties women faced, Normanton did what she could to support other women pursuing a legal career. Of particular importance was

her role as a mentor and sponsor to female students whom she accepted into her chambers. Women still found it difficult to obtain positions in chambers, as male barristers often refused to sponsor them. She protested that this informal segregation of men and women seriously disadvantaged women who were denied the opportunity to develop contacts that would be important for the progression of their career.
Normanton's relatively low earnings from the law compelled her to supplement her income. She let rooms in her house in Mecklenburgh Square, Bloomsbury, and advised enquirers of her need to charge fees 'on the rare occasions when I in fact accept speaking engagements' (Helena Florence Normanton Archive). Under the pseudonym Cowdray Browne she published *Oliver Quendon's First Case* in 1927, a romantic detective novel. A contributor to the thirteenth edition of the *Encyclopaedia Britannica* she also published two books on famous cases, *The Trial of Norman Thorne* (1929) and *The Trial of Alfred Arthur Rouse* (1931). She wrote several titles published under the *Books of Our Time* series and numerous articles and studies on topics as diverse as Shakespeare, buying a house, and (following Edward VIII's abdication) a study on the succession to the throne.

Fighting for divorce reform

Between the wars Helena's experience of the English divorce courts led her to reflect on perceived deficiencies of the current statute. She fought hard to equalize and extend the grounds on which a petition of divorce could be made between husband and wife. However, her desire was not to challenge the sanctity of marriage but rather to standardize what she termed in 1934 'irregular' partnerships (*Huddersfield Daily Examiner*, 3 Oct 1934). She argued that the tremendous cost of divorce and limited grounds on which a petition could be filed ensured separated partners could not divorce but remained legally married while they formed separate unions unrecognized by the state and to which illegitimate children were often born. She highlighted how difficult it was to maintain the ideal of a single monogamous marriage for life where couples were separated by drunkenness, imprisonment, or psychiatric confinement. At the annual meeting of the National Council of Women in October 1934, her resolution to reform matrimonial law was strongly opposed by the Mothers' Union, and was passed only with the addition of a clause disallowing divorce during the first five years of marriage. She publicly declared that its inclusion represented a 'cowardly capitulation to reactionary ecclesiastics, who would rather never see young people free to marry' (Helena Normanton Archive). In 1938 she resigned the chairmanship of the Married Persons Income Tax Reform Council, frustrated with those who failed to keep pace with her, and she urged women to 'press forward to open the Church, the Stock Exchange, the House of Lords, the Diplomatic and Consular Services, the Press Gallery in the House of Commons, and the Overseas Civil Services to women'. Her historical reading convinced her that the limitations and restrictions placed on women of her

day were a recent phenomenon, and she referred to women's past achievements in her arguments supporting the extension of women's rights. Normanton's resignation as president of the Married Women's Association over the submissions which she presented on the association's behalf to the royal commission on marriage and divorce in 1952 highlighted the complexity of feminist responses to these questions. She proposed that husband and wife should have a fairer financial partnership, principally effected by ‘paying’ a wife an allowance from the family income voluntarily agreed on between the spouses or adjudicated by the courts, and she proposed that wives who were guilty of 'wilfully negligent housekeeping should become amenable to law whether by way of remedial training or penalty' (*Manchester Guardian*, 25 Nov 1952). The Married Women's Association complained that the memorandum had been submitted to the royal commission by her 'without previous circulation to executive or members'. The association felt Helena's proposal of a housekeeping allowance for wives equated to 'pocket money given to a child', particularly as the housekeeping money was to remain the absolute property of the husband. It was felt to represent a complete departure from the association's policy of standing for a 'true partnership in marriage based on joint responsibility and mutual aid'. In a scathing attack the association stated 'this is a middle-class Victorian approach to the problem. The underlying attitude in this evidence is that a wife is an employed subordinate, and not a partner' (*Manchester Daily Dispatch*, 3 April 1952). Helena, who argued that neither spouse was entitled to the resources of the other, felt the association's proposal to pool the resources of husband and wife was 'nonsensical rubbish', which negated the work of previous feminists in obtaining the *Married Women's Property Acts* and was thus 'dangerous for a wife … and unfair to the husband' (*Beckenham Advertiser*, 26 Nov 1952). She withdrew the report and founded a breakaway organization, the Council of Married Women, with other former senior members of the Married Women's Association. However, the legislation eventually enacted followed from the stance of the association: the principle of marriage as a partnership was maintained and the complementary and equally necessary contributions of both husband and wife were recognized in the legal joint ownership of the matrimonial home and the incomes of both spouses.

The controversy surrounding this issue highlights how Helena's strong notion of social duty and responsibility and her desire to equalize relationships between the sexes could combine to support a position which some women perceived as anti-feminist. While seeking to ensure wives were protected from husbands whose sense of duty did not extend to providing adequately for partners whose primary occupation was maintaining the family, she also felt wives who misappropriated funds should be admonished or punished. She was concerned that without maintaining the separation of property between husbands and wives, feminist agitation and protest would be lost as women, who were the prime instigators of such action, would find themselves without access to the tremendous amount of money required to finance particular protests (*Beckenham Journal*, 28 Nov 1953).

Character and interests

Among her various interests, Normanton founded the Magna Carta Society and served as its honorary secretary for many years (1921–53). She learned Italian and paid several visits to the country, meeting Mussolini in 1935. After the Second World War she remained active in feminist circles as a member of the Six Point Group and the Council of Professional Women. Her irrepressible activism continued and, maintaining her long standing pacifist beliefs, in 1953, aged seventy, she marched in a women's demonstration against the atom bomb.

Although she lived in Bloomsbury with her husband, Helena Normanton maintained her links with the Brighton area. She was a passionate supporter of the proposed university for Sussex, making the first donation to the Sussex University appeal in 1956; she followed this gift of £5 with a larger donation of £45 and bequeathed the capital of her trust to the university. She requested that part of the university be named after her 'because I was the first subscriber to the project and because I make this gift in gratitude for all that Brighton did to educate me when I was left an orphan' (last will and testament).

In her lifetime of activism, Helena Normanton challenged the social norms of her generation while simultaneously being careful to conform to strict etiquette and make the most of feminine wiles. During her tour of America in 1925 a reporter for *The World* (7 January) commented:

Mrs. Normanton is tall and stout of build. She is in every respect the typical matron. Distinctly feminine in appearance and manner and also in inclination, as was proved when she left the group of reporters cooling their heels in her hotel while she walked up and down Fifth Avenue ‘to look at the shops’.

She was remembered by close relatives as an imposing character who dressed in black from head to toe. Her niece Elsie Cannon wrote of her: controversy often surrounded Helena Normanton, sometimes, I fancy, deliberately fostered to attract attention for some cause for which she was fighting, or perhaps to stimulate demand for her articles and talk … life near her could on occasion be like having a volcano as a neighbour, but it's quite true, it wasn't dull!

She was careful to ensure that she was correctly known as the first female barrister *to practise* in England, and not as the first female barrister. The distinction was important to her, having suffered from the charges of self-promotion made against her throughout her long and successful career. She died in a nursing home at 44 Sydenham Hill, Sydenham, London, on 14 October 1957, and was buried, after cremation, with her husband in Ovingdean churchyard, Sussex.

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Likenesses

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Wealth at Death

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