

CITIZENSHIP AND SOCIAL CLASS

and other essays

BY

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PREFACE

THE first half of this book is based on two lectures given at Cambridge on the Alfred Marshall foundation in February 1949. When I had got some way with the preparation of the lectures, I found that the subject I had chosen was too large for the time allowed me, and I therefore wrote a second and briefer version, omitting several points and passages from the first draft. In preparing the lectures for publication I have amalgamated the two versions and also somewhat expanded sections where the argument appeared to be too condensed. I have not, however, altered their general character as lectures designed for a mixed audience, mainly of undergraduates, nor have I attempted to bring them up to date by adding references to events which have occurred or publications which have appeared since the lectures were delivered.

The three additional chapters have all been published before. I include them because they represent my earlier thoughts on very closely related topics and to some extent fill gaps in the lectures. I am indebted to the Editors of *The Sociological Review* and *The Canadian Journal of Economics and Political Science* and to the Institute of Sociology for permission to reprint them.

T. H. MARSHALL

THE LONDON SCHOOL
OF ECONOMICS

August 1949

CITIZENSHIP AND SOCIAL CLASS

1. *The Problem stated, with the assistance
of Alfred Marshall*

THE invitation to deliver these lectures gave me both personal and professional pleasure. But, whereas my personal response was a sincere and modest appreciation of an honour I had no right to expect, my professional reaction was not modest at all. Sociology, it seemed to me, had every right to claim a share in this annual commemoration of Alfred Marshall, and I considered it a sign of grace that a University which has not yet accepted sociology as an inmate should nevertheless be prepared to welcome her as a visitor. It may be—and the thought is a disturbing one—that sociology is on trial here in my person. If so, I am sure I can rely on you to be scrupulously fair in your judgement, and to regard any merit you may find in my lectures as evidence of the academic value of the subject I profess, while treating everything in them that appears to you paltry, common or ill-conceived as the product of qualities peculiar to myself and not to be found in any of my colleagues.

I will not defend the relevance of my subject to the occasion by claiming Marshall as a sociologist. For, once he had deserted his first loves of metaphysics, ethics and psychology, he devoted his life to the development of economics as an independent science and to the

perfection of its own special methods of investigation and analysis. He deliberately chose a path markedly different from that followed by Adam Smith and John Stuart Mill, and the mood in which he made this choice is indicated in the inaugural lecture which he delivered here in Cambridge in 1885. Speaking of Comte's belief in a unified social science, he said: 'No doubt if that existed Economics would gladly find shelter under its wing. But it does not exist; it shows no signs of coming into existence. There is no use in waiting idly for it; we must do what we can with our present resources.'¹ He therefore defended the autonomy and the superiority of the economic method, a superiority due mainly to its use of the measuring rod of money, which 'is so much the best measure of motives that no other can compete with it'.²

Marshall was, as you know, an idealist; so much so that Keynes has said of him that he 'was too anxious to do good'.³ The last thing I wish to do is to claim him for sociology on that account. It is true that some sociologists have suffered from a similar affliction of benevolence, often to the detriment of their intellectual performance, but I should hate to distinguish the economist from the sociologist by saying that the one should be ruled by his head while the other may be swayed by his heart. For every honest sociologist, like every honest economist, knows that the choice of ends or ideals lies outside the field of social science and within the field of social philo-

¹ *Memorials of Alfred Marshall*, edited by A. C. Pigou, p. 164.

² *Ib.* p. 158.

³ *Ib.* p. 37.

sophy. But idealism made Marshall passionately eager to put the science of economics at the service of policy by using it—as a science may legitimately be used—to lay bare the full nature and content of the problems with which policy has to deal and to assess the relative efficacy of alternative means for the achievement of given ends. And he realised that, even in the case of what would naturally be regarded as economic problems, the science of economics was not of itself able fully to render these two services. For they involved the consideration of social forces which are as immune to attack by the economist's tape-measure as was the croquet ball to the blows which Alice tried in vain to strike with the head of her flamingo. It was, perhaps, on this account that, in certain moods, Marshall felt a quite unwarranted disappointment at his achievements, and even expressed regret that he had preferred economics to psychology, a science which might have brought him nearer to the pulse and life-blood of society and given him a deeper understanding of human aspirations.

It would be easy to cite many passages in which Marshall was drawn to speak of these elusive factors of whose importance he was so firmly convinced, but I prefer to confine my attention to one essay whose theme comes very near to that which I have chosen for these lectures. It is a paper he read to the Cambridge Reform Club in 1873 on *The Future of the Working Classes*, and it has been republished in the Memorial volume edited by Professor Pigou. There are some textual differences between the two editions which, I understand, are to be attributed to

corrections made by Marshall himself after the original version had appeared in print as a pamphlet.¹ I was reminded of this essay by my colleague, Professor Phelps Brown, who made use of it in his inaugural lecture last November.² It is equally well suited to my purpose to-day, because in it Marshall, while examining one facet of the problem of social equality from the point of view of economic cost, came right up to the frontier beyond which lies the territory of sociology, crossed it, and made a brief excursion on the other side. His action could be interpreted as a challenge to sociology to send an emissary to meet him at the frontier, and to join with him in the task of converting no-man's-land into common ground. I have been presumptuous enough to answer the challenge by setting out to travel, as historian and sociologist, towards a point on the economic frontier of that same general theme, the problem of social equality.

In his Cambridge paper Marshall posed the question 'whether there be valid ground for the opinion that the amelioration of the working classes has limits beyond which it cannot pass'. 'The question', he said, 'is not whether all men will ultimately be equal—that they certainly will not—but whether progress may not go on steadily, if slowly, till, by occupation at least, every man is a gentleman. I hold that it may, and that it will.'³ His faith was based on the belief that the distinguishing

¹ Privately printed by Thomas Tofts. The page references are to this edition.

² Published under the title "Prospects of Labour" in *Economica*, February 1949.

³ *Op. cit.* pp. 3 and 4.

feature of the working classes was heavy and excessive labour, and that the volume of such labour could be greatly reduced. Looking round he found evidence that the skilled artisans, whose labour was not deadening and soul-destroying, were already rising towards the condition which he foresaw as the ultimate achievement of all. They are learning, he said, to value education and leisure more than 'mere increase of wages and material comforts'. They are 'steadily developing independence and a manly respect for themselves and, therefore, a courteous respect for others; they are steadily accepting the private and public duties of a citizen; steadily increasing their grasp of the truth that they are men, and not producing machines. They are steadily becoming gentlemen.'¹ When technical advance has reduced heavy labour to a minimum, and that minimum is divided in small amounts among all, then, 'in so far as the working classes are men who have such excessive work to do, in so far will the working classes have been abolished.'²

Marshall realised that he might be accused of adopting the ideas of the socialists, whose works, as he has himself told us, he had, during this period of his life, been studying with great hopes and with greater disappointment. For, he said: 'The picture to be drawn will resemble in some respects those which have been shown to us by the Socialists, that noble set of untutored enthusiasts who attributed to all men an unlimited capacity for those self-forgetting virtues that they found in their own

¹ *The Future of the Working Classes*, p. 6.

² *Ib.* p. 16.

breasts.¹ His reply was that his system differed fundamentally from socialism in that it would preserve the essentials of a free market. He held, however, that the State would have to make some use of its power of compulsion, if his ideals were to be realised. It must compel children to go to school, because the uneducated cannot appreciate, and therefore freely choose, the good things which distinguish the life of gentlemen from that of the working classes. 'It is bound to compel them and to help them to take the first step upwards; and it is bound to help them, if they will, to make many steps upwards.'² Notice that only the first step is compulsory. Free choice takes over as soon as the capacity to choose has been created.

Marshall's paper was built round a sociological hypothesis and an economic calculation. The calculation provided the answer to his initial question, by showing that world resources and productivity might be expected to prove sufficient to provide the material bases needed to enable every man to be a gentleman. In other words, the cost of providing education for all and of eliminating heavy and excessive labour could be met. There was no impassable limit to the amelioration of the working classes—at least on this side of the point that Marshall

¹ *The Future of the Working Classes*, p. 9. The revised version of this passage is significantly different. It runs: 'The picture to be drawn will resemble in many respects those which have been shown to us by some socialists, who attributed to all men . . .' etc. The condemnation is less sweeping and Marshall no longer speaks of the Socialists, *en masse* and with a capital 'S', in the past tense. *Memorials*, p. 109.

² *Ib.* p. 15.

described as the goal. In working out these sums Marshall was using the ordinary techniques of the economist, though admittedly he was applying them to a problem which involved a high degree of speculation.

The sociological hypothesis does not lie so completely on the surface. A little excavation is needed to uncover its total shape. The essence of it is contained in the passages I have quoted, but Marshall gives us an additional clue by suggesting that, when we say a man belongs to the working classes, 'we are thinking of the effect that his work produces on him rather than the effect that he produces on his work'.¹ This is certainly not the sort of definition we should expect from an economist, and, in fact, it would hardly be fair to treat it as a definition at all or to subject it to close and critical examination. The phrase was intended to catch the imagination, and to point to the general direction in which Marshall's thoughts were moving. And that direction was away from a quantitative assessment of standards of living in terms of goods consumed and services enjoyed towards a qualitative assessment of life as a whole in terms of the essential elements in civilisation or culture. He accepted as right and proper a wide range of quantitative or economic inequality, but condemned the qualitative inequality or difference between the man who was, 'by occupation at least, a gentleman' and the man who was not. We can, I think, without doing violence to Marshall's meaning, replace the word 'gentleman' by the word 'civilised'. For it is clear that he was taking as the standard of civilised life

¹ *Ib.* p. 5.

the conditions regarded by his generation as appropriate to a gentleman. We can go on to say that the claim of all to enjoy these conditions is a claim to be admitted to a share in the social heritage, which in turn means a claim to be accepted as full members of the society, that is, as citizens.

Such, I think, is the sociological hypothesis latent in Marshall's essay. It postulates that there is a kind of basic human equality associated with the concept of full membership of a community—or, as I should say, of citizenship—which is not inconsistent with the inequalities which distinguish the various economic levels in the society. In other words, the inequality of the social class system may be acceptable provided the equality of citizenship is recognised. Marshall did not identify the life of a gentleman with the status of citizenship. To do so would have been to express his ideal in terms of legal rights to which all men were entitled. That, in turn, would have put the responsibility for granting those rights fair and square on the shoulders of the State, and so led, step by step, to acts of State interference which he would have deplored. When he mentioned citizenship as something which skilled artisans learned to appreciate in the course of developing into gentlemen, he mentioned only its duties and not its rights. He thought of it as a way of life growing within a man, not presented to him from without. He recognised only one definite right, the right of children to be educated, and in this case alone did he approve the use of compulsory powers by the State to achieve his object. He could hardly go further without imperilling

his own criterion for distinguishing his system from socialism in any form—the preservation of the freedom of the competitive market.

Nevertheless, his sociological hypothesis lies as near to the heart of our problem to-day as it did three-quarters of a century ago—in fact nearer. The basic human equality of membership, at which I maintain that he hinted, has been enriched with new substance and invested with a formidable array of rights. It has developed far beyond what he foresaw, or would have wished. It has been clearly identified with the status of citizenship. And it is time we examined his hypothesis and posed his questions afresh, to see if the answers are still the same. Is it still true that basic equality, when enriched in substance and embodied in the formal rights of citizenship, is consistent with the inequalities of social class? I shall suggest that our society to-day assumes that the two are still compatible, so much so that citizenship has itself become, in certain respects, the architect of legitimate social inequality. Is it still true that the basic equality can be created and preserved without invading the freedom of the competitive market? Obviously it is not true. Our modern system is frankly a socialist system, not one whose authors are, as Marshall was, eager to distinguish it from socialism. But it is equally obvious that the market still functions—within limits. Here is another possible conflict of principles which demands examination. And thirdly, what is the effect of the marked shift of emphasis from duties to rights? Is this an inevitable feature of modern citizenship—inevitable and irreversible?

Finally, I want to put Marshall's initial question again in a new form. He asked if there were limits beyond which the amelioration of the working classes could not pass, and he was thinking of limits set by natural resources and productivity. I shall ask whether there appear to be limits beyond which the modern drive towards social equality cannot, or is unlikely to, pass, and I shall be thinking, not of the economic cost (I leave that vital question to the economists), but of the limits inherent in the principles that inspire the drive. But the modern drive towards social equality is, I believe, the latest phase of an evolution of citizenship which has been in continuous progress for some 250 years. My first task, therefore, must be to prepare the ground for an attack on the problems of to-day by digging for a while in the subsoil of past history.

2. *The Development of Citizenship to the end of the Nineteenth Century*

I shall be running true to type as a sociologist if I begin by saying that I propose to divide citizenship into three parts. But the analysis is, in this case, dictated by history even more clearly than by logic. I shall call these three parts, or elements, civil, political and social. The civil element is composed of the rights necessary for individual freedom—liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice. The last is of a different order from the others, because it is the right to defend and assert all one's rights on terms of

equality with others and by due process of law. This shows us that the institutions most directly associated with civil rights are the courts of justice. By the political element I mean the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body. The corresponding institutions are parliament and councils of local government. By the social element I mean the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilised being according to the standards prevailing in the society. The institutions most closely connected with it are the educational system and the social services.¹

In early times these three strands were wound into a single thread. The rights were blended because the institutions were amalgamated. As Maitland said: 'The further back we trace our history the more impossible it is for us to draw strict lines of demarcation between the various functions of the State: the same institution is a legislative assembly, a governmental council and a court of law. . . . Everywhere, as we pass from the ancient to the modern, we see what the fashionable philosophy calls differentiation.'² Maitland is speaking here of the fusion of political and civil institutions and rights. But a man's social rights, too, were part of the same amalgam, and

¹ By this terminology, what economists sometimes call 'income from civil rights' would be called 'income from social rights'. Cf. H. Dalton, *Some Aspects of the Inequality of Incomes in Modern Communities*, pt. III, chs. 3 and 4.

² *Constitutional History of England*, p. 105.

derived from the status which also determined the kind of justice he could get and where he could get it, and the way in which he could take part in the administration of the affairs of the community of which he was a member. But this status was not one of citizenship in our modern sense. In feudal society status was the hall-mark of class and the measure of inequality. There was no uniform collection of rights and duties with which all men—noble and common, free and serf—were endowed by virtue of their membership of the society. There was, in this sense, no principle of the equality of citizens to set against the principle of the inequality of classes. In the medieval towns, on the other hand, examples of genuine and equal citizenship can be found. But its specific rights and duties were strictly local, whereas the citizenship whose history I wish to trace is, by definition, national.

Its evolution involved a double process, of fusion and of separation. The fusion was geographical, the separation functional. The first important step dates from the twelfth century, when royal justice was established with effective power to define and defend the civil rights of the individual—such as they then were—on the basis, not of local custom, but of the common law of the land. As institutions the courts were national, but specialised. Parliament followed, concentrating in itself the political powers of national government and shedding all but a small residue of the judicial functions which formerly belonged to the Curia Regis, that 'sort of constitutional protoplasm out of which will in time be evolved the various councils of the crown, the houses of parliament,

and the courts of law'.¹ Finally, the social rights which had been rooted in membership of the village community, the town and the gild were gradually dissolved by economic change until nothing remained but the Poor Law, again a specialised institution which acquired a national foundation, although it continued to be locally administered.

Two important consequences followed. First, when the institutions on which the three elements of citizenship depended parted company, it became possible for each to go its separate way, travelling at its own speed under the direction of its own peculiar principles. Before long they were spread far out along the course, and it is only in the present century, in fact I might say only within the last few months, that the three runners have come abreast of one another.

Secondly, institutions that were national and specialised could not belong so intimately to the life of the social groups they served as those that were local and of a general character. The remoteness of parliament was due to the mere size of its constituency; the remoteness of the courts, to the technicalities of their law and their procedure, which made it necessary for the citizen to employ legal experts to advise him as to the nature of his rights and to help him to obtain them. It has been pointed out again and again that, in the Middle Ages, participation in public affairs was more a duty than a right. Men owed suit and service to the court appropriate to their class and neighbourhood. The court belonged to them and they to it, and they had

¹ A. F. Pollard, *Evolution of Parliament*, p. 25.

access to it because it needed them and because they had knowledge of its affairs. But the result of the twin process of fusion and separation was that the machinery giving access to the institutions on which the rights of citizenship depended had to be shaped afresh. In the case of political rights the story is the familiar one of the franchise and the qualifications for membership of parliament. In the case of civil rights the issue hangs on the jurisdiction of the various courts, the privileges of the legal profession, and above all on the liability to meet the costs of litigation. In the case of social rights the centre of the stage is occupied by the Law of Settlement and Removal and the various forms of means test. All this apparatus combined to decide, not merely what rights were recognised in principle, but also to what extent rights recognised in principle could be enjoyed in practice.

When the three elements of citizenship parted company, they were soon barely on speaking terms. So complete was the divorce between them that it is possible, without doing too much violence to historical accuracy, to assign the formative period in the life of each to a different century—civil rights to the eighteenth, political to the nineteenth, and social to the twentieth. These periods must, of course, be treated with reasonable elasticity, and there is some evident overlap, especially between the last two.

To make the eighteenth century cover the formative period of civil rights it must be stretched backwards to include Habeas Corpus, the Toleration Act, and the abolition of the censorship of the press; and it must be

extended forwards to include Catholic Emancipation, the repeal of the Combination Acts, and the successful end of the battle for the freedom of the press associated with the names of Cobbett and Richard Carlile. It could then be more accurately, but less briefly, described as the period between the Revolution and the first Reform Act. By the end of that period, when political rights made their first infantile attempt to walk in 1832, civil rights had come to man's estate and bore, in most essentials, the appearance that they have to-day.¹ 'The specific work of the earlier Hanoverian epoch', writes Trevelyan, 'was the establishment of the rule of law; and that law, with all its grave faults, was at least a law of freedom. On that solid foundation all our subsequent reforms were built.'² This eighteenth-century achievement, interrupted by the French Revolution and completed after it, was in large measure the work of the courts, both in their daily practice and also in a series of famous cases in some of which they were fighting against parliament in defence of individual liberty. The most celebrated actor in this drama was, I suppose, John Wilkes, and, although we may deplore the absence in him of those noble and saintly qualities which we should like to find in our national heroes, we cannot complain if the cause of liberty is sometimes championed by a libertine.

In the economic field the basic civil right is the right to work, that is to say the right to follow the occupation of

¹ The most important exception is the right to strike, but the conditions which made this right vital for the workman and acceptable to political opinion had not yet fully come into being.

² *English Social History*, p. 351.

one's choice in the place of one's choice, subject only to legitimate demands for preliminary technical training. This right had been denied by both statute and custom; on the one hand by the Elizabethan Statute of Artificers, which confined certain occupations to certain social classes, and on the other by local regulations reserving employment in a town to its own members and by the use of apprenticeship as an instrument of exclusion rather than of recruitment. The recognition of the right involved the formal acceptance of a fundamental change of attitude. The old assumption that local and group monopolies were in the public interest, because 'trade and traffic cannot be maintained or increased without order and government',¹ was replaced by the new assumption that such restrictions were an offence against the liberty of the subject and a menace to the prosperity of the nation. As in the case of the other civil rights, the courts of law played a decisive part in promoting and registering the advance of the new principle. The Common Law was elastic enough for the judges to apply it in a manner which, almost imperceptibly, took account of gradual changes in circumstances and opinion and eventually installed the heresy of the past as the orthodoxy of the present. The Common Law is largely a matter of common sense, as witness the judgement given by Chief Justice Holt in the case of *Mayor of Winton v. Wilks* (1705): 'All people are at liberty to live in Winchester, and how can they be

¹ City of London Case, 1610. See E. F. Heckscher, *Mercantilism*, vol. 1, pp. 269-325, where the whole story is told in considerable detail.

restrained from using the lawful means of living there? Such a custom is an injury to the party and a prejudice to the public.'¹ Custom was one of the two great obstacles to the change. But, when ancient custom in the technical sense was clearly at variance with contemporary custom in the sense of the generally accepted way of life, its defences began to crumble fairly rapidly before the attacks of a Common Law which had, as early as 1614, expressed its abhorrence of 'all monopolies which prohibit any from working in any lawful trade'.² The other obstacle was statute law, and the judges struck some shrewd blows even against this doughty opponent. In 1756 Lord Mansfield described the Elizabethan Statute of Artificers as a penal law, in restraint of natural right and contrary to the Common Law of the kingdom. He added that 'the policy upon which the Act was made is, from experience, become doubtful'.³

By the beginning of the nineteenth century this principle of individual economic freedom was accepted as axiomatic. You are probably familiar with the passage quoted by the Webbs from the report of the Select Committee of 1811, which states that 'no interference of the legislature with the freedom of trade, or with the perfect liberty of every individual to dispose of his time and of his labour in the way and on the terms which he may judge most conducive to his own interest, can take place without violating general principles of the first

¹ *King's Bench Reports* (Holt), p. 1002.

² Heckscher, *op. cit.* vol. 1, p. 283.

³ *Ib.* p. 316.

importance to the prosperity and happiness of the community'.¹ The repeal of the Elizabethan statutes followed quickly, as the belated recognition of a revolution which had already taken place.

The story of civil rights in their formative period is one of the gradual addition of new rights to a status that already existed and was held to appertain to all adult members of the community—or perhaps one should say to all male members, since the status of women, or at least of married women, was in some important respects peculiar. This democratic, or universal, character of the status arose naturally from the fact that it was essentially the status of freedom, and in seventeenth-century England all men were free. Servile status, or villeinage by blood, had lingered on as a patent anachronism in the days of Elizabeth, but vanished soon afterwards. This change from servile to free labour has been described by Professor Tawney as 'a high landmark in the development both of economic and political society', and as 'the final triumph of the common law' in regions from which it had been excluded for four centuries. Henceforth the English peasant 'is a member of a society in which there is, nominally at least, one law for all men'.² The liberty which his predecessors had won by fleeing into the free towns had become his by right. In the towns the terms 'freedom' and 'citizenship' were interchangeable. When freedom became universal, citizenship grew from a local into a national institution.

¹ *History of Trade Unionism* (1920), p. 60.

² *Agrarian Problem in the Sixteenth Century*, pp. 43-4.

The story of political rights is different both in time and in character. The formative period began, as I have said, in the early nineteenth century, when the civil rights attached to the status of freedom had already acquired sufficient substance to justify us in speaking of a general status of citizenship. And, when it began, it consisted, not in the creation of new rights to enrich a status already enjoyed by all, but in the granting of old rights to new sections of the population. In the eighteenth century political rights were defective, not in content, but in distribution—defective, that is to say, by the standards of democratic citizenship. The Act of 1832 did little, in a purely quantitative sense, to remedy that defect. After it was passed the voters still amounted to less than one-fifth of the adult male population. The franchise was still a group monopoly, but it had taken the first step towards becoming a monopoly of a kind acceptable to the ideas of nineteenth-century capitalism—a monopoly which could, with some degree of plausibility, be described as open and not closed. A closed group monopoly is one into which no man can force his way by his own efforts; admission is at the pleasure of the existing members of the group. The description fits a considerable part of the borough franchise before 1832; and it is not too wide of the mark when applied to the franchise based on freehold ownership of land. Freeholds are not always to be had for the asking, even if one has the money to buy them, especially in an age in which families look on their lands as the social, as well as the economic, foundation of their existence. Therefore the Act of 1832, by abolishing rotten

boroughs and by extending the franchise to leaseholders and occupying tenants of sufficient economic substance, opened the monopoly by recognising the political claims of those who could produce the normal evidence of success in the economic struggle.

It is clear that, if we maintain that in the nineteenth century citizenship in the form of civil rights was universal, the political franchise was not one of the rights of citizenship. It was the privilege of a limited economic class, whose limits were extended by each successive Reform Act. It can nevertheless be argued that citizenship in this period was not politically meaningless. It did not confer a right, but it recognised a capacity. No sane and law-abiding citizen was debarred by personal status from acquiring and recording a vote. He was free to earn, to save, to buy property or to rent a house, and to enjoy whatever political rights were attached to these economic achievements. His civil rights entitled him, and electoral reform increasingly enabled him, to do this.

It was, as we shall see, appropriate that nineteenth-century capitalist society should treat political rights as a secondary product of civil rights. It was equally appropriate that the twentieth century should abandon this position and attach political rights directly and independently to citizenship as such. This vital change of principle was put into effect when the Act of 1918, by adopting manhood suffrage, shifted the basis of political rights from economic substance to personal status. I say 'manhood' deliberately in order to emphasise the great significance of this reform quite apart from the second, and no

less important, reform introduced at the same time—namely the enfranchisement of women. But the Act of 1918 did not fully establish the political equality of all in terms of the rights of citizenship. Remnants of an inequality based on differences of economic substance lingered on until, only last year, plural voting (which had already been reduced to dual voting) was finally abolished.

When I assigned the formative periods of the three elements of citizenship each to a separate century—civil rights to the eighteenth, political to the nineteenth and social to the twentieth—I said that there was a considerable overlap between the last two. I propose to confine what I have to say now about social rights to this overlap, in order that I may complete my historical survey to the end of the nineteenth century, and draw my conclusions from it, before turning my attention to the second half of my subject, a study of our present experiences and their immediate antecedents. In this second act of the drama social rights will occupy the centre of the stage.

The original source of social rights was membership of local communities and functional associations. This source was supplemented and progressively replaced by a Poor Law and a system of wage regulation which were nationally conceived and locally administered. The latter—the system of wage regulation—was rapidly decaying in the eighteenth century, not only because industrial change made it administratively impossible, but also because it was incompatible with the new conception of civil rights in the economic sphere, with its emphasis on

the right to work where and at what you pleased under a contract of your own making. Wage regulation infringed this individualist principle of the free contract of employment.

The Poor Law was in a somewhat ambiguous position. Elizabethan legislation had made of it something more than a means for relieving destitution and suppressing vagrancy, and its constructive aims suggested an interpretation of social welfare reminiscent of the more primitive, but more genuine, social rights which it had largely superseded. The Elizabethan Poor Law was, after all, one item in a broad programme of economic planning whose general object was, not to create a new social order, but to preserve the existing one with the minimum of essential change. As the pattern of the old order dissolved under the blows of a competitive economy, and the plan disintegrated, the Poor Law was left high and dry as an isolated survival from which the idea of social rights was gradually drained away. But at the very end of the eighteenth century there occurred a final struggle between the old and the new, between the planned (or patterned) society and the competitive economy. And in this battle citizenship was divided against itself; social rights sided with the old and civil with the new.

In his book *Origins of our Time*, Karl Polanyi attributes to the Speenhamland system of poor relief an importance which some readers may find surprising. To him it seems to mark and symbolise the end of an epoch. Through it the old order rallied its retreating forces and delivered a spirited attack into the enemy's country. That, at least,

is how I should describe its significance in the history of citizenship. The Speenhamland system offered, in effect, a guaranteed minimum wage and family allowances, combined with the right to work or maintenance. That, even by modern standards, is a substantial body of social rights, going far beyond what one might regard as the proper province of the Poor Law. And it was fully realised by the originators of the scheme that the Poor Law was being invoked to do what wage regulation was no longer able to accomplish. For the Poor Law was the last remains of a system which tried to adjust real income to the social needs and status of the citizen and not solely to the market value of his labour. But this attempt to inject an element of social security into the very structure of the wage system through the instrumentality of the Poor Law was doomed to failure, not only because of its disastrous practical consequences, but also because it was utterly obnoxious to the prevailing spirit of the times.

In this brief episode of our history we see the Poor Law as the aggressive champion of the social rights of citizenship. In the succeeding phase we find the attacker driven back far behind his original position. By the Act of 1834 the Poor Law renounced all claim to trespass on the territory of the wages system, or to interfere with the forces of the free market. It offered relief only to those who, through age or sickness, were incapable of continuing the battle, and to those other weaklings who gave up the struggle, admitted defeat, and cried for mercy. The tentative move towards the concept of social security was reversed. But more than that, the minimal social

rights that remained were detached from the status of citizenship. The Poor Law treated the claims of the poor, not as an integral part of the rights of the citizen, but as an alternative to them—as claims which could be met only if the claimants ceased to be citizens in any true sense of the word. For paupers forfeited in practice the civil right of personal liberty, by internment in the workhouse, and they forfeited by law any political rights they might possess. This disability of disfranchisement remained in being until 1918, and the significance of its final removal has, perhaps, not been fully appreciated. The stigma which clung to poor relief expressed the deep feelings of a people who understood that those who accepted relief must cross the road that separated the community of citizens from the outcast company of the destitute.

The Poor Law is not an isolated example of this divorce of social rights from the status of citizenship. The early Factory Acts show the same tendency. Although in fact they led to an improvement of working conditions and a reduction of working hours to the benefit of all employed in the industries to which they applied, they meticulously refrained from giving this protection directly to the adult male—the citizen *par excellence*. And they did so out of respect for his status as a citizen, on the grounds that enforced protective measures curtailed the civil right to conclude a free contract of employment. Protection was confined to women and children, and champions of women's rights were quick to detect the implied insult. Women were protected because they were not citizens. If they wished to enjoy full and responsible citizenship, they

must forgo protection. By the end of the nineteenth century such arguments had become obsolete, and the factory code had become one of the pillars in the edifice of social rights.

The history of education shows superficial resemblances to that of factory legislation. In both cases the nineteenth century was, for the most part, a period in which the foundations of social rights were laid, but the principle of social rights as an integral part of the status of citizenship was either expressly denied or not definitely admitted. But there are significant differences. Education, as Marshall recognised when he singled it out as a fit object of State action, is a service of a unique kind. It is easy to say that the recognition of the right of children to be educated does not affect the status of citizenship any more than does the recognition of the right of children to be protected from overwork and dangerous machinery, simply because children, by definition, cannot be citizens. But such a statement is misleading. The education of children has a direct bearing on citizenship, and, when the State guarantees that all children shall be educated, it has the requirements and the nature of citizenship definitely in mind. It is trying to stimulate the growth of citizens in the making. The right to education is a genuine social right of citizenship, because the aim of education during childhood is to shape the future adult. Fundamentally it should be regarded, not as the right of the child to go to school, but as the right of the adult citizen to have been educated. And there is here no conflict with civil rights as interpreted in an age of individualism. For civil rights are designed for use by reasonable and intelligent persons,

who have learned to read and write. Education is a necessary prerequisite of civil freedom.

But, by the end of the nineteenth century, elementary education was not only free, it was compulsory. This signal departure from *laissez-faire* could, of course, be justified on the grounds that free choice is a right only for mature minds, that children are naturally subject to discipline, and that parents cannot be trusted to do what is in the best interests of their children. But the principle goes deeper than that. We have here a personal right combined with a public duty to exercise the right. Is the public duty imposed merely for the benefit of the individual—because children cannot fully appreciate their own interests and parents may be unfit to enlighten them? I hardly think that this can be an adequate explanation. It was increasingly recognised, as the nineteenth century wore on, that political democracy needed an educated electorate, and that scientific manufacture needed educated workers and technicians. The duty to improve and civilise oneself is therefore a social duty, and not merely a personal one, because the social health of a society depends upon the civilisation of its members. And a community that enforces this duty has begun to realise that its culture is an organic unity and its civilisation a national heritage. It follows that the growth of public elementary education during the nineteenth century was the first decisive step on the road to the re-establishment of the social rights of citizenship in the twentieth.

When Marshall read his paper to the Cambridge Reform Club, the State was just preparing to shoulder the

responsibility he attributed to it when he said that it was 'bound to compel them (the children) and help them to take the first step upwards'. But this would not go far towards realising his ideal of making every man a gentleman, nor was that in the least the intention. And as yet there was little sign of any desire 'to help them, if they will, to make many steps upwards'. The idea was in the air, but it was not a cardinal point of policy. In the early nineties the L.C.C., through its Technical Education Board, instituted a scholarship system which Beatrice Webb obviously regarded as epoch-making. For she wrote of it: 'In its popular aspect this was an educational ladder of unprecedented dimensions. It was, indeed, among educational ladders the most gigantic in extent, the most elaborate in its organisation of "intakes" and promotions, and the most diversified in kinds of excellence selected and in types of training provided that existed anywhere in the world.'¹ The enthusiasm of these words enables us to see how far we have advanced our standards since those days.

3. *The Early Impact of Citizenship on Social Class*

So far my aim has been to trace in outline the development of citizenship in England to the end of the nineteenth century. For this purpose I have divided citizenship into three elements, civil, political and social. I have tried to show that civil rights came first, and were established in something like their modern form before the first Reform Act was passed in 1832. Political rights came

¹ *Our Partnership*, p. 79.

next, and their extension was one of the main features of the nineteenth century, although the principle of universal political citizenship was not recognised until 1918. Social rights, on the other hand, sank to vanishing point in the eighteenth and early nineteenth centuries. Their revival began with the development of public elementary education, but it was not until the twentieth century that they attained to equal partnership with the other two elements in citizenship.

I have as yet said nothing about social class, and I should explain here that social class occupies a secondary position in my theme. I do not propose to embark on the long and difficult task of examining its nature and analysing its components. Time would not allow me to do justice to so formidable a subject. My primary concern is with citizenship, and my special interest is in its impact on social inequality. I shall discuss the nature of social class only so far as is necessary for the pursuit of this special interest. I have paused in the narrative at the end of the nineteenth century because I believe that the impact of citizenship on social inequality after that date was fundamentally different from what it had been before it. That statement is not likely to be disputed. It is the exact nature of the difference that is worth exploring. Before going any further, therefore, I shall try to draw some general conclusions about the impact of citizenship on social inequality in the earlier of the two periods.

Citizenship is a status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the

status is endowed. There is no universal principle that determines what those rights and duties shall be, but societies in which citizenship is a developing institution create an image of an ideal citizenship against which achievement can be measured and towards which aspiration can be directed. The urge forward along the path thus plotted is an urge towards a fuller measure of equality, an enrichment of the stuff of which the status is made and an increase in the number of those on whom the status is bestowed. Social class, on the other hand, is a system of inequality. And it too, like citizenship, can be based on a set of ideals, beliefs and values. It is therefore reasonable to expect that the impact of citizenship on social class should take the form of a conflict between opposing principles. If I am right in my contention that citizenship has been a developing institution in England at least since the latter part of the seventeenth century, then it is clear that its growth coincides with the rise of capitalism, which is a system, not of equality, but of inequality. Here is something that needs explaining. How is it that these two opposing principles could grow and flourish side by side in the same soil? What made it possible for them to be reconciled with one another and to become, for a time at least, allies instead of antagonists? The question is a pertinent one, for it is clear that, in the twentieth century, citizenship and the capitalist class system have been at war.

It is at this point that a closer scrutiny of social class becomes necessary. I cannot attempt to examine all its many and varied forms, but there is one broad distinction

between two different types of class which is particularly relevant to my argument. In the first of these class is based on a hierarchy of status, and the difference between one class and another is expressed in terms of legal rights and of established customs which have the essential binding character of law. In its extreme form such a system divides a society into a number of distinct, hereditary human species—patricians, plebeians, serfs, slaves and so forth. Class is, as it were, an institution in its own right, and the whole structure has the quality of a plan, in the sense that it is endowed with meaning and purpose and accepted as a natural order. The civilisation at each level is an expression of this meaning and of this natural order, and differences between social levels are not differences in standard of living, because there is no common standard by which they can be measured. Nor are there any rights—at least none of any significance—which all share in common.¹ The impact of citizenship on such a system was bound to be profoundly disturbing, and even destructive. The rights with which the general status of citizenship was invested were extracted from the hierarchical status system of social class, robbing it of its essential substance. The equality implicit in the concept of citizenship, even though limited in content, undermined the inequality of the class system, which was in principle a total inequality. National justice and a law common to all must inevitably weaken and eventually destroy class justice, and personal freedom, as a universal birthright, must drive out serfdom. No

¹ See the admirable characterisation given by R. H. Tawney in *Equality*, pp. 121–2.

subtle argument is needed to show that citizenship is incompatible with medieval feudalism.

Social class of the second type is not so much an institution in its own right as a by-product of other institutions. Although we may still refer to 'social status', we are stretching the term beyond its strict technical meaning when we do so. Class differences are not established and defined by the laws and customs of the society (in the medieval sense of that phrase), but emerge from the interplay of a variety of factors related to the institutions of property and education and the structure of the national economy. Class cultures dwindle to a minimum, so that it becomes possible, though admittedly not wholly satisfactory, to measure the different levels of economic welfare by reference to a common standard of living. The working classes, instead of inheriting a distinctive though simple culture, are provided with a cheap and shoddy imitation of a civilisation that has become national.

It is true that class still functions. Social inequality is regarded as necessary and purposeful. It provides the incentive to effort and designs the distribution of power. But there is no over-all pattern of inequality, in which an appropriate value is attached, *a priori*, to each social level. Inequality therefore, though necessary, may become excessive. As Patrick Colquhoun said, in a much-quoted passage: 'Without a large proportion of poverty there could be no riches, since riches are the offspring of labour, while labour can result only from a state of poverty. . . . Poverty therefore is a most necessary and indispensable ingredient in society, without which nations and commu-

nities could not exist in a state of civilisation.¹ But Colquhoun, while accepting poverty, deplored 'indigence', or, as we should say, destitution. By 'poverty' he meant the situation of a man who, owing to lack of any economic reserves, is obliged to work, and to work hard, in order to live. By 'indigence' he meant the situation of a family which lacks the minimum necessary for decent living. The system of inequality which allowed the former to exist as a driving force inevitably produced a certain amount of the latter as well. Colquhoun, and other humanitarians, regretted this and sought means to alleviate the suffering it caused. But they did not question the justice of the system of inequality as a whole. It could be argued, in defence of its justice, that, although poverty might be necessary, it was not necessary that any particular family should remain poor, or quite as poor as it was. The more you look on wealth as conclusive proof of merit, the more you incline to regard poverty as evidence of failure—but the penalty for failure may seem to be greater than the offence warrants. In such circumstances it is natural that the more unpleasant features of inequality should be treated, rather irresponsibly, as a nuisance, like the black smoke that used to pour unchecked from our factory chimneys. And so in time, as the social conscience stirs to life, class-abatement, like smoke-abatement, becomes a desirable aim to be pursued as far as is compatible with the continued efficiency of the social machine.

But class-abatement in this form was not an attack on the class system. On the contrary it aimed, often quite

¹ *A Treatise on Indigence* (1806), pp. 7-8.

consciously, at making the class system less vulnerable to attack by alleviating its less defensible consequences. It raised the floor-level in the basement of the social edifice, and perhaps made it rather more hygienic than it was before. But it remained a basement, and the upper stories of the building were unaffected. And the benefits received by the unfortunate did not flow from an enrichment of the status of citizenship. Where they were given officially by the State, this was done by measures which, as I have said, offered alternatives to the rights of citizenship, rather than additions to them. But the major part of the task was left to private charity, and it was the general, though not universal, view of charitable bodies that those who received their help had no personal right to claim it.

Nevertheless it is true that citizenship, even in its early forms, was a principle of equality, and that during this period it was a developing institution. Starting at the point where all men were free and, in theory, capable of enjoying rights, it grew by enriching the body of rights which they were capable of enjoying. But these rights did not conflict with the inequalities of capitalist society; they were, on the contrary, necessary to the maintenance of that particular form of inequality. The explanation lies in the fact that the core of citizenship at this stage was composed of civil rights. And civil rights were indispensable to a competitive market economy. They gave to each man, as part of his individual status, the power to engage as an independent unit in the economic struggle and made it possible to deny to him social protection on the ground that he was equipped with the means to protect

himself. Maine's famous dictum that 'the movement of the progressive societies has hitherto been a movement from Status to Contract'¹ expresses a profound truth which has been elaborated, with varying terminology, by many sociologists, but it requires qualification. For both status and contract are present in all but the most primitive societies. Maine himself admitted this when, later in the same book, he wrote that the earliest feudal communities, as contrasted with their archaic predecessors, 'were neither bound together by mere sentiment nor recruited by a fiction. The tie which united them was Contract.'² But the contractual element in feudalism co-existed with a class system based on status and, as contract hardened into custom, it helped to perpetuate class status. Custom retained the form of mutual undertakings, but not the reality of a free agreement. Modern contract did not grow out of feudal contract; it marks a new development to whose progress feudalism was an obstacle that had to be swept aside. For modern contract is essentially an agreement between men who are free and equal in status, though not necessarily in power. Status was not eliminated from the social system. Differential status, associated with class, function and family, was replaced by the single uniform status of citizenship, which provided the foundation of equality on which the structure of inequality could be built.

When Maine wrote, this status was clearly an aid, and not a menace, to capitalism and the free-market economy, because it was dominated by civil rights, which confer

¹ *Ancient Law* (1878), p. 170.

² *Ib.* p. 365.

the legal capacity to strive for the things one would like to possess but do not guarantee the possession of any of them. A property right is not a right to possess property, but a right to acquire it, if you can, and to protect it, if you can get it. But, if you use these arguments to explain to a pauper that his property rights are the same as those of a millionaire, he will probably accuse you of quibbling. Similarly, the right to freedom of speech has little real substance if, from lack of education, you have nothing to say that is worth saying, and no means of making yourself heard if you say it. But these blatant inequalities are not due to defects in civil rights, but to lack of social rights, and social rights in the mid-nineteenth century were in the doldrums. The Poor Law was an aid, not a menace, to capitalism, because it relieved industry of all social responsibility outside the contract of employment, while sharpening the edge of competition in the labour market. Elementary schooling was also an aid, because it increased the value of the worker without educating him above his station.

But it would be absurd to contend that the civil rights enjoyed in the eighteenth and nineteenth centuries were free from defects, or that they were as egalitarian in practice as they professed to be in principle. Equality before the law did not exist. The right was there, but the remedy might frequently prove to be out of reach. The barriers between rights and remedies were of two kinds: the first arose from class prejudice and partiality, the second from the automatic effects of the unequal distribution of wealth, working through the price system. Class prejudice, which un-

doubtedly coloured the whole administration of justice in the eighteenth century, cannot be eliminated by law, but only by social education and the building of a tradition of impartiality. This is a slow and difficult process, which presupposes a change in the climate of thought throughout the upper ranks of society. But it is a process which I think it is fair to say has been successfully accomplished, in the sense that the tradition of impartiality as between social classes is firmly established in our civil justice. And it is interesting that this should have happened without any fundamental change in the class structure of the legal profession. We have no exact knowledge on this point, but I doubt whether the picture has radically altered since Professor Ginsberg found that the proportion of those admitted to Lincoln's Inn whose fathers were wage-earners had risen from 0.4% in 1904-8 to 1.8% in 1923-27, and that at this latter date nearly 72% were sons of professional men, high-ranking business men and gentlemen.¹ The decline of class prejudice as a barrier to the full enjoyment of rights is, therefore, due less to the dilution of class monopoly in the legal profession than to the spread in all classes of a more humane and realistic sense of social equality.

It is interesting to compare with this the corresponding development in the field of political rights. Here too class prejudice, expressed through the intimidation of the lower classes by the upper, prevented the free exercise of the right to vote by the newly enfranchised. In this case a practical remedy was available, in the secret ballot. But

¹ *Studies in Sociology*, p. 171.

that was not enough. Social education, and a change of mental climate, were needed as well. And, even when voters felt free from undue influence, it still took some time to break down the idea, prevalent in the working as well as other classes, that the representatives of the people, and still more the members of the government, should be drawn from among the élites who were born, bred and educated for leadership. Class monopoly in politics, unlike class monopoly in law, has definitely been overthrown. Thus, in these two fields, the same goal has been reached by rather different paths.

The removal of the second obstacle, the effects of the unequal distribution of wealth, was technically a simple matter in the case of political rights, because it costs little or nothing to register a vote. Nevertheless, wealth can be used to influence an election, and a series of measures was adopted to reduce this influence. The earlier ones, which go back to the seventeenth century, were directed against bribery and corruption, but the later ones, especially from 1883 onwards, had the wider aim of limiting election expenses in general, in order that candidates of unequal wealth might fight on more or less equal terms. The need for such equalising measures has now greatly diminished, since working-class candidates can get financial support from party and other funds. Restrictions which prevent competitive extravagance are, therefore, probably welcomed by all. It remained to open the House of Commons to men of all classes, regardless of wealth, first by abolishing the property qualification for members, and then by introducing payment of members in 1911.

It has proved far more difficult to achieve similar results in the field of civil rights, because litigation, unlike voting, is very expensive. Court fees are not high, but counsel's fees and solicitor's charges may mount up to very large sums indeed. Since a legal action takes the form of a contest, each party feels that his chances of winning will be improved if he secures the services of better champions than those employed on the other side. There is, of course, some truth in this, but not as much as is popularly believed. But the effect in litigation, as in elections, is to introduce an element of competitive extravagance which makes it difficult to estimate in advance what the costs of an action will amount to. In addition, our system by which costs are normally awarded to the winner increases the risk and the uncertainty. A man of limited means, knowing that, if he loses, he will have to pay his opponent's costs (after they have been pruned by the Taxing Master) as well as his own, may easily be frightened into accepting an unsatisfactory settlement, especially if his opponent is wealthy enough not to be bothered by any such considerations. And even if he wins, the taxed costs he recovers will usually be less than his actual expenditure, and often considerably less. So that, if he has been induced to fight his case expensively, the victory may not be worth the price paid.

What, then, has been done to remove these barriers to the full and equal exercise of civil rights? Only one thing of real substance, the establishment in 1846 of the County Courts to provide cheap justice for the common people. This important innovation has had a profound and beneficial effect on our legal system, and done much to develop

a proper sense of the importance of the case brought by the small man—which is often a very big case by his standards. But County Court costs are not negligible, and the jurisdiction of the County Courts is limited. The second major step taken was the development of a poor person's procedure, under which a small fraction of the poorer members of the community could sue *in forma pauperis*, practically free of all cost, being assisted by the gratuitous and voluntary services of the legal profession. But, as the income limit was extremely low (£2 a week since 1919), and the procedure did not apply in the County Courts, it has had little effect except in matrimonial causes. The supplementary service of free legal advice was, until recently, provided by the unaided efforts of voluntary bodies. But the problem has not been overlooked, nor the reality of the defects in our system denied. It has attracted increasing attention during the last hundred years. The machinery of the Royal Commission and the Committee has been used repeatedly, and some reforms of procedure have resulted. Two such Committees are at work now, but it would be most improper for me to make any reference to their deliberations.¹ A third, which started earlier, issued a report on which is based the Legal Aid and Advice Bill laid before parliament just three months ago.² This is a bold measure, going far beyond

¹ The Austin Jones Committee on County Court Procedure and the Evershed Committee on Supreme Court Practice and Procedure. The report of the former and an interim report of the latter have since been published.

² The Rushcliffe Committee on Legal Aid and Legal Advice in England and Wales.

anything previously attempted for the assistance of the poorer litigants, and I shall have more to say about it later on.

It is apparent from the events I have briefly narrated that there developed, in the latter part of the nineteenth century, a growing interest in equality as a principle of social justice and an appreciation of the fact that the formal recognition of an equal capacity for rights was not enough. In theory even the complete removal of all the barriers that separated civil rights from their remedies would not have interfered with the principles or the class structure of the capitalist system. It would, in fact, have created a situation which many supporters of the competitive market economy falsely assumed to be already in existence. But in practice the attitude of mind which inspired the efforts to remove these barriers grew out of a conception of equality which overstepped these narrow limits, the conception of equal social worth, not merely of equal natural rights. Thus although citizenship, even by the end of the nineteenth century, had done little to reduce social inequality, it had helped to guide progress into the path which led directly to the egalitarian policies of the twentieth century.

It also had an integrating effect, or, at least, was an important ingredient in an integrating process. In a passage I quoted just now Maine spoke of pre-feudal societies as bound together by a sentiment and recruited by a fiction. He was referring to kinship, or the fiction of common descent. Citizenship requires a bond of a different kind, a direct sense of community membership

based on loyalty to a civilisation which is a common possession. It is a loyalty of free men endowed with rights and protected by a common law. Its growth is stimulated both by the struggle to win those rights and by their enjoyment when won. We see this clearly in the eighteenth century, which saw the birth, not only of modern civil rights, but also of modern national consciousness. The familiar instruments of modern democracy were fashioned by the upper classes and then handed down, step by step, to the lower: political journalism for the intelligentsia was followed by newspapers for all who could read, public meetings, propaganda campaigns, and associations for the furtherance of public causes. Repressive measures and taxes were quite unable to stop the flood. And with it came a patriotic nationalism, expressing the unity underlying these controversial outbursts. How deep or widespread this was it is difficult to say, but there can be no doubt about the vigour of its outward manifestation. We still use those typically eighteenth-century songs, 'God Save the King' and 'Rule Britannia', but we omit the passages which would offend our modern, and more modest, sensibilities. This jingo patriotism, and the 'popular and parliamentary agitation' which Temperley found to be 'the main factor in causing the war' of Jenkins's ear,¹ were new phenomena in which can be recognised the first small trickle which grew into the broad stream of the national war efforts of the twentieth century.

This growing national consciousness, this awakening

¹ C. Grant Robertson, *England under the Hanoverians*, p. 491.

public opinion, and these first stirrings of a sense of community membership and common heritage did not have any material effect on class structure and social inequality for the simple and obvious reason that, even at the end of the nineteenth century, the mass of the working people did not wield effective political power. By that time the franchise was fairly wide, but those who had recently received the vote had not yet learned how to use it. The political rights of citizenship, unlike the civil rights, were full of potential danger to the capitalist system, although those who were cautiously extending them down the social scale probably did not realise quite how great the danger was. They could hardly be expected to foresee what vast changes could be brought about by the peaceful use of political power, without a violent and bloody revolution. The Planned Society and the Welfare State had not yet risen over the horizon or come within the view of the practical politician. The foundations of the market economy and the contractual system seemed strong enough to stand against any probable assault. In fact, there were some grounds for expecting that the working classes, as they became educated, would accept the basic principles of the system and be content to rely for their protection and progress on the civil rights of citizenship, which contained no obvious menace to competitive capitalism. Such a view was encouraged by the fact that one of the main achievements of political power in the later nineteenth century was the recognition of the right of collective bargaining. This meant that social progress was being sought by strengthening civil rights,

not by creating social rights; through the use of contract in the open market, not through a minimum wage and social security.

But this interpretation underrates the significance of this extension of civil rights in the economic sphere. For civil rights were in origin intensely individual, and that is why they harmonised with the individualistic phase of capitalism. By the device of incorporation groups were enabled to act legally as individuals. This important development did not go unchallenged, and limited liability was widely denounced as an infringement of individual responsibility. But the position of trade unions was even more anomalous, because they did not seek or obtain incorporation. They can, therefore, exercise vital civil rights collectively on behalf of their members without formal collective responsibility, while the individual responsibility of the workers in relation to contract is largely unenforceable. These civil rights became, for the workers, an instrument for raising their social and economic status, that is to say, for establishing the claim that they, as citizens, were entitled to certain social rights. But the normal method of establishing social rights is by the exercise of political power, for social rights imply an absolute right to a certain standard of civilisation which is conditional only on the discharge of the general duties of citizenship. Their content does not depend on the economic value of the individual claimant. There is therefore a significant difference between a genuine collective bargain through which economic forces in a free market seek to achieve equilibrium and the use of collective civil

rights to assert basic claims to the elements of social justice. Thus the acceptance of collective bargaining was not simply a natural extension of civil rights; it represented the transfer of an important process from the political to the civil sphere of citizenship. But 'transfer' is, perhaps, a misleading term, for at the time when this happened the workers either did not possess, or had not yet learned to use, the political right of the franchise. Since then they have obtained and made full use of that right. Trade unionism has, therefore, created a secondary system of industrial citizenship parallel with and supplementary to the system of political citizenship.

It is interesting to compare this development with the history of parliamentary representation. In the early parliaments, says Pollard, 'representation was nowise regarded as a means of expressing individual right or forwarding individual interests. It was communities, not individuals, who were represented.'¹ And, looking at the position on the eve of the Reform Act of 1918, he added: 'Parliament, instead of representing communities or families, is coming to represent nothing but individuals.'² A system of manhood and womanhood suffrage treats the vote as the voice of the individual. Political parties organise these voices for group action, but they do so nationally and not on the basis of function, locality or interest. In the case of civil rights the movement has been in the opposite direction, not from the representation of communities to that of individuals, but from the representation of individuals to that of communities. And

¹ *The Evolution of Parliament*, p. 155.

² *Ib.* p. 165.

Pollard makes another point. It was a characteristic of the early parliamentary system, he says, that the representatives were those who had the time, the means and the inclination to do the job. Election by a majority of votes and strict accountability to the electors was not essential. Constituencies did not instruct their members, and election promises were unknown. Members 'were elected to bind their constituents, and not to be bound by them.'¹ It is not too fanciful to suggest that some of these features are reproduced in modern trade unions, though, of course, with many profound differences. One of these is that trade union officials do not undertake an onerous unpaid job, but enter on a remunerative career. This remark is not meant to be offensive, and, indeed, it would hardly be seemly for a university professor to criticise a public institution on the ground that its affairs are managed largely by its salaried employees.

All that I have said so far has been by way of introduction to my main task. I have not tried to put before you new facts culled by laborious research. The limit of my ambition has been to regroup familiar facts in a pattern which may make them appear to some of you in a new light. I thought it necessary to do this in order to prepare the ground for the more difficult, speculative and controversial study of the contemporary scene, in which the leading role is played by the social rights of citizenship. It is to the impact of these on social class that I must now turn my attention.

¹ *Ib.* p. 152.

4. *Social Rights in the Twentieth Century*

The period of which I have hitherto been speaking was one during which the growth of citizenship, substantial and impressive though it was, had little direct effect on social inequality. Civil rights gave legal powers whose use was drastically curtailed by class prejudice and lack of economic opportunity. Political rights gave potential power whose exercise demanded experience, organisation, and a change of ideas as to the proper functions of government. All these took time to develop. Social rights were at a minimum and were not woven into the fabric of citizenship. The common purpose of statutory and voluntary effort was to abate the nuisance of poverty without disturbing the pattern of inequality of which poverty was the most obviously unpleasant consequence.

A new period opened at the end of the nineteenth century, conveniently marked by Booth's survey of Life and Labour of the People in London and the Royal Commission on the Aged Poor. It saw **the first big advance in social rights**, and this **involved significant** changes in the **egalitarian principle** as expressed in citizenship. But there were other forces at work as well. A rise of money incomes unevenly distributed over the social classes altered the economic distance which separated these classes from one another, diminishing the gap between skilled and unskilled labour and between skilled labour and non-manual workers, while the steady increase in small savings blurred the class distinction between the capitalist and the propertyless proletarian. Secondly, a

system of direct taxation, ever more steeply graduated, compressed the whole scale of disposable incomes. Thirdly, mass production for the home market and a growing interest on the part of industry in the needs and tastes of the common people enabled the less well-to-do to enjoy a material civilisation which differed less markedly in quality from that of the rich than it had ever done before. All this profoundly altered the setting in which the progress of citizenship took place. Social integration spread from the sphere of sentiment and patriotism into that of material enjoyment. The components of a civilised and cultured life, formerly the monopoly of the few, were brought progressively within reach of the many, who were encouraged thereby to stretch out their hands towards those that still eluded their grasp. **The diminution of inequality** strengthened the demand for its abolition, at least with regard to the essentials of social welfare.

These aspirations have in part been met by incorporating **social rights in the status of citizenship** and thus creating a universal right to real income which is not proportionate to the market value of the claimant. Class-abatement is still the aim of social rights, but it has acquired a new meaning. It is no longer merely an attempt to abate the obvious nuisance of destitution in the lowest ranks of society. It has assumed the guise of action modifying the whole **pattern of social inequality**. It is no longer content to raise the floor-level in the basement of the social edifice, leaving the superstructure as it was. It has begun to remodel the whole building, and it might even end by converting a sky-scraper into a bungalow.

It is therefore important to consider whether any such ultimate aim is implicit in the nature of this development, or whether, as I put it at the outset, there are natural limits to the contemporary drive towards greater social and economic equality. To answer this question I must survey and analyse the social services of the twentieth century.

I said earlier that the attempts made to remove the barriers between civil rights and their remedies gave evidence of a new attitude towards the problem of equality. I can therefore conveniently begin my survey by looking at the latest example of such an attempt, the Legal Aid and Advice Bill, which offers a social service designed to strengthen the civil right of the citizen to settle his disputes in a court of law. It also brings us face to face at once with one of the major issues of our problem, the possibility of combining in one system the two principles of social justice and market price. The State is not prepared to make the administration of justice free for all. One reason for this—though not, of course, the only one—is that costs perform a useful function by discouraging frivolous litigation and encouraging the acceptance of reasonable settlements. If all actions which are started went to trial, the machinery of justice would break down. Also, the amount that it is appropriate to spend on a case depends largely on what it is worth to the parties, and of this, it is argued, they themselves are the only judges. It is very different in a health service, where the seriousness of the disease and the nature of the treatment required can be objectively assessed with very little reference to the importance the patient attaches to it. Nevertheless, though



some payment is demanded, it must not take a form which deprives the litigant of his right to justice or puts him at a disadvantage *vis-à-vis* his opponent.

The main provisions of the scheme are as follows. The service will be confined to an economic class—those whose disposable income and capital do not exceed £420 and £500 respectively.¹ 'Disposable' means the balance after considerable deductions have been allowed for dependants, rent, ownership of house and tools, and so forth. The maximum contributable by the litigant towards his own costs is limited to half the excess of his disposable income over £156 plus the excess of his disposable capital above £75. His liability towards the costs of the other side, if he loses, is entirely in the discretion of the court. He will have the professional assistance of solicitor and counsel drawn from a panel of volunteers, and they will be remunerated for their services, in the High Court (and above) at rates 15% below what the Taxing Master would regard as reasonable in the free market, and in the County Court according to uniform scales not yet fixed.

The scheme, it will be seen, makes use of the principles of the income limit and the means test, which have just been abandoned in the other major social services. And the means test will be applied, or the maximum contribution assessed, by the National Assistance Board, whose officers, in addition to making the allowances prescribed

¹ Where disposable capital exceeds £500, legal aid may still be granted, at the discretion of the local committee, if disposable income does not exceed £420.

in the regulations, 'will have general discretionary powers to enable them to deduct from income any sums which they normally disregard in dealing with an application for assistance under the National Assistance Act, 1948'.¹ It will be interesting to see whether this link with the old Poor Law will make Legal Aid unsavoury to many of those entitled to avail themselves of it, who will include persons with gross incomes up to £600 or £700 a year. But, quite apart from the agents employed to enforce it, the reason for introducing a means test is clear. The price payable for the service of the court and of the legal profession plays a useful part by testing the urgency of the demand. It is, therefore, to be retained. But the impact of price on demand is to be made less unequal by adjusting the bill to the income out of which it must be met. The method of adjustment resembles the operation of a progressive tax. If we consider income only, and ignore capital, we see that a man with a disposable income of £200 would be liable to contribute £22, or 11% of that income, and a man with a disposable income of £420 would have a maximum contribution of £132, or over 31% of that income.

A system of this kind may work quite well (assuming the scale of adjustment to be satisfactory) provided the market price of the service is a reasonable one for the smallest income that does not qualify for assistance. Then the price scale can taper down from this pivotal point until it vanishes where the income is too small to pay anything. No awkward gap will appear at the top between

¹ Cmd. 7563: Summary of the Proposed New Service, p. 7, para. 17.

the assisted and the unassisted. The method is in use for State scholarships to universities. The cost to be met in this case is the standardised figure for maintenance plus fees. Deductions are made from the gross income of the parents on lines similar to those proposed for Legal Aid, except that income tax is not deducted. The resulting figure is known as the 'scale income'. This is applied to a table which shows the parental contribution at each point on the scale. Scale incomes up to £600 pay nothing, and the ceiling above which parents must pay the full costs, without subsidy, is £1500. A Working Party has recently recommended that the ceiling should be raised 'to at least £2000' (before tax),¹ which is a fairly generous poverty line for a social service. It is not unreasonable to assume that, at that income level, the market cost of a university education can be met by the family without undue hardship.

The Legal Aid scheme will probably work in much the same way for County Court cases, where costs are moderate. Those with incomes at the top of the scale will not normally receive any subsidy towards their own costs, even if they lose their case. The contribution they can be called on to make out of their own funds will usually be enough to cover them. They will thus be in the same position as those just outside the scheme, and no awkward gap will appear. Litigants coming within the scheme, will, however, get professional legal assistance at a controlled and

¹ Ministry of Education: *Report of the Working Party on University Awards*, 1948, para. 60. The general account of the present system is taken from the same source.

reduced price, and that is in itself a valuable privilege. But in a heavy High Court case the maximum contribution of the man at the top of the scale would be far from sufficient to meet his own costs if he was defeated. His liability under the scheme could, therefore, be many times less than that of a man, just outside the scheme, who fought and lost an identical action. In such cases the gap may be very noticeable, and this is particularly serious in litigation, which takes the form of a contest. The contest may be between an assisted litigant and an unassisted one, and they will be fighting under different rules. One will be protected by the principle of social justice, while the other is left to the mercy of the market and the ordinary obligations imposed by contract and the rules of the court. A measure of class-abatement may, in some cases, create a form of class privilege. Whether this will happen depends largely on the content of regulations which have not yet been issued, and on the way in which the court uses its discretion in awarding costs against assisted litigants who lose their actions.

This particular difficulty could be overcome if the system were made universal, or nearly so, by carrying the scale of maximum contributions up to much higher income levels. In other words, the means test could be preserved, but the income limit dropped. But this would mean bringing all, or practically all, legal practitioners into the scheme, and subjecting them to controlled prices for their services. It would amount almost to the nationalisation of the profession, so far as litigation is concerned, or so it would probably appear to the barristers,

whose profession is inspired by a strong spirit of individualism. And the disappearance of private practice would deprive the Taxing Masters of a standard by which to fix the controlled price.

I have chosen this example to illustrate some of the difficulties that arise when one tries to combine the principles of social equality and the price system. Differential price adjustment by scale to different incomes is one method of doing this. It was widely used by doctors and hospitals until the National Health Service made this unnecessary. It frees real income, in certain forms, from its dependence on money income. If the principle were universally applied, differences in money income would become meaningless. The same result could be achieved by making all gross incomes equal, or by reducing unequal gross incomes to equal net incomes by taxation. Both processes have been going on, up to a point. Both are checked by the need to preserve differential incomes as a source of economic incentive. But, when different methods of doing much the same thing are combined, it may be possible to carry the process much further without upsetting the economic machine, because their various consequences are not easily added together, and the total effect may escape notice in the general confusion. And we must remember that gross money incomes provide the measuring-rod by which we traditionally assess social and economic achievement and prestige. Even if they lost all meaning in terms of real income, they might still function, like orders and decorations, as spurs to effort and badges of success.

But I must return to my survey of the social services. The most familiar principle in use is not, of course, the scaled price (which I have just been discussing), but the guaranteed minimum. The State guarantees a minimum supply of certain essential goods and services (such as medical attention and supplies, shelter, and education) or a minimum money income available to be spent on essentials—as in the case of Old Age Pensions, insurance benefits, and family allowances. Anyone able to exceed the guaranteed minimum out of his own resources is at liberty to do so. Such a system looks, on the face of it, like a more generous version of class-abatement in its original form. It raises the floor-level at the bottom, but does not automatically flatten the superstructure. But its effects need closer examination.

The degree of equalisation achieved depends on four things—whether the benefit is offered to all or to a limited class; whether it takes the form of money payment or service rendered; whether the minimum is high or low; and how the money to pay for the benefit is raised. Cash benefits subject to income limit and means test had a simple and obvious equalising effect. They achieved class-abatement in the early and limited sense of the term. The aim was to ensure that all citizens should attain at least to the prescribed minimum, either by their own resources or with assistance if they could not do it without. The benefit was given only to those who needed it, and thus inequalities at the bottom of the scale were ironed out. The system operated in its simplest and most unadulterated form in the case of the Poor Law and Old Age Pensions.

But economic equalisation might be accompanied by psychological class discrimination. The stigma which attached to the Poor Law made 'pauper' a derogatory term defining a class. 'Old Age Pensioner' may have had a little of the same flavour, but without the taint of shame.

The general effect of social insurance, when confined to an income group, was similar. It differed in that there was no means test. Contribution gave a right to benefit. But, broadly speaking, the income of the group was raised by the excess of benefits over total expenditure by the group in contributions and additional taxes, and the income gap between this group and those above it was thereby reduced. The exact effect is hard to estimate, because of the wide range of incomes within the group and the varying incidence of the risks covered. When the scheme was extended to all, this gap was reopened, though again we have to take account of the combined effects of the regressive flat-rate levy and the, in part, progressive taxation which contributed to the financing of the scheme. Nothing will induce me to embark on a discussion of this problem. But a total scheme is less specifically class-abating in a purely economic sense than a limited one, and social insurance is less so than a means-test service. Flat-rate benefits do not reduce the gaps between different incomes. Their equalising effect depends on the fact that they make a bigger percentage addition to small incomes than to large. And, even though the concept of diminishing marginal utility (if one may still refer to it) can strictly be applied only to the rising income of one unchanging

individual, that remains a matter of some significance. When a free service, as in the case of health, is extended from a limited income group to the whole population, the direct effect is in part to increase the inequality of disposable incomes, again subject to modification by the incidence of taxes. For members of the middle classes, who used to pay their doctors, find this part of their income released for expenditure on other things.

I have been skating gingerly over this very thin ice in order to make one point. The extension of the social services is not primarily a means of equalising incomes. In some cases it may, in others it may not. The question is relatively unimportant; it belongs to a different department of social policy. What matters is that there is a general enrichment of the concrete substance of civilised life, a general reduction of risk and insecurity, an equalisation between the more and the less fortunate at all levels—between the healthy and the sick, the employed and the unemployed, the old and the active, the bachelor and the father of a large family. Equalisation is not so much between classes as between individuals within a population which is now treated for this purpose as though it were one class. Equality of status is more important than equality of income.

Even when benefits are paid in cash, this class fusion is outwardly expressed in the form of a new common experience. All learn what it means to have an insurance card that must be regularly stamped (by somebody), or to collect children's allowances or pensions from the post office. But where the benefit takes the form of a service,

the qualitative element enters into the benefit itself, and not only into the process by which it is obtained. The extension of such services can therefore have a profound effect on the qualitative aspects of social differentiation. The old elementary schools, though open to all, were used by a social class (admittedly a very large and varied one) for which no other kind of education was available. Its members were brought up in segregation from the higher classes and under influences which set their stamp on the children subjected to them. 'Ex-elementary school boy' became a label which a man might carry through life, and it pointed to a distinction which was real, and not merely conventional, in character. For a divided educational system, by promoting both intra-class similarity and inter-class difference, gave emphasis and precision to a criterion of social distance. As Professor Tawney has said, translating the views of educationalists into his own inimitable prose: 'The intrusion into educational organisation of the vulgarities of the class system is an irrelevance as mischievous in effect as it is odious in conception.'¹ The limited service was class-making at the same time as it was class-abating. To-day the segregation still takes place, but subsequent education, available to all, makes it possible for a re-sorting to take place. I shall have to consider in a moment whether class intrudes in a different way into this re-sorting.

Similarly the early health service added 'panel patient' to our vocabulary of social class, and many members of the middle classes are now learning exactly what the term

¹ *Secondary Education for all*, p. 64.

signifies. But the extension of the service has reduced the social importance of the distinction. The common experience offered by a general health service embraces all but a small minority at the top and spreads across the important class barriers in the middle ranks of the hierarchy. At the same time the guaranteed minimum has been raised to such a height that the term 'minimum' becomes a misnomer. The intention, at least, is to make it approximate so nearly to the reasonable maximum that the extras which the rich are still able to buy will be no more than frills and luxuries. The provided service, not the purchased service, becomes the norm of social welfare. Some people think that, in such circumstances, the independent sector cannot survive for long. If it disappears, the skyscraper will have been converted into a bungalow. If the present system continues and attains its ideals, the result might be described as a bungalow surmounted by an architecturally insignificant turret.

Benefits in the form of a service have this further characteristic that the rights of the citizen cannot be precisely defined. The qualitative element is too great. A modicum of legally enforceable rights may be granted, but what matters to the citizen is the superstructure of legitimate expectations. It may be fairly easy to enable every child below a certain age to spend the required number of hours in school. It is much harder to satisfy the legitimate expectation that the education should be given by trained teachers in classes of moderate size. It may be possible for every citizen who wishes it to be registered with a doctor. It is much harder to ensure that his ailments will be

properly cared for. And so we find that legislation, instead of being the decisive step that puts policy into immediate effect, acquires more and more the character of a declaration of policy that it is hoped to put into effect some day. We think at once of County Colleges and Health Centres. The rate of progress depends on the magnitude of the national resources and their distribution between competing claims. Nor can the State easily foresee what it will cost to fulfil its obligations, for, as the standard expected of the service rises—as it inevitably must in a progressive society—the obligations automatically get heavier. The target is perpetually moving forward, and the State may never be able to get quite within range of it. It follows that individual rights must be subordinated to national plans.

Expectations officially recognised as legitimate are not claims that must be met in each case when presented. They become, as it were, details in a design for community living. The obligation of the State is towards society as a whole, whose remedy in case of default lies in parliament or a local council, instead of to individual citizens, whose remedy lies in a court of law, or at least in a quasi-judicial tribunal. The maintenance of a fair balance between these collective and individual elements in social rights is a matter of vital importance to the democratic socialist State.

The point I have just made is clearest in the case of housing. Here the tenure of existing dwellings has been protected by firm legal rights, enforceable in a court of law. The system has become very complicated, because it

has grown piecemeal, and it cannot be maintained that the benefits are equally distributed in proportion to real need. But the basic right of the individual citizen to have a dwelling at all is minimal. He can claim no more than a roof over his head, and his claim can be met, as we have seen in recent years, by a shake-down in a disused cinema converted into a rest centre. Nevertheless, the general obligation of the State towards society collectively with regard to housing is one of the heaviest it has to bear. Public policy has unequivocally given the citizen a legitimate expectation of a home fit for a family to live in, and the promise is not now confined to heroes. It is true that, in dealing with individual claims, authorities work as far as possible on a priority scale of needs. But, when a slum is being cleared, an old city remodelled, or a new town planned, individual claims must be subordinated to the general programme of social advance. An element of chance, and therefore of inequality, enters. One family may be moved ahead of its turn into a model dwelling, because it is part of a community due for early treatment. A second will have to wait, although its physical conditions may be worse than those of the first. As the work goes on, though in many places inequalities vanish, in others they become more apparent. Let me give you one small example of this. In the town of Middlesbrough, part of the population of a blighted area had been moved to a new housing estate. It was found that, among the children living on this estate, one in eight of those who competed for places in secondary schools were successful. Among the section of the same original population that

had been left behind the proportion was one in one hundred and fifty-four.¹ The contrast is so staggering that one hesitates to offer any precise explanation of it, but it remains a striking example of inequality between individuals appearing as the interim result of the progressive satisfaction of collective social rights. Eventually, when the housing programme has been completed, such inequalities should disappear.

There is another aspect of housing policy which, I believe, implies the intrusion of a new element into the rights of citizenship. It comes into play when the design for living, to which I have said individual rights must be subordinated, is not limited to one section at the bottom of the social scale nor to one particular type of need, but covers the general aspects of the life of a whole community. Town-planning is total planning in this sense. Not only does it treat the community as a whole, but it affects and must take account of all social activities, customs and interests. It aims at creating new physical environments which will actively foster the growth of new human societies. It must decide what these societies are to be like, and try to provide for all the major diversities which they ought to contain. Town-planners are fond of talking about a 'balanced community' as their objective. This means a society that contains a proper mixture of all social classes, as well as of age and sex groups, occupations and so forth. They do not want to build working-class neighbourhoods and middle-class neighbourhoods, but they do propose to build working-class houses and middle-

¹ Ruth Glass, *The Social Background of a Plan*, p. 129.

class houses. Their aim is not a classless society, but a society in which class differences are legitimate in terms of social justice, and in which, therefore, the classes cooperate more closely than at present to the common benefit of all. When a planning authority decides that it needs a larger middle-class element in its town (as it very often does) and makes designs to meet its needs and fit its standards, it is not, like a speculative builder, merely responding to a commercial demand. It must re-interpret the demand in harmony with its total plan and then give it the sanction of its authority as the responsible organ of a community of citizens. The middle-class man can then say, not 'I will come if you pay the price I feel strong enough to demand', but 'If you want me as a citizen, you must give me the status which is due as of right to the kind of citizen I am.' This is one example of the way in which citizenship is itself becoming the architect of social inequality.

The second, and more important, example is in the field of education, which also illustrates my earlier point about the balance between individual and collective social rights. In the first phase of our public education, rights were minimal and equal. But, as we have observed, a duty was attached to the right, not merely because the citizen has a duty to himself, as well as a right, to develop all that is in him—a duty which neither the child nor the parent may fully appreciate—but because society recognised that it needed an educated population. In fact the nineteenth century has been accused of regarding elementary education solely as a means of providing capitalist employers with more valuable workers, and higher education merely

as an instrument to increase the power of the nation to compete with its industrial rivals. And you may have noticed that recent studies of educational opportunity in the pre-war years have been concerned to reveal the magnitude of social waste quite as much as to protest against the frustration of natural human rights.

In the second phase of our educational history, which began in 1902, the educational ladder was officially accepted as an important, though still small, part of the system. But the balance between collective and individual rights remained much the same. The State decided what it could afford to spend on free secondary and higher education, and the children competed for the limited number of places provided. There was no pretence that all who could benefit from more advanced education would get it, and there was no recognition of any absolute natural right to be educated according to one's capacities. But in the third phase, which started in 1944, individual rights have ostensibly been given priority. Competition for scarce places is to be replaced by selection and distribution into appropriate places, sufficient in number to accommodate all, at least at the secondary school level. In the Act of 1944 there is a passage which says that the supply of secondary schools will not be considered adequate unless they 'afford for all pupils opportunities for education offering such variety of instruction and training as may be desirable in view of their different ages, abilities and aptitudes.' Respect for individual rights could hardly be more strongly expressed. Yet I wonder whether it will work out like that in practice.

If it were possible for the school system to treat the pupil entirely as an end in himself, and to regard education as giving him something whose value he could enjoy to the full whatever his station in after-life, then it might be possible to mould the educational plan to the shape demanded by individual needs, regardless of any other considerations. But, as we all know, education to-day is closely linked with occupation, and one, at least, of the values the pupil expects to get from it is a qualification for employment at an appropriate level. Unless great changes take place, it seems likely that the educational plan will be adjusted to occupational demand. The proportion between Grammar, Technical and Modern Secondary Schools cannot well be fixed without reference to the proportion between jobs of corresponding grades. And a balance between the two systems may have to be sought in justice to the pupil himself. For if a boy who is given a Grammar School education can then get nothing but a Modern School job, he will cherish a grievance and feel that he has been cheated. It is highly desirable that this attitude should change, so that a boy in such circumstances will be grateful for his education and not resentful at his job. But to accomplish such a change is no easy task.

I see no signs of any relaxation of the bonds that tie education to occupation. On the contrary, they appear to be growing stronger. Great and increasing respect is paid to certificates, matriculation, degrees and diplomas as qualifications for employment, and their freshness does not fade with the passage of the years. A man of forty may be judged by his performance in an examination taken at

the age of fifteen. The ticket obtained on leaving school or college is for a life journey. The man with a third-class ticket who later feels entitled to claim a seat in a first-class carriage will not be admitted, even if he is prepared to pay the difference. That would not be fair to the others. He must go back to the start and re-book, by passing the prescribed examination. And it is unlikely that the State will offer to pay his return fare. This is not, of course, true of the whole field of employment, but it is a fair description of a large and significant part of it, whose extension is being constantly advocated. I have, for instance, recently read an article in which it is urged that every aspirant to an administrative or managerial post in business should be required to qualify 'by passing the matriculation or equivalent examination'.¹ This development is partly the result of the systematisation of techniques in more and more professional, semi-professional and skilled occupations, though I must confess that some of the claims of so-called professional bodies to exclusive possession of esoteric skill and knowledge appear to me to be rather thin. But it is also fostered by the refinement of the selective process within the educational system itself. The more confident the claim of education to be able to sift human material during the early years of life, the more is mobility concentrated within those years, and consequently limited thereafter.

The right of the citizen in this process of selection and mobility is the right to equality of opportunity. Its aim is to eliminate hereditary privilege. In essence it is the equal right to display and develop differences, or

¹ J. A. Bowie, in *Industry* (January 1949), p. 17.

inequalities; the equal right to be recognised as unequal. In the early stages of the establishment of such a system the major effect is, of course, to reveal hidden equalities—to enable the poor boy to show that he is as good as the rich boy. But the final outcome is a structure of unequal status fairly apportioned to unequal abilities. The process is sometimes associated with ideas of *laissez-faire* individualism, but within the educational system it is a matter, not of *laissez-faire*, but of planning. The process through which abilities are revealed, the influences to which they are subjected, the tests by which they are measured, and the rights given as a result of the tests are all planned. Equality of opportunity is offered to all children entering the primary schools, but at an early age they are usually divided into three streams—the best, the average and the backward. Already opportunity is becoming unequal, and the children's range of chances limited. About the age of eleven they are tested again, probably by a team of teachers, examiners and psychologists. None of these is infallible, but perhaps sometimes three wrongs may make a right. Classification follows for distribution into the three types of secondary school. Opportunity becomes still more unequal, and the chance of further education has already been limited to a select few. Some of these, after being tested again, will go on to receive it. In the end the jumble of mixed seed originally put into the machine emerges in neatly labelled packets ready to be sown in the appropriate gardens.

I have deliberately couched this description in the language of cynicism in order to bring out the point that,

however genuine may be the desire of the educational authorities to offer enough variety to satisfy all individual needs, they must, in a mass service of this kind, proceed by repeated classification into groups, and this is followed at each stage by assimilation within each group and differentiation between groups. That is precisely the way in which social classes in a fluid society have always taken shape. Differences within each class are ignored as irrelevant; differences between classes are given exaggerated significance. Thus qualities which are in reality strung out along a continuous scale are made to create a hierarchy of groups, each with its special character and status. The main features of the system are inevitable, and its advantages, in particular the elimination of inherited privilege, far outweigh its incidental defects. The latter can be attacked and kept within bounds by giving as much opportunity as possible for second thoughts about classification, both in the educational system itself and in after-life.

The conclusion of importance to my argument is that, through education in its relations with occupational structure, citizenship operates as an instrument of social stratification. There is no reason to deplore this, but we should be aware of its consequences. The status acquired by education is carried out into the world bearing the stamp of legitimacy, because it has been conferred by an institution designed to give the citizen his just rights. That which the market offers can be measured against that which the status claims. If a large discrepancy appears, the ensuing attempts to eliminate it will take the form, not of a bargain about economic value, but of a debate about

social rights. And it may be that there is already a serious discrepancy between the expectations of those who reach the middle grades in education and the status of the non-manual jobs for which they are normally destined.

I said earlier that in the twentieth century citizenship and the capitalist class system have been at war. Perhaps the phrase is rather too strong, but it is quite clear that the former has imposed modifications on the latter. But we should not be justified in assuming that, although status is a principle that conflicts with contract, the stratified status system which is creeping into citizenship is an alien element in the economic world outside. Social rights in their modern form imply an invasion of contract by status, the subordination of market price to social justice, the replacement of the free bargain by the declaration of rights. But are these principles quite foreign to the practice of the market to-day, or are they there already, entrenched within the contract system itself? I think it is clear that they are.

As I have already pointed out, one of the main achievements of political power in the nineteenth century was to clear the way for the growth of trade unionism by enabling the workers to use their civil rights collectively. This was an anomaly, because hitherto it was political rights that were used for collective action, through parliament and local councils, whereas civil rights were intensely individual, and had therefore harmonised with the individualism of early capitalism. Trade unionism created a sort of secondary industrial citizenship, which naturally became imbued with the spirit appropriate to an institution

of citizenship. Collective civil rights could be used, not merely for bargaining in the true sense of the term, but for the assertion of basic rights. The position was an impossible one and could only be transitional. Rights are not a proper matter for bargaining. To have to bargain for a living wage in a society which accepts the living wage as a social right is as absurd as to have to haggle for a vote in a society which accepts the vote as a political right. Yet the early twentieth century attempted to make sense of this absurdity. It fully endorsed collective bargaining as a normal and peaceful market operation, while recognising in principle the right of the citizen to a minimum standard of civilised living, which was precisely what the trade unions believed, and with good reason, that they were trying to win for their members with the weapon of the bargain.

In the outburst of big strikes immediately before the First World War this note of a concerted demand for social rights was clearly audible. The government was forced to intervene. It professed to do so entirely for the protection of the public, and pretended not to be concerned with the issues in dispute. In 1912 Mr Askwith, the chief negotiator, told Mr Asquith, the Prime Minister, that intervention had failed and government prestige had suffered. To which the Prime Minister replied: 'Every word you have spoken endorses the opinion I have formed. It is a degradation of government.'¹ History soon showed that such a view was a complete anachronism. The government can no longer stand aloof from industrial disputes,

¹ Lord Askwith, *Industrial Problems and Disputes*, p. 228.

as though the level of wages and the standard of living of the workers were matters with which it need not concern itself. And government intervention in industrial disputes has been met from the other side by trade union intervention in the work of government. This is both a significant and a welcome development, provided its implications are fully realised. In the past trade unionism had to assert social rights by attacks delivered from outside the system in which power resided. To-day it defends them from inside, in co-operation with government. On major issues crude economic bargaining is converted into something more like a joint discussion of policy.

The implication is that decisions reached in this way must command respect. If citizenship is invoked in the defence of rights, the corresponding duties of citizenship cannot be ignored. These do not require a man to sacrifice his individual liberty or to submit without question to every demand made by government. But they do require that his acts should be inspired by a lively sense of responsibility towards the welfare of the community. Trade union leaders in general accept this implication, but this is not true of all members of the rank and file. The traditions built up at a time when trade unions were fighting for their existence, and when conditions of employment depended wholly on the outcome of unequal bargaining, make its acceptance very difficult. Unofficial strikes have become very frequent, and it is clear that one important element in industrial disputes is discord between trade union leaders and certain sections of trade union members. Now duties can derive either from status or from contract.

Leaders of unofficial strikes are liable to reject both. The strikes usually involve breach of contract or the repudiation of agreements. Appeal is made to some allegedly higher principle—in reality, though this may not be expressly asserted, to the status rights of industrial citizenship. There are many precedents to-day for the subordination of contract to status. Perhaps the most familiar are to be found in our handling of the housing problem. Rents are controlled and the rights of occupants protected after their contracts have expired, houses are requisitioned, agreements freely entered into are set aside or modified by tribunals applying the principles of social equity and the just price. The sanctity of contract gives way to the requirements of public policy, and I am not suggesting for a moment that this ought not to be so. But if the obligations of contract are brushed aside by an appeal to the rights of citizenship, then the duties of citizenship must be accepted as well. In some recent unofficial strikes an attempt has, I think, been made to claim the rights both of status and of contract while repudiating the duties under both these heads.

But my main concern is, not with the nature of strikes, but rather with the current conception of what constitutes a fair wage. I think it is clear that this conception includes the notion of status. It enters into every discussion of wage rates and professional salaries. What *ought* a medical specialist or a dentist to earn, we ask? Would twice the salary of a university professor be about right, or is that not enough? And, of course, the system envisaged is one of stratified, not uniform, status. The claim is not merely

for a basic living wage with such variations above that level as can be extracted by each grade from the conditions in the market at the moment. The claims of status are to a hierarchical wage structure, each level of which represents a social right and not merely a market value. Collective bargaining must involve, even in its elementary forms, the classification of workers into groups, or grades, within which minor occupational differences are ignored. As in mass schooling, so in mass employment, questions of rights, standards, opportunities and so forth can be intelligibly discussed and handled only in terms of a limited number of categories and by cutting up a continuous chain of differences into a series of classes whose names instantly ring the appropriate bell in the mind of the busy official. As the area of negotiation spreads, the assimilation of groups necessarily follows on the assimilation of individuals, until the stratification of the whole population of workers is, as far as possible, standardised. Only then can general principles of social justice be formulated. There must be uniformity within each grade, and difference between grades. These principles dominate the minds of those discussing wage claims, even though rationalisation produces other arguments, such as that profits are excessive and the industry can afford to pay higher wages, or that higher wages are necessary to maintain the supply of suitable labour or to prevent its decline.

The White Paper on Personal Incomes¹ flashed a beam of light into these dark places of the mind, but the end result has been only to make the process of rationalisation

¹ Cmd. 7321. 1948.

more intricate and laborious. The basic conflict between social rights and market value has not been resolved. One labour spokesman said: 'An equitable relationship must be established between industry and industry.'¹ An equitable relationship is a social, not an economic, concept. The General Council of the T.U.C. approved the principles of the White Paper to the extent that 'they recognise the need to safeguard those wage differentials which are essential elements in the wages structure of many important industries, and are required to sustain those standards of craftsmanship, training and experience that contribute directly to industrial efficiency and higher productivity'.² Here market value and economic incentive find a place in an argument which is fundamentally concerned with status. The White Paper itself took a rather different, and possibly a truer, view of differentials. 'The last hundred years have seen the growth of certain traditional or customary relationships between personal incomes—including wages and salaries—in different occupations.... These have no necessary relevance to modern conditions.' Tradition and custom are social, not economic, principles, and they are old names for the modern structure of status rights.

The White Paper stated frankly that differentials based on these social concepts could not satisfy current economic requirements. They did not provide the incentives needed

¹ As reported in *The Times*.

² Recommendations of the Special Committee on the Economic Situation as accepted by the General Council at their Special Meeting on 18 February 1948.

to secure the best distribution of labour. 'Relative income levels must be such as to encourage the movement of labour to those industries where it is most needed, and should not, as in some cases they still do, tempt it in a contrary direction.' Notice that it says '*still* do'. Once again the modern conception of social rights is treated as a survival from the dark past. As we go on, the confusion thickens. 'Each claim for an increase in wages or salaries must be considered on its national merits', that is, in terms of national policy. But this policy cannot be directly enforced by the exercise of the political rights of citizenship through government, because that would involve 'an incursion by the Government into what has hitherto been regarded as a field of free contract between individuals and organisations', that is, an invasion of the civil rights of the citizen. Civil rights are therefore to assume political responsibility, and free contract is to act as the instrument of national policy. And there is yet another paradox. The incentive that operates in the free contract system of the open market is the incentive of personal gain. The incentive that corresponds to social rights is that of public duty. To which is the appeal being made? The answer is, to both. The citizen is urged to respond to the call of duty by allowing some scope to the motive of individual self-interest. But these paradoxes are not the invention of muddled brains; they are inherent in our contemporary social system. And they need not cause us undue anxiety, for a little common sense can often move a mountain of paradox in the world of action, though logic may be unable to surmount it in the world of thought.

5. *Conclusions*

I have tried to show how citizenship, and other forces outside it, have been altering the pattern of social inequality. To complete the picture I ought now to survey the results as a whole on the structure of social class. They have undoubtedly been profound, and it may be that the inequalities permitted, and even moulded, by citizenship do not any longer constitute class distinctions in the sense in which that term is used of past societies. But to examine this question I should require another lecture, and it would probably consist of a mixture of dry statistics of uncertain meaning and meaningful judgements of doubtful validity. For our ignorance of this matter is profound. It is therefore perhaps fortunate for the reputation of sociology that I should be obliged to confine myself to a few tentative observations, made in an attempt to answer the four questions which I posed at the end of my introduction to my theme.

We have to look for the combined effects of three factors. First, the compression, at both ends, of the scale of income distribution. Second, the great extension of the area of common culture and common experience. And third, the enrichment of the universal status of citizenship, combined with the recognition and stabilisation of certain status differences chiefly through the linked systems of education and occupation. The first two have made the third possible. Status differences can receive the stamp of legitimacy in terms of democratic citizenship provided they do not cut too deep, but occur within a population

united in a single civilisation; and provided they are not an expression of hereditary privilege. This means that inequalities can be tolerated within a fundamentally egalitarian society provided they are not dynamic, that is to say that they do not create incentives which spring from dissatisfaction and the feeling that 'this kind of life is not good enough for me', or 'I am determined that my son shall be spared what I had to put up with.' But the kind of inequality pleaded for in the White Paper can be justified only if it *is* dynamic, and if it *does* provide an incentive to change and betterment. It may prove, therefore, that the inequalities permitted, and even moulded, by citizenship will not function in an economic sense as forces influencing the free distribution of manpower. Or that social stratification persists, but social ambition ceases to be a normal phenomenon, and becomes a deviant behaviour pattern—to use some of the jargon of sociology.

Should things develop to such lengths, we might find that the only remaining drive with a consistent distributive effect—distributive, that is, of manpower through the hierarchy of economic levels—was the ambition of the schoolboy to do well in his lessons, to pass his examinations, and to win promotion up the educational ladder. And if the official aim of securing 'parity of esteem' between the three types of secondary school were realised, we might lose the greater part even of that. Such would be the extreme result of establishing social conditions in which every man was content with the station of life to which it had pleased citizenship to call him.

In saying this I have answered two of my four questions, the first and the last. I asked whether the sociological hypothesis latent in Marshall's essay is valid to-day, the hypothesis, namely, that there is a kind of basic human equality, associated with full community membership, which is not inconsistent with a superstructure of economic inequality. I asked, too, whether there was any limit to the present drive towards social equality inherent in the principles governing the movement. My answer is that the preservation of economic inequalities has been made more difficult by the enrichment of the status of citizenship. There is less room for them, and there is more and more likelihood of their being challenged. But we are certainly proceeding at present on the assumption that the hypothesis is valid. And this assumption provides the answer to the second question. We are not aiming at absolute equality. There are limits inherent in the egalitarian movement. But the movement is a double one. It operates partly through citizenship and partly through the economic system. In both cases the aim is to remove inequalities which cannot be regarded as legitimate, but the standard of legitimacy is different. In the former it is the standard of social justice, in the latter it is social justice combined with economic necessity. It is possible, therefore, that the inequalities permitted by the two halves of the movement will not coincide. Class distinctions may survive which have no appropriate economic function, and economic differences which do not correspond with accepted class distinctions.

My third question referred to the changing balance

between rights and duties. Rights have been multiplied, and they are precise. Each individual knows just what he is entitled to claim. The duty whose discharge is most obviously and immediately necessary for the fulfilment of the right is the duty to pay taxes and insurance contributions. Since these are compulsory, no act of will is involved, and no keen sentiment of loyalty. Education and military service are also compulsory. The other duties are vague, and are included in the general obligation to live the life of a good citizen, giving such service as one can to promote the welfare of the community. But the community is so large that the obligation appears remote and unreal. Of paramount importance is the duty to work, but the effect of one man's labour on the well-being of the whole society is so infinitely small that it is hard for him to believe that he can do much harm by withholding or curtailing it.

When social relations were dominated by contract, the duty to work was not recognised. It was a man's own affair whether he worked or not. If he chose to live idly in poverty, he was at liberty to do so, provided he did not become a nuisance. If he was able to live idly in comfort, he was regarded, not as a drone, but as an aristocrat—to be envied and admired. When the economy of this country was in process of transformation into a system of this kind, great anxiety was felt whether the necessary labour would be forthcoming. The driving forces of group custom and regulation had to be replaced by the incentive of personal gain, and grave doubts were expressed whether this incentive could be relied upon. This explains Col-

quhoun's views on poverty, and the pithy remark of Mandeville, that labourers 'have nothing to stir them up to be serviceable but their wants, which it is prudence to relieve but folly to cure'.¹ And in the eighteenth century their wants were very simple. They were governed by established class habits of living, and no continuous scale of rising standards of consumption existed to entice the labourers to earn more in order to spend more on desirable things hitherto just beyond their reach—like radio sets, bicycles, cinemas or holidays by the sea. The following comment by a writer in 1728, which is but one example from many in the same sense, may well have been based on sound observation. 'People in low life', he said, 'who work only for their daily bread, if they can get it by three days work in the week, will many of them make holiday the other three, or set their own price on their labour.'² And, if they adopted the latter course, it was generally assumed that they would spend the extra money on drink, the only easily available luxury. The general rise in the standard of living has caused this phenomenon, or something like it, to reappear in contemporary society, though cigarettes now play a more important role than drink.

It is no easy matter to revive the sense of the personal obligation to work in a new form in which it is attached to the status of citizenship. It is not made any easier by the fact that the essential duty is not to have a job and

¹ *The Fable of the Bees*, 6th ed. (1732), p. 213.

² E. S. Furniss, *The Position of the Laborer in a System of Nationalism*, p. 125.

hold it, since that is relatively simple in conditions of full employment, but to put one's heart into one's job and work hard. For the standard by which to measure hard work is immensely elastic. A successful appeal to the duties of citizenship can be made in times of emergency, but the Dunkirk spirit cannot be a permanent feature of any civilisation. Nevertheless, an attempt is being made by trade union leaders to inculcate a sense of this general duty. At a conference on 18 November of last year Mr Tanner referred to 'the imperative obligation on both sides of industry to make their full contribution to the rehabilitation of the national economy and world recovery'.¹ But the national community is too large and remote to command this kind of loyalty and to make of it a continual driving force. That is why many people think that the solution of our problem lies in the development of more limited loyalties, to the local community and especially to the working group. In this latter form industrial citizenship, devolving its obligations down to the basic units of production, might supply some of the vigour that citizenship in general appears to lack.

I come finally to the second of my original four questions, which was not, however, so much a question as a statement. I pointed out that Marshall stipulated that measures designed to raise the general level of civilisation of the workers must not interfere with the freedom of the market. If they did, they might become indistinguishable from socialism. And I said that obviously this limitation

¹ *The Times*, 19 November 1948.

on policy had since been abandoned. Socialist measures, in Marshall's sense, have been accepted by all political parties. This led me to the platitude that the conflict between egalitarian measures and the free market must be examined in the course of any attempt to carry Marshall's sociological hypothesis over into the modern age.

I have touched on this vast subject at several points, and in this concluding summary I will confine myself to one aspect of the problem. The unified civilisation which makes social inequalities acceptable, and threatens to make them economically functionless, is achieved by a progressive divorce between real and money incomes. This is, of course, explicit in the major social services, such as health and education, which give benefits in kind without any *ad hoc* payment. In scholarships and legal aid, prices scaled to money incomes keep real income relatively constant, in so far as it is affected by these particular needs. Rent restriction, combined with security of tenure, achieves a similar result by different means. So, in varying degrees, do rationing, food subsidies, utility goods and price controls. The advantages obtained by having a larger money income do not disappear, but they are confined to a limited area of consumption.

I spoke just now of the conventional hierarchy of the wage structure. Here importance is attached to differences in money income and the higher earnings are expected to yield real and substantial advantages—as, of course, they still do in spite of the trend towards the equalisation of real incomes. But the importance of wage

differentials is, I am sure, partly symbolic. They operate as labels attached to industrial status, not only as instruments of genuine economic stratification. And we also see signs that the acceptance of this system of economic inequality by the workers themselves—especially those fairly low down in the scale—is sometimes counteracted by claims to greater equality with respect to those forms of real enjoyment which are not paid for out of wages. Manual workers may accept it as right and proper that they should earn less money than certain clerical grades, but at the same time wage-earners may press for the same general amenities as are enjoyed by salaried employees, because these should reflect the fundamental equality of all citizens and not the inequalities of earnings or occupational grades. If the manager can get a day off for a football match, why not the workman? Common enjoyment is a common right.

Recent studies of adult and child opinion have found that, when the question is posed in general terms, there is a declining interest in the earning of big money. This is not due, I think, only to the heavy burden of progressive taxation, but to an implicit belief that society should, and will, guarantee all the essentials of a decent and secure life at every level, irrespective of the amount of money earned. In a population of secondary schoolboys examined by the Bristol Institute of Education, 86% wanted an interesting job at a reasonable wage and only 9% a job in which they could make a lot of money. And the average intelligence quotient of the second group was 16 points lower than that of the first.¹ In a poll conducted by the British Insti-

¹ *Research Bulletin*, no. 11, p. 23.

tute of Public Opinion, 23% wanted as high wages as possible, and 73% preferred security at lower wages.¹ But at any given moment, and in response to a particular question about their present circumstances, most people, one would imagine, would confess to a desire for more money than they are actually getting. Another poll, taken in November 1947, suggests that even this expectation is exaggerated. For 51% said their earnings were at or above a level adequate to cover family needs, and only 45% that they were inadequate. The attitude is bound to vary at different social levels. The classes which have gained most from the social services, and in which real income in general has been rising, might be expected to be less preoccupied with differences in money income. But we should be prepared to find other reactions in that section of the middle classes in which the pattern of money incomes is at the moment most markedly incoherent, while the elements of civilised living traditionally most highly prized are becoming unattainable with the money incomes available—or by any other means.

The general point is one to which Professor Robbins referred when he lectured here two years ago. 'We are following', he said, 'a policy which is self-contradictory and self-frustrating. We are relaxing taxation and seeking, wherever possible, to introduce systems of payments which fluctuate with output. And, at the same time, our price fixing and the consequential rationing system are inspired by egalitarian principles. The result is that we

¹ January 1946.

get the worst of both worlds.'¹ And again: 'The belief that, in normal times, it is particularly sensible to try to mix the principles and run an egalitarian real income system side by side with an inegalitarian money income system seems to me somewhat *simpliste*.'² Yes, to the economist perhaps, if he tries to judge the situation according to the logic of a market economy. But not necessarily to the sociologist, who remembers that social behaviour is not governed by logic, and that a human society can make a square meal out of a stew of paradox without getting indigestion—at least for quite a long time. The policy, in fact, may not be *simpliste* at all, but subtle; a new-fangled application of the old maxim *divide et impera*—play one off against the other to keep the peace. But, more seriously, the word *simpliste* suggests that the antinomy is merely the result of the muddled thinking of our rulers and that, once they see the light, there is nothing to prevent them altering their line of action. I believe, on the contrary, that this conflict of principles springs from the very roots of our social order in the present phase of the development of democratic citizenship. Apparent inconsistencies are in fact a source of stability, achieved through a compromise which is not dictated by logic. This phase will not continue indefinitely. It may be that some of the conflicts within our social system are becoming too sharp for the compromise to achieve its purpose much longer. But, if we wish to assist in their resolution, we must try to understand their

¹ *The Economic Problem in Peace and War*, p. 9.

² *Ib.* p. 16.

deeper nature and to realise the profound and disturbing effects which would be produced by any hasty attempt to reverse present and recent trends. It has been my aim in these lectures to throw a little light on one element which I believe to be of fundamental importance, namely the impact of a rapidly developing concept of the rights of citizenship on the structure of social inequality.