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THE EDUCATIONAL POLICIES OF THE UNIONIST GOVERNMENT: POLITICS AND RELIGIOUS CONTROVERSY, 1895 TO 1905

by

Nigel Dick

A Thesis
Submitted to the Faculty of Graduate Studies and Research
Through the Department of History
in Partial fulfillment
of the Requirements for the Degree of
Master of Arts
at the University of Windsor

Windsor, Ontario, Canada

1994

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ABSTRACT

The 1902 Education Act was the centrepiece of a series of reforms to popular education which began with the return of the Unionist Government to office in 1895 and ended with the Secondary School Regulations of 1904-5. The Act provided the framework for popular education until the implementation of the 1944 Butler Act after World War II.

This thesis discusses the educational changes made by the Unionists, and concludes that while administratively satisfactory, there were deficiencies. The opportunities available to children of the working class to obtain a suitable secondary or technical education were sharply reduced: in part because of the inadequate provision of scholarships and maintenance allowances, and in part because of the political decision to end the further development of the higher grade schools, ahich had been established by the large urban school boards.

To my wife, Melba Rowena Dick, for having put up with all the problems that arise in a home from my absorption in this thesis.

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INTRODUCTION

The Education Act of 1902 has always been recognized as one of the milestones in the history of popular education in England and Wales.[1] It replaced the *ad hoc* arrangements created by the great Forster Act of 1870 with a logical and reasonably uniform educational structure that lasted until after World War II, when it was superseded by the Butler Act of 1944. What has not been generally recognized is that the Act was the centrepiece of a complicated series of laws and regulations, not to mention two lawsuits that went to the Court of Appeal, which together, between 1896 and 1905, raised the level of parliamentary and religious controversy to one rarely seen before, and which has been described as the last of the English religious wars.

The complications were numerous: (1) Control at the centre was divided. The Education Department was responsible for elementary education; the Science and Art Department, a separate department domiciled in South Kensington, was responsible for technical education; and under the Endowed Schools Act of 1869, secondary schools, except for the nine great public schools, were the responsibility of the Charity Commission. In addition the War Office, the Admiralty, and local boards of guardians and

[1]Education Act, 1902 (short title), 2Edw. 7, c. 42.

a number of other government departments, also operated elementary schools.[2] (2) A dual system existed at the local level for public elementary education. Up to 1870 all inspected elementary schools were operated by the National Society (Anglican), the non-denominational British and Foreign School Society, or by Wesleyan, Roman Catholic or Jewish voluntary organizations. Under the 1870 Act school boards had been established "to supplement the existing network of 'voluntary schools.'"[3] Thus by 1895 there were virtually two systems: school boards, and a large number of independent voluntary schools affiliated with the voluntary organizations.[4] (3) Serious deficiencies existed in secondary education, which not only affected the economy of the country, but were "an affront to the taxpayer".[5] (4)

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[2]See [Sidney Webb], Fabian Society, *Tract 106*. In E. J. T. Brennan, ed., *Education for National Efficiency: the Contribution of Sidney and Beatrice Webb* (London: Athlone Press, 1975), 90-91. Cited hereafter as Brennan, Tract, 106, 88-104.

[3]Almost all voluntary schools were religious schools and the terms were used synonymously. By 1895 the British and Foreign School Society had very few schools still affiliated, most of those originally affiliated having been surrendered to the school boards.

[4]J. E. B. Munson, "The Unionist Coalition and Education, 1895-1902," *Historical Journal* 20(1977); 608. Munson does not list Jewish or Presbyterian Church of England schools, probably because there were so few.

[5]"The smaller middle class and professional man who has cheerfully paid the school board rate...has an irreversible claim on the community to help him secure cheap effective Secondary Education for his children." Munson, *Unionist Coalition*, 609, quoting, *Schoolmaster*, 28 December 1901. See Chapter I for a discussion of secondary education.

The political and religious controversy brought about by the financial problems of the voluntary schools. And (5) the baleful effects of arguments within the school boards over whether there should be prayers in board schools, or the form that they should take, which aroused tremendous controversy during the triennial elections, and carried over into Parliament, and general elections.[6]

To hold, "as one writer...has done that 'the Irish Home Rule question and the growth of Socialism' did much in the period 1880-1900 to prevent education from becoming a central theme is to misread the period"; and to argue that education did not "'return to the centre of the political arena' until the introduction of the 1902 Act is to be ignorant of the basic facts of the 1890s."[7]

Moreover, the Unionist Government's education policy which led up to the 1896 Education Bill was highly controversial. The Bill itself created great excitement, and the Government's policy to pursue as much of their

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[6]J. E. B. Munson, "The London School Board Election of 1894: A Study in Victorian Religious Controversy," *British Journal of Educational Studies* 23(1975): 7-23; and Donald Leinster-Mackay, "The Continuing Religious Difficulty in Late-Victorian and Edwardian England: a Case of Gratuitous Advice from the Antipodes," *History of Education* 19(1990): 123-137. A brief description of the dispute mentioned will be found in Chapter II.

[7]Munson, School Board Election of 1894, 7-8, quoting, N. J. Richards, "The Education Bill of 1906 and the Decline of Political Nonconformism," *Journal of Ecclesiastical History* 23(1972): 49-63.

programme as was possible without legislation, kept education to the forefont of domestic policy-making. The passage of the 1902 Act through the House of Commons produced even more stormy and protracted debate than the Home Rule Bill of 1892. Although education did not play a major role after the general election of 1906 returned a Liberal Government, three attempts made to amend the 1902 Act were defeated in the House of Lords; and as late as June 1914, under heavy pressure from its Nonconformist wing, the Government prepared a bill, the provisions of which would have radically altered the position of all religious schools except for the Roman Catholic.[8]

To separate education from religion was one objective of John Lancaster when he founded his school for the education of poor children on the Borough Road, Southwark, in 1810. It was the first succesful attempt at mass education in England, and the British and Foreign School Society was the direct successor of his efforts. However, that religion was an integral part of education was a tenet of the Church of England, and a year later it formed the National School Society.[9] Rivalry did not become acute

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[8]Ronald Quinault, "Asquith's Liberalism," *History* 77(1992): 43-44; Geoffrey Sherrington, *English Education, Social Change and War: 1911-1918* (Manchester: Manchester University Press, 1981): 18-43.

[9]Hereafter the Church of England is referred to as the Church; other churches are referred to by their names.

until the 1830s, when the influence of the Oxford Movement within the Church began to make itself felt.

Parliament voted £20,000 in 1833 towards building schools, and in 1839 a Committee of the Privy Council was established to administer the grants. Known as "'My Lords' or 'the Department,'" My Lords were members of the government of the day. The nominal head was the Lord President of the Council, but in those early days the Secretary of the Department was the effective head. Applications for grants had to come through one of the two societies, to which Wesleyans, Roman Catholics and Jews were added in 1847.[10]

In 1839 the Archbishop of Canterbury took exception to the inspection requirements of the Department. But a year later a Concordat was reached under which the inspectors of Church schools were approved by one of the archbishops.[11] Dissenters, independents, Baptists, and Quakers would not accept a similar Concordat since they considered that education must remain entirely in their own hands, and they refused to accept any government subsidies on the grounds of

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[10]Thomas Hill Green, "Two Lectures on the Elementary School System of England," in *Works of Thomas Hill Green*, ed. R. L. Nettleship, 3 vols. (London: Longman, Green & Co., 1906; reprint, New York: Kraus Reprint Co., 1969), Vol. 3, *Miscellainies and Memoirs*, 3: 418-20.

[11]Inspectors were known as Her (His) Majesty's Inspectors (HMI). The abbreviation is used herein.

parental responsibility.[12] This left the British Society with very few supporters.

Furthermore, religious controversy in Parliament prevented any educational legislation between 1839 and 1856,[13] when, in the aftermath of the Crimean War, the rapid increase in the grants was challenged by the Treasury, and their legality was challenged in the House of Commons.[14] A Vice-President of the Committee of Council was then appointed to represent the Department in the House of Commons; and in 1858 the Newcastle Commission was appointed to review popular education. However, only one of its recommendations was accepted, payment by results which was introduced in the Revised Code of 1862.[15] Henceforth, the amount of the grants depended entirely on the success of the

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[12]Green, 422, 426-27. *Educational Documents: England and Wales 1816-1967*, ed. J. Stuart Maclure, 2d. ed. (London: Methuen Educational, 1968), 42-45, 46-47.

[13]Green, 421-22.

[14]Mary Sturt, *The Education of the People: A History of Primary Education in England and Wales* (London: Routledge and Kegan Paul, 1967), 238, citing, *Hansard parliamentary reports*, 3d. ser., vol 140, c. 449.

[15]The Code, normally published each year by the Education Department, listed the regulations applicable to public elementary schools. It covered every aspect of education, curricula and the physical conditions necessary to earn a grant. The Science and Art Department which was separated from the Education Department in 1856 issued a Directory.

pupils in learning the 3Rs, and all other grants were abolished.[16]

Stormy debates on religion and Church-State relations marked the passage of the 1870 Elementary Education Act through Parliament, and although much of what should have been discussed was not, the scope of the Bill ensured that a wide field was covered. The essential principle was that school boards would fill in the gaps which existed in elementary education.[17] Referred to as the compromise of 1870, the terms of the Act ensured future hostility between the supporters of Church and board schools, and were the basic reasons for the ultimate extinction of the school boards by the 1902 Education Act. The Cowper-Temple compromise, that board schools could be either entirely secular, or teach Scripture devoid of any specific religion, was attacked because many Christians did not see how morals could be taught without religion or by uninstructed teachers.[18] Most contentious were Clauses 18, 21, 7, and 25.

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[16]*Report of the Commissioners Appointed to Inquire into the State of Popular Education in England* (Newcastle Report); quoted in *Educational Documents*, 70-78; *Revised Code of 1862*; ibid., 79-82..

[17]Gerald T. Rimington, *The Rise and Fall of Elected School Boards* (Peterborough, England: IOTA Press, 1986), 6; Eric Eaglesham, *From School Board to Local Authority* (London: Routledge and Kegan Paul, 1956), 8-9. Henceforth cited as Eaglesham, *School Board*.

[18]D. R. Pugh, "The Destruction of the English School Boards," *Paedogogica Historica* 12(1972): 82-83. Henceforth cited as Pugh, *Destruction of the School Boards*.

Anglicans objected to Clause 18, which allowed a school board to build a school in an area with an expanding population where a voluntary school was already being built. Giving boards full discretion was "hardly prudent" and much of the vehement hostility which led to the destruction of the school boards resulted from this clause.[19] Clause 21 which permitted voluntary schools in financial difficulties to be transferred to a school board was also attacked by voluntary-school supporters. Clause 7, which allowed parents to withdraw their children from religious instruction in voluntary schools, was attacked by Nonconformists because their children were singled out, as was Clause 25, which allowed boards to pay the fees of the children of indigent parents in voluntary schools.[20] In 1872 Joseph Chamberlain demonstrated the antipathy of Nonconformists to parts of the Act: "'The Roman Catholics and churchmen embrace; the lion lies down with the lamb in order to secure from School Boards support to denominational

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[19]Eaglesham, *School Board*, 10-11.

[20]Stephen G. Platten, "The Conflict over the Control of Elementary Education 1870-1902 and Its Effect Upon the Life and Influence of the Church," *British Journal of Educational Studies* 23(1975): 279. Clause 22 of the original Bill allowed rate-aid to voluntary schools but this was withdrawn under Nonconformist pressure. In the heat of the argument Clause 25 was overlooked and it was used in some areas as a backdoor way of avoiding a school board. Ibid, 279; Rimington, 11; Almost all of the discussion in the Education Section of the Social Science Congress on 9 October 1871 was taken up with the difficulties encountered in the operation of s. 25. *Times*, 10 October 1871, 10.

education.'"[21] Nevertheless, intentionally or not, the Act moved much religious controversy from Parliament to the school boards and to their triennial elections.[22]

Although the passage of the 1870 Bill through Parliament created great controversy within the Liberal Party, the Nonconformist element soon found the board schools, with their simple non-sectarian scripture teaching or no religious instruction at all, eminently satisfactory, and they became among the most fervent supporters of the school board system.[23]

Anglican experience was exactly the opposite. There was general satisfaction when the Act passed and within a year the National Society had built 1,411 schools. But by 1876 the Society under financial pressure, noted that: "The multiplication in some districts of Board Schools with a low rate of fee has obviously an unfavourable influence on the attendance at Voluntary Schools."[24]

Furthermore, secularization had become a real threat to the voluntary schools. While still an Anglican priest, Cardinal Manning, the Roman Catholic Archbishop of Westminster, had objected to W. J. Fox's Education Bill in

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[21]Quoted by Platten, 282.

[22]Eaglesham, *School Board*, 10.

[23]Pugh, *Destruction of the School Boards*, 82-83.

[24]Platten, 284, quoting, National Society, *Annual Report, 1876*.

1850 because of its secular tendencies.[25] However, in 1870 the hierarchy were in Rome for Vatican I, and although the 1870 Act made the Roman Catholic Poor School Committee apprehensive, the prelates were sanguine. Only in 1872 did the Archbishop realize the amount of competition that would arise. However, wealthy Catholics subscribed £47,000 which tided the Committee over the immediate crisis. In 1883, a campaign to reopen the 1870 Act, which had the Cardinal as protagonist, was opposed by the Committee's Secretary, Thomas W. Allies, who wrote to Pope Leo XIII and told him of the remarkable support that the Committee had had from a Protestant government. But Allies lost that argument, which ended with the appointment of the Cross Commission in 1886 with the Cardinal as a member.[26]

The period from the organization of the school boards under the 1870 Act up to the appointment of the Cross Commission was one of increasing financial difficulty for

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[25]Best expressed in evidence before the Cross Commission (below), where Alfred Bourne, Secretary of the British and Foreign School Society said that his committee all favoured a complete school board system, as did Thomas Snape, an influential member of the United Free Methodist Churches. Platten, 289-90, citing, Cross Commission, *3d Report* (1887), paras 43,066, 43,147, 52,445, 52,451.

[26]Sister Joan Bland, S.N.D., "The Impact of Government on English Catholic Education 1870-1902," *Catholic Historical Review* 62(1976): 37-41, 47, citing, *Report of the Roman Catholic Poor School Committee, 1870;* and Mary Allies, *Thomas W. Allies* [London: Burns Oates, 1907], 1-40 passim; Platten, 282-84; For the *Report of Royal Commission on the Elementary Education Acts* (Cross Commission), see *Educational Documents,* 128-39.

the voluntary schools. The limit on government grants to 17s.6d. per pupil under the Act was strongly criticised by the National Society in 1884, and a deputation led by Dr. Tait, the Archbishop of Canterbury, to A. J. Mundella, the Vice-President of the Committee of Council, produced only minor reductions in the increasing financial burden placed on the voluntary schools by each new Code. However, the problems of the voluntary schools brought Anglicans and Roman Catholics much closer together, and in the 1885 election Archbishop Manning advised Roman Catholics to vote Conservative, on the understanding that a royal commission would be appointed. The promise was fulfilled when in 1886 the Home Rule split in the Liberal Party brought the Unionist Government to power with Lord Salisbury as Prime Minister.[27]

The Cross Commission failed to satisfy anyone. The proceedings of the Commission did not bring the contending parties closer together. There were three reports in 1886 and 1887, with a final and a minority report in 1888. Fifteen commissioners stated that there was no reason why the principle of rate-aid should not be extended without the

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[27]Platten, 287-87. Besides Lord Cross who was Secretary of State for India, the members of the Commission included Dr. Temple, the Bishop of London, Canon Gregory, Treasurer of the National Society, Archbishop Manning, while Nonconformism was represented by Dr. Dale, the leading Congregational divine, and Henry Richard, Liberal MP for the Merthyr Boroughs and Secretary of the Peace Society. *Concise DNB*, s.v.

application of the Cowper-Temple clause, i.e. to denominational schools, which angered secularists and Nonconformists alike, because they considered that Christian evangelism should be done by the churches, independently of the schools. Another majority proposal, which infuriated school board supporters, was that a local education authority (LEA) should supplement voluntary schools in an amount equal to the contributions up to 10s. per child, and that these authorities should oversee all schools. This the minority report rejected, "'on the ground...that such a proposal seems to be unsound in principle, destructive of the settlement of 1870, and certain, if it became law, to embitter educational politics, and intensify sectarian rivalries.'"[28]

The reports reflected the deep rift among educationists on the place of religion in education, and was one of the reasons why none of the proposals were adopted immediately, although many were later. Of much greater importance was diagreement between the Anglicans and Roman Catholics, for which the Anglicans were to blame. Officially the Church called for state-aid and the Roman Catholics for rate-aid, but Anglicans were themselves divided; the Church failed to see the need for unity, and it ignored the advantages of local control that rate-aid would give. Never again would

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[28]Platten, 290-91, citing, Cross Commission, *Final Report* (1888), n.p., and *Minority Report* (1888), n.p., ibid.

the Church have such a position of influence. But any call for aid frightened Nonconformity, and in 1888 its leaders met at Exeter Hall in London, where each church dropped its "specific claims in the cause of united support for the School Boards."[29]

A further blow to the voluntary schools occurred in 1891, when, with an eye on the forthcoming general election, most elementary education was made free.[30] To make up for the loss of fees the government grant was increased by 10s. per pupil. Schools could only charge fees where accommodation was ample, and 10 percent, mostly voluntary schools, did. However, increasing costs, particularly the raising of the school leaving age from ten to eleven, and the need to meet the new standards of accommodation under Circular 321 in 1893, meant that by 1895 the position of many voluntary schools--since 1870 the National Society had lost over one thousand--was parlous.[31]

Religious controversy apart, the large urban school boards created by the 1870 Act made rapid progress in filling the educational gaps. By the end of the 1870s some children had passed the six standards--after 1882 seven--

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[29]Platten, 292-93.

[30]Elementary Education Act, 1891. 54 & 55 Vict. c.56.

[31]It was during this period that most National schools formed associations so that the grants were paid into a common fund. Platten, 293.

before they had reached the school leaving age of eleven,[32] and some parents wanted their offspring to remain in school longer. The boards began to establish higher grade and "organised science schools." The former was either an extra class in an elementary school, or more typically a centrally located school, which charged the maximum allowable fee, 9d. per week, was at least partly financed by the rates, and had a syllabus which was almost secondary. To begin with, "Organised Science Schools" were simply a single class with a strong technical bias and financed by the Science and Art Department, which had first offered its examinations and generous grants to the larger school boards in 1871. From time to time the legality of the grants was challenged before the District Auditor, as were similar arrangements made for instructing pupil-teachers. The problem was that all of a school's income went into a single School Fund. If spent on behalf of Ex-Standard pupils, it could not be determined what came from the rates, which was not legal, or from government grants, which might be. Up to 1880 (in London up to 1890 for evening classes) the boards

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[32]The term 'standards' corresponds to grades in North America, however terminolgy was loose. In the Board School at Church Gresley, Derbyshire in 1892, the sixth standard was referred to as Grade I. See the photograph in "A Derbyshire Schooling: 1884-1893 *by Maria Hull*," *History Workshop* 25(1989): 166. Prior to the reorganization after World War II, the top two standards of an elementary school with a leaving age of 14 were referred to as Form I and Form II, which were also the designations of the junior forms in county secondary schools.

directed the payments to the teachers or to board members in their individual capacities; after 1880 the accounts were simply fudged. Nevertheless, questions about the efficiency of technical education led to the appointment of the Samuelson Commission, and after its reports in 1882 and 1884,[33] "Organised Science Schools" became popular, particularly in the north of England where industrial skills were in demand.[34]

A more significant result of the Samuelson Report was the Technical Instruction Act, 1889,[35] which allowed the newly formed county councils and urban sanitary authorities,

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[33]Technical education included science and art subjects receiving a grant from the Science and Art Department, the use of tools for modelling in clay, wood, etc., commercial arithmetic, commercial geography, bookkeeping, and shorthand, any other subject suitable for the purposes of agriculture, trade or commercial life or practise, but not to "include teaching the practices of any trade, or industry, or employment." This statutory description is in the Welsh Intermediate Education Act, 1889, s. 17(i-iv), and is the most comprehensive description in any of the contemporary acts. 52 & 53 Vict. c. 40.

[34]Eaglesham, *School Board*, 91-92, 34-35; Rimington, 36-37; For the *Report of the Royal Commission on Technical Instruction* (Samuelson Commission) see, Educational Documents, 121-27; N. D. Daglish, "The Politics of Educational Change: The Case of the English Higher Grade Schools," *Journal of Educational Administration and History* 10(1987): 37.

[35]52 & 53 Vict. c. 76. With some minor amendments the Act also applied to Ireland. A second Act was passed in 1891, as was a companion Act, The Schools for Science Act, 1891, 54 & 55 Vict, c. 61, which permitted the managers of any school operating under the Literary and Scientific Institutions Act, 1854, 17 & 18 Vict. 112 (institutions promoting scientific and art or adult instruction, or museums or art galleries), to transfer them to a local aothority which acted under the Technical Instruction Acts.

which included the county boroughs, to levy a 1d. rate for technical education. Then in 1890 a great expansion of technical education followed the Local Taxation (Customs and Excise) Act, which made the counties and county boroughs major educational innovators by diverting to them funds designated for publicans who had had their licences revoked, and that could be used either for technical education or for rate relief.[36] Also passed in 1889 was the Welsh Intermediate Education Act, a precursor of the secondary provisions of the 1902 Act. Based on the Aberdare Committee's Report, which in 1881 had found that Welsh secondary education was both inadequate and unsuitable, the Act permitted the establishment of secondary and technical schools to be financed from local funds and Treasury grants. Special attention was paid to the education of girls and to the provision of scholarships.[37]

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[36] 53 &54 Vict. c. 60. P. H. Gosden, "The Origins of Cooptation to Membership of Local Education Committees," *British Journal of Educational Studies* 25(1977): 258; Patrick Keane, "An English County and Education: Somerset, 1889-1902," *English Historical Review* 88(1973): 286. P. R. Sharp, "'Whiskey Money' and the Development of Technical and Secondary Education in the 1890s," *Journal of Educational Administration and History* 4(1971): 31-36; and idem, "The Entry of County Councils into English Educational Administration, 1889," ibid. 1(1968): 14-22. For the establishment of the counties and the ramifications involved see J. P. D. Dunbabin, "British Local Government Reform: the Nineteenth Century and After," *English Historical Review* 92(1977): 777-805, and a series of articles written by Dr. Dunbabin in the *Historical Review*.

[37] 52 & 53 Vict., c. 40. W. Gareth Evans, "The Welsh Intermediate and Technical Education Act, 1889; A Centenary Appreciation," *History of Education* 19(1990): 201-3, 206;

However, the state of secondary education in England remained chaotic.

Idem, "The Welsh Intermediate and Technical Education Act 1889 and the Education of Girls," *Welsh History Review* 15(1990-1): 183.

CHAPTER I

TWO EVALUATIONS OF SECONDARY EDUCATION, 1890-1900

CONTEMPORARY AND MODERN

A contemporary article in *Chamber's Journal* argued that secondary education was a costly, wasteful, faulty, and ineffective process which threatened the economic health of the country. It looked at secondary education in class terms, and noted that while provision had been made for the poorer classes, those above that station were left scrambling.[1]

The article defined a secondary school as as a school "in which many, usually most of the pupils," were receiving a higher education than in a primary or elementary school.[2] It was there that most of the manufacturing, business, and scientific and technical classes were educated. These

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[1]"Secondary Education," *Chamber's Journal*, 8 July 1899, 502. It must have been written earlier as it does not refer to the Board of Education Bill then in Committee, which would combine the government departments concerned with education. Cited hereinafter as *Chamber's;* There were ca. 15,000 pupils in grammar schools in 1868, and 75,000+ in 1895. Eaglesham, *School Board*, 3.

[2]Ibid.

schools, which lay below 'the Nine,'[3] great public schools, were very varied: old grammar schools, large and small; modern 'Foundation' schools in the towns, financed by primary school endowments which free elementary education made surplus; company's schools, supported by the wealthy London livery companies, by a church schools' company, or by the Girls' Public Day School Company; proprietary schools, where the shareholders nominated pupils for admission; and numerous private schools. They were dissimilar, except that their level of attainment was usually above that of an elementary school. Their financial arrangements and curricula were different, and they were aimed at different social classes. Most did not adjust to the primary schools below them, to other nearby secondary schools, or to local industries.[4]

Supply roughly equalled demand. Country districts and the older towns were well supplied by grammar schools, while new areas had many of the schools mentioned above. Where there was a deficiency, and even where there was not, private schools were established. These acted as teacher-training establishments for the public (endowed) schools, and were the only schools in many districts. Many assistant

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[3]The 'Nine' were Eton, Winchester, Westminster, Charterhouse, St. Paul's, Merchant Taylors', Harrow, Rugby, and Shrewsbury.

[4]Ibid., 503.

masters and mistresses were looking for an opportunity to buy or establish a school; and where there was no endowed school, this could be very profitable. But if the district deteriorated, if an endowed school was established with low fees or a higher grade school with moderate fees, ruination would follow. Changing circumstances also affected the smaller endowed schools; the endowment income could fall because of the agricultural depression, as could fees where richer parents sent their children away to boarding schools.[5] Board schools could siphon off the poorer pupils, as could schools in neighbouring towns which had modern equipment. Nevertheless, an endowed school had the advantage of being able to qualify for grants from the Science and Art Department and the county council, which a private school, however good, could not. It was very tempting for a small endowed school with a limited income to teach science, and go into the business of earning grants to the neglect of other work.[6]

In the poorer schools the previous ten to fifteen years had seen an enormous increase in the teaching of science, at the expense of the literary education that used to be

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[5]The term public school in this article refers to endowed schools in that they had a board of governors, and were partly financed by endowments which were regarded as a public trust. Endowments were supervised by the Charity Commission, a government department.

[6]*Chamber's*, 503-4.

considered more important: "The schools as a means of training character have suffered; nor [did] it appear that there [was] an equivalent gain."[7] The article suggested that the grants were probably made to help poor secondary schools in manufacturing districts, while poor schools in non-manufacturing districts accepted the grants out of necessity.[8] To answer these charges, the Science and Art Department began to inspect the 'schools of science' as a whole, and so long as a certain number of hours were devoted to mathematics, science, and some manual work, the grant was paid based on an assessment of all the work.[9] However, poorer schools in rural areas could only look to the county councils' technical education committees, but they found that the TEC's grants were too small to be of use, while larger schools obtained them as well as those from the Science and Art Departmant. In this way a large school could obtain between £700 and £800 a year, which allowed it to engage the best teachers, and have smaller classes and

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[7]Ibid., 504.

[8]Ibid. This is not altogether correct, because as stated in the Introduction, schools of science filled a real need in manufacturing areas in the north of England. The statement points to the article having been written in London or the south of England.

[9]The grants were made to improve technical training in industrial districts. The argument about character building and literary education was a stock argument until after World War I. The place of science in the secondary school curriculum was one of the most important arguments in this period, and will be discussed more fully in later chapters.

the most modern equipment. In 1902 only the well-endowed school could provide a satisfactory secondary education.[10]

In support of its arguments, the *Chambers'* article quoted Bryce:

> For the substitution of a scientific education for the teaching which had led to the highest thoughts and ideas of mankind would produce a hard, dry, gritty, unfertile type of mind, as compared with the results literary studies ought to produce.[11]

The article continued by discussing the quality of teachers, their salaries, and the need for adequate inspection of the schools. Efficient education did not come cheaply. Under the pension scheme established by the Incorporated Association of Headmasters for assistant teachers, the retiring age was calculated at fifty-five. Generous terms had to be offered unless teachers were to be retained after they had ceased to be efficient, Although the Superannuation Act for elementary teachers passed in 1898 had a retiring age of sixty-five, it was thought that this was temporary.[12]

Although a school depended on the quality of its teachers, salaries, except for a few schools, were too low.

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[10]*Chamber's*, 504. There was a wide difference between what forward-looking counties such as London, Surrey and Somerset were doing and many others.

[11]Ibid. However, the Bryce Report emphasized the need for close connection between technical and secondary education. Richard Pring, "Fifty Years On," *British Journal of Educational Studies* 37(1989): 20.

[12]*Chamber's*, 504-5.

A master of arts could be engaged for the same salary as a skilled tradesman, and a German or French master for that of a house-painter. What was important was that underpaid teachers were apathetic, although women were more enthusiastic,[13] and that because of low pay there were few graduates teaching in secondary schools. To attract good quality teachers, salaries would have to go up.[14]

To satisfy the parents good thorough inspection of the whole school was imperative. Relying on the Oxford and Cambridge local examinations provided information about teaching when it was too late. At that time the only safe plan is to have the pupil tested periodically, and at the same time a thorough, complete, independent, and impartial inspection of the premises should be compulsory. Since education was compulsory, parents were entitled to know that the schools their children went to were efficient. What was essential was that the inspector should have had considerable teaching experience, and be familiar with every facet of a secondary school. In the elementary schools inspection was admitted to be essential, and the same criterion should be applied to secondary schools.[15]

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[13]The writer is politely saying that women were willing to accept lower salaries than men.

[14]Ibid., 505.

[15]Ibid., 505-6.

In an industrial and commercial country what was needed was: (1) adequate financing; (2) inspection; (3) supervision by local authorities over large areas to: (a) prevent unnecessary competion, (b) attune the secondary school to local needs, and (c) appoint the head teachers; and (4) a strong educational authority to control all aspects of education, and to appoint the inspectors.[17]

How did this situation arise?

While the state did not provide direct financial assistance to secondary schools or the universities in the mid-nineteenth century, the reorganization which was brought about was concerned with considerable financial resources. These were the endowments which assisted in financing Oxford, Cambridge and the grammar schools, funds which, "were then seen, in a sense, as a public trust."[17]

The Schools Inquiry Commission (SIC or Taunton Commission) was established in 1864 to study all the schools that lay between the great public schools which had been previously investigated and the elementary schools.[18] Its

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[16]Ibid., 506.

[17]Brian Simon, "Systematisation and Segmentation in Education in the Case of England," in *The Rise of the Modern Educational System: Structural Change and Social Reproduc-tion 1870-1920*, eds. Detlief K. Müller, Fritz Ringer and Brian Simon (Cambridge: Cambridge University Press, 1987), 89.

[18]They were investigated by *Her Majesty's Commissioners appointed to inquire into the Revenues and Management of Certain Colleges and Schools and the studies pursued and instruction given therein* (1864), and the elementary schools by the Newcastle Commission (above).

Report, in 1868, gave a minutely detailed description and analysis of every endowed school in England and Wales, with the exception of the 'Nine,' as well as some other important private and proprietary schools.[19] However, little work has ever been done on the subsequent reorganization under the Endowed Schools Act of 1869. Statistical information later than the SIC Report, apart from school histories, does not exist, and the voluminous papers lodged in the Public Record Office often do not include the needed information.[20]

The Commission's Report proposed to end free education, "an age-old right in many schools," which would exclude the lower classes, and would allow endowments to be redirected to the three grades of schools proposed. It did, however, suggest that a limited number of scholarships and exhibitions be created tenable at the proposed Grade III secondary schools. This Grade had a leaving age of fourteen and taught only the rudiments of Latin. Grade II schools

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[19]This was the first time that girls' schools had been studied. The Commissioners stated that although both sexes had the same capacity to learn, as a result of parental apathy, lack of co-operation, and often active hostility, with one or two exceptions girls' secondary education was appalling. *Schools Inquiry Commission, Report of the Commissioners* (1867 & 1868; repr. Irish Universities Press, 1970), vol. 1, 533, 546, and 570.

[20]This was admitted by the Education Department. Hilary Steedman, "Defining Institutions: the Endowed Grammar Schools in the Systematisation of English Secondary Education," in MÜller, Ringer and Simon, 115-16, quoting, *Return of pupils in public and private secondary or other schools in England* (June 1897), Cmd. 8634.

had a normal leaving age of sixteen and taught Latin; Greek if taught was an extra with an added fee. Grade I schools had a leaving age of eighteen or nineteen, were designed to prepare pupils for the Universities of Oxford and Cambridge, and had a curriculum which included Greek, since Greek was was a requirement for university entrance.[21]

The SIC analysed the success of the various schools in obtaining awards at Oxford and Cambridge. The schools at the top of the list were those with a substantial boarding component and which were "entering the category of 'leading schools,' alongside the 'Nine.'" This group formed the basis for the SIC's Grade I. The Endowed Schools Commission and its successor, the Charity Commission, picked out all the schools with endowments of over £500 and then chose at least one in each county to serve as a Grade I school. Their purpose was to provide realistic opportunities for access to Oxford and Cambridge but at a lower fee than the Nine, and to be easily affordable "by clergymen and other struggling members of the professional classes."[22]

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[21]Steedman, 115-16, 133-34; Simon, 99-101. For the *Report of the Schools Inquiry Commission* (Taunton Commission), see *Educational Documents*, 89-97.

[22]Steedman, 115-18, quoting, *Return of all schools having an Endowment of £500 a year of the number of scholars in regular attendance and the number of hours of study per week*, in continuation of Parl. Paper 393, 1879 and 121, 3 March 1885.

Portsmouth Grammar School in 1891 was an example of a Grade I school. The prospectus drew attention to an impressive series of Oxbridge awards. As well it sent pupils directly to Woolwich and Sandhurst, a most unusual occurrence at that time. It also listed a scholarship to Epsom College, and in other years to Wellington and Winchester. It was not uncommon to use Grade I endowed or the minor public schools as a stepping stone into the high-status schools. To use Portsmouth was strictly a matter of status because Portsmouth's record for winning awards was just as good as that of any of the 'Nine.'[23]

However, status in many cases had to be balanced by the insufficient income of parents. As "a very large sum of money *is* given away every year in scholarships at Oxford and Cambridge," for many parents it was imperative that some of it should be won by their sons. Parents played the market, choosing schools with a good academic record and well provided with awards.[24]

The less successful schools did not have the established links with the universities and their pupils did

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[23]Steedman, 21-23. Woolwich was the site of the Royal Military Academy which trained officer-cadets for the Royal Artillery and the Royal Engineers, technical services which creamed the top of the examination lists. The Royal Military College at Sandhurst prepared for the infantry and cavalry. Almost all candidates went to crammers before taking the entrance examinations.

[24]Steedman, 122; quoting *Pall Mall Gazette*, n.d. (1887?).

not stay in school long enough to justify the establishment of upper forms. Ilkley Grammar School provides an example. Building schemes reduced the capital so that the endowment income barely met the overhead costs. Fees could not be raised because if they had been, the pupils would have been sent to Bradford Grammar School. While for parents lower down the social scale, "The fees are high...the poorer classes find it cheaper to send their sons to the Higher Grade School at Leeds."[25] In the six years from 1896 to 1902, the enrollment in the school fell from 104 to 64.[26]

Wallasey Grammar School, situated in a fast growing middle-class suburb of Birkenhead, did not develop according to the SIC's and Charity Commission's plans. It had a sixth form whose parents could afford to pay for a private tutor and six or more years of schooling. In the middle were the sons of the "honest to goodness middle class":[27] lawyers, doctors, parsons, and the heads of small companies. While the pupils in the lower classes had fathers who were shopkeepers, builders and artisans; they stayed in school until they were fourteen and were then apprenticed to a trade. Nevertheless, Wallasey did not win Oxbridge awards

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[25]Steedman 125-26, quoting, Ed 27/5178, the first general inspection report

[26]Steedman, ibid., quoting, N. Salmon, *Ilkley Grammar School*, 1607-1957 (Ilkley, Yorkshire, 1957), n.p.

[27]Steedman, 127, quoting, M. Eggleshaw, *The History of Wallasey Grammar School* (Wallasey, [1967]), n.p.

directly, but its former pupils in Victoria University did.[28]

The difficulty was that while the Grade I schools had a definite aim--to win Oxbridge awards--the other schools did not. Schools in Grade I were comparable to the 'Nine'; because of the limitation on Greek, the others were not; and the most successful were those that most closely paralleled the 'Nine.'[29]

The policy of the Charity Commission, which supervised the endowed schools, was to keep Grade I schools viable by preventing competition from Grade II schools, some of which wished to extend their curriculum. Nevertheless, the status of some schools did change, while at the lower end, by 1890, the Grade III schools were competing with higher grade and organized science schools, as well as evening schools and technical day courses in colleges.[30]

By 1890 the state of secondary education could hardly be called satisfactory. In 1892 A. H. D. Acland, Joint

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[28]Ibid. Victoria University in 1897 consisted of colleges at Manchester, Leeds, and Liverpool. Roy Lowe, "Structural Change in Higher Education, 1870-1920," in Müller, Ringer and Simon, 170-71. Students from Wallasey would probably go to Liverpool across the Mersey or to Manchester.

[29]Steedman, 133-34.

[30]Brian Simon, "Systematisation and Segmentation in Education in the Case of England," in Müller, Ringer and Simon, 93; Steedman, 115-16, 133-34; For the *Report of the Schools Inquiry Commission* (Taunton Commission), see *Educational Documents*, 89-97.

Secretary of the National Association for the Promotion of Technical and Secondary Education (NAPTSE), introduced a bill in Parliament, sponsored by NAPTSE, which aimed to give local authorities in England the same powers to aid secondary education as those in Wales. After the general election of that year, Acland became Vice-President of the Committee of Council and a member of Gladstone's Cabinet. The bill was then reintroduced by, among others, Henry Hobhouse, a founder of NAPTSE, who later introduced one of the most significant amendments to the 1902 Education Bill. The Secondary School Bill proved far more contentious than had been expected. Opposition came from the major school boards, private schools and those MPs who objected to the use of public funds to aid general secondary education.[31]

It became obvious that there was little chance of getting the bill through the Commons, and at the two-day Oxford Conference on Secondary Education held on 10 and 11 October the consensus was that an inquiry should be held, provided that it was short and sharp. The Reverend T. W. Sharp, Senior Chief HMI, who represented the Education Department, said the inquiry could report quickly if it confined itself to principles, and in giving his reasons he stated that the Education Department was aware that both

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[31]R. C. Lilley, "Attempts to Implement the Bryce Commission's Reccomendations--and the Consequences," *History of Education* 11(1982): 99-100

school boards and county councils were stretching the law. "The two things which we want in secondary education are a simplicity in the classification of our schools and also a great elasticity of organization within those bounds."[32] His statement showed that the Department was well aware of the gap that existed between legislation and educational need, and since early legislation was expected took a tolerant line.[33]

Although reluctant because he feared delay, Acland established the Royal Commission with James Bryce, Chancellor of the Duchy of Lancaster as Chairman, and a membership that included Sir Henry Roscoe, H. Llewellyn Smith, and H. Hobhouse from NAPTSE, J. H. Yoxall of the National Union of Teachers (NUT), and Acland's protégé, Michael Sadler. The first meeting was held on 16 March 1894, and the report was submitted on 13 August 1895. In the meantime both the active technical education committees and the larger school boards continued to encroach further into areas of secondary education of doubtful legality; and in June 1895, the Liberal Government led by Lord Rosebery, who had replaced Gladstone in 1893, fell and was succeeded

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[32]Lilley, 100, citing, Rev. T. W. Sharpe, *Report of Oxford Conference*, 211-12.

[33]Lilley, 100.

by a Unionist Government led by Lord Salisbury as Prime Minister.[34]

[34]Lilley, 100-1.

CHAPTER II

AN EDUCATION SYSTEM IN DISARRAY:

FIRST ATTEMPTS AT A SOLUTION

By the 1890s there were not only serious problems in both elementary and secondary education, but a lack of organic connection between the two. In England and Wales there were virtually two systems of elementary education: school boards and voluntary schools.[1] The voluntary schools lacked access to the rates; the schools depended on subscriptions and government grants, one-tenth still charged fees, and over one-half of all elementary pupils were in voluntary schools that did not meet the Education Department's requirements.[2] Most voluntary schools were in

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[1]The National Society (Anglican), Wesleyan, Roman Catholic, and the British and Foreign School Society (non-denominational). By 1901, 70% of all children lived in urban areas. Munson, *Unionist Coalition*, citing, P. L. P. Clarke, "The Education Act of 1902," (Ph.D. thesis, University of London, 1964), 197; Lilley, 99-100. The *Fabian Tract 106*, is probably the best brief contemporary description of "The Education Muddle." Brennan, 86-104.

[2]Munson, *Unionist Coalition*, 610, citing, H. B. A. Wise, "A History of the English Village School in the light of Changing Conditions between the Forster Act of 1870 and the Balfour Act of 1902" (B.Litt. thesis, University of Oxford, 1960), 44; Neither were conditions satisfactory in the towns. The London School Board (LSB) had difficulty in obtaining even temporary certificates when it took over voluntary schools . *Times*, 16 March 1900, 13.

rural areas, where conditions, in both board and voluntary schools, were deplorable.[3] Finally, the problems of teachers were manifold. Nearly 7,000 qualified student-teachers could not find places in the training colleges, a problem that particularly affected Nonconformists because thirty of the forty-four colleges were Anglican, three were Roman Catholic, two Wesleyan, and only nine non-denominational.[4] A proper pension scheme was lacking, and there were serious complaints about extraneous duties in both board and voluntary rural schools, for example having to clean the school or play the organ in church.[5]

In over 10,000 parishes there were only voluntary schools, many of which were unable to meet the increased costs and the rising standards required by the Education Department. In 1891 the two Anglican archbishops appointed a Voluntary-Schools Committee, chaired by Viscount Cross, to make recommendations for their relief. The Committee reported on 6 January 1895, and made clear that if the voluntary system was to continue additional funding was

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[3] "'The very general apathy' which met most attempts at improving rural education was referred to by the Bryce Commission in 1895." Munson, *Unionist Coalition*, 610, citing Parliamentary Papers, *Royal Commission on Secondary Education*, vol I of the *Report of the Commissioners*, 1895, 63, Cmnd. 7862, 62.

[4] Munson, ibid., 610-11, citing, *Schoolmaster*, 18 April 1903, and J. H. Yoxall, "The Training College Problem," *Contemporary Review* 79(1903).

[5] Ibid.

required.[6] It recommended that the Church should request the raising of the 17s. 6d. grant to 21s, the derating of the buildings, and the Education Department's giving a grant for acquiring an adequate teaching staff to all schools.

The Archbishop of Canterbury, Dr. E. W. Benson, told his Diocesan Board of Education on 1 February that although a special collection of £750,000 had staved off an immediate financial crisis for the schools in his diocese, it would recur. He remained adamant in his refusal to accept rate-aid and called for state-aid. However, Roman Catholics unreservedly favoured rate-aid, arguing that education costs should be shared by all. To keep up the pressure for assistance to the voluntary schools, the bishops drew up a draft bill and asked the Church of England to join them. A committee was formed to watch developments and advise the hierarchy on practical steps; and all Roman Catholics, particularly peers and MPs, were asked to further the cause.[7] Throughout the 1890s both churches continued to pressure the government for help.

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[6] *Times*, 7 January 1895, 8. The 17s.6d. grant was dependent on the voluntary subscribers raising a similar amount; Platten, 294.

[7] *Times*, 2 February 1895; Cardinal Vaughan to the editor, *Times*, 27 April 1895, 31 October, 6 November 1896; Platten, 293-95, citing, Snead Cox, *Life of Cardinal Vaughan* [1910], 90. The Education Department did not inspect religious instruction. In the Anglican voluntary system this was done by an appointed body, the diocesan board of education.

However, the Conservative Party, by far the largest part of the Unionist Opposition, supported the voluntary system. Its leaders, Lord Salisbury and A. J. Balfour, who led the Opposition in the House of Commons, were well-aware of the plight of the voluntary schools, and pledged the Conservatives to help them. Speaking at a meeting at Limehouse on 21 March 1895 to open a fund for repairing Church schools in Limehouse and Bethnal Green, Salisbury said that: "'Nothing is eternal in this world not even a compromise'"; and earlier Balfour had denied that the voluntary schools "'were a relic of an ancient system, and that the board school was "'normal and proper'".[8]

That opinion might be changing was shown by a Manchester School Board resolution in favour of rate-aid for voluntary schools. But the Birmingham School Board failed to support a similar resolution by eight votes to five; and leading the opposition was the Reverend E. F. M. MacCarthy, an Anglican. School boards and their elections had been battlefields of religious politics since their inception, and although in the 1894 and 1895 elections some boards were recaptured by the Church-Tories, in others there was a recurrence of sectarian bickering.[9] In London in 1892,

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[8]*Times*, 22 March 1895, 9; The fund was sponsored by Salisbury and the Bishop of London; Pugh, *Destruction of the School Boards*, 86, citing, *Times*, 19 January 1895.

[9]Rimington, 46, 50-51; Sheffield also petioned for the relief of voluntary schools, but with aid from the Treasury. *Times*, 29 April 1895. 9.

Athelstone Riley, a High Churchman, had called for the reinstatement of most of the 1871 policy regarding religious teaching which had been rescinded in 1890 at the behest of the Unitarians. This dispute escalated, became a major issue of the 1894-Board election, and rumbled on in the background for the rest of the Board's existence. Religious disputes seriously damaged the school boards and the public became weary of them.[10]

However, the whole political picture changed on Friday, 21 June, when as a result of Government slackness, the Rosebery Government was defeated in the Commons, and Lord Rosebery resigned.[11]

All the issues in the 1895 election campaign favoured the Conservative-Liberal Unionist coalition. Education figured prominently: voluntary school teachers were strong coalition supporters; and many Catholics, advised by their priests, swung over to the Unionists. Elected were 340 Conservatives, 71 Liberal Unionists, 71 Liberals, and 82 bitterly divided Irish Home Rulers whose links with the

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[10]For the details see, Leinster-Mackay, 123; and Munson, *School Board Election of 1894*, 7. Rimington, 51. Riley wrote "Ye Watchers and Ye Holy Ones," Hymn 7 in *The Anglican and United Church of Canada Hymn Book*.

[11]*Times* 22, and 24 June 1895, citing *London Gazette*, 24 June 1895.

Liberals were tenuous.[12] The Unionists had won the greatest majority since 1832.

However, there was a struggle within the coalition: the more conservative leaders, Salisbury, Hicks Beach and Chamberlain, wanted to avoid religious and political controversy by making as few educational reforms as possible; while Balfour, First Lord of the Treasury and Leader of the House of Commons, the Duke of Devonshire, the Lord President of the Council, and Sir John Gorst, the new Vice-President of the Committee of the Council on Education, were more open to radical measures and less concerned about any controversy which might follow.[13]

Balfour at the time was an enigma. In 1894 he had been noted for coming to the House late and leaving early, and his lax attitude had carried over to the new Parliament: "'When he took part in debate he displayed an air of aloofness and indifference that was very curious.'"[14]

The characters of the men heading the Education Department made a potentially explosive mix.[15]

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[12]G. I. T. Machin, *Politics and the Churches in Great Britain 1869-1921* (Oxford: Clarendon Press, 1987), 216-17.

[13]Munson, *Unionist Coalition*, 607-8.

[14]Ruddick F. Mackay, *Balfour: Intellectual Statesman* (London: Oxford University Press, 1985), 83-84, citing, H. W. Lucy, *A Day of the Home Rule Parliament, 1892-95* (London, 1896), 327 (20 March 1894).

[15]Eaglesham, *School Board*, 106.

Devonshire, who had been President of NAPTSE before he took office, had refused Salisbury's offer of the Foreign Office. His main interest was in technical education, and "he had little sympathy with the Radical-Nonconformist elements within Unionism." His soundness was to prove a great help to Salisbury. Lord Selborne recalled later that Devonshire's mind worked slowly, unlike Balfour's and Chamberlain's which worked like lightning. They often had to change their minds, but once the Duke's was made up he never had to change his.[16] Sir George Kekewich, the Secretary of the Department, later described how Gorst loved scoring off "'the dull, silent, and impassive'" Duke who he described as "'a living wet blanket.'"[17]

The appointment of Gorst was unfortunate. Though a Q.C. and very clever, Gorst had never been able to work with his leaders. Very successful as chief party organizer during Gladstone's first administration, he had been a member of the Fourth Party during Gladstone's second administration, and was appointed Solicitor-General in 1885.[18] Appointed Under-Secretary of State for India in

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[16]Lilley, 113; Munson, *Unionist Coalition*, 615, citing, "Some Memories and Some Reflections in My Old Age," Selborne MSS, Bodleian Library, Selborne MSS, 191, fo. 72.

[17]Munson, ibid.; Mackay, 85-86, quoting, Sir George Kekewich, *The Education Department and After* (London: [Constable], 1920), 92-100 passim.

[18]*D.N.B.*, s.v.; Rimington, 53; "Sir John Gorst: Independence as a Politician." *Times*, 5 April 1916, 4 (Obituary); The Fourth Party was really three men, Henry

1886, in 1891 he made a speech in which he contrasted men of ability with mediocrities. The Cabinet was upset, and he was demoted to Financial Secretary to the Treasury.[19] Nevertheless, he was appointed Vice-President of the Committee of Council on Education in 1895, and was told by Salisbury that Devonshire would only be "'his nominal chief,'" and that he would be the real minister of education.[20]

Kekewich, who had become Secretary of the Department in 1890, furthered many changes: he helped to bury the Revised Code of 1862, and he actively encouraged teaching science, drawing, and physical education in elementary schools. However, as Eaglesham points out, he "'appears not to have realised the cumulative effect of his relaxations required a jealous safeguarding of each step of progress made.'"[21] Life for Kekewich "could not have been very congenial" after

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Drummoknd Wolff, Gorst, aand Lord Randolph Churchill, with occasional help from Balfour. They were "the *enfants terribles* of the Commons, and gained for themselves a leading position in their own party." R. E. Quinault, "The Fourth Party and the Conservative opposition to Bradlaugh 1880-18888," *English Historical Review* 91(1976): 315.

[19]*Times*, 5 April 1916, 4. With Cross in the Lords, Gorst was in charge of all Indian business in the Commons; as Financial Secretary he played second fiddle to the Chancellor of the Exchequer.

[20]Munson, *Unionist Coalition*, 615, citing Salisbury to Gorst, 1 July 1895, Salisbury MSS, Hatfield House, No. 75.

[21]Rimington, 52, quoting, Eaglesham, *School Board*, 104.

Gorst became Vice-President.[22] Nevertheless, to begin with Gorst was well-received in the Department, and he immediately began to prepare a bill based on the Bryce Commission's Report.[23]

The Bryce Commission had reported that educational deficiencies in rural areas had been met by "'very general apathy,'" and that the school board, "'at any rate in small areas, can hardly be regarded as a satisfactory institution.'"[24] The Commission recommended that county and county boroughs become the local educational authorities (LEAs), Councillors would form the majority of an education committee, the remaining members being nominated by the school boards in the boroughs and by the (proposed) minister of education in the counties, with co-opted members representing other educational intersts. Adjoining areas such as Manchester and Salford should unite. Also recommended was the merging of the Education Department, the

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[22]Rimington, 52.

[23]Munson, *Unionist Coalition,* citing, Kekewich to Sadler, 20 Nov. 1895, Sadler MSS, Bodleian Library, Oxford, MS Eng. Misc. c550, ff. 228-29.

[24]"Of the 2,563 Boards...abolished on 1 April 1903, 1,369 had been created by order of the Education Department after the local area (in most cases a rural area) had refused to act." Munson, *Unionist Coalition,* 610, n.21, quoting, C. T. D. Acland, "County Councils and Rural Education," *Nineteenth Century* 60(1896) 598; and citing, Parliamentary Papers, *Royal Commission on Secondary Education* [Bryce Commission]," *Report of the Commissioners,* 1895, LXII, Cd. 7862, 1:62 and 120-22.

Science and Art Department, and the educational section of the Charity Commission. But whatever was done, there was a need for a coherent system and a need for haste.[25]

Besides the Bryce Commission's Report, the Chief HMI's Reports for 1895 clearly showed the need for extra funding for voluntary schools. Although most voluntary schools of all denominations had made great efforts to bring their schools up to the standards of the Liberal Government's Circular 321, there were still many deficiencies and the condition of most rural board schools was appalling.[26]

Added to official recommendations was the Conservative commitment to aid the voluntary schools, which should be seen against a background of continuing disillusion with the school-board system in upper- and middle-class circles.[27]

Gorst deputed Michael Sadler, the head of the newly created Department of Special Inquiries and Reports on Education, and his assistant Robert Morant, who had been reorganizing education in Siam, to begin work on the bill. Sadler was a protégé of Acland, and Morant had been recommended to him by Canon and Mrs. Barnett of Toynbee Hall. The Canon was a friend of Gorst, who spent a lot of

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[25]Lilley, 101-2, citing Bryce Report, 1: 266, 269-70.

[26]*Times*, 8 August 1895, 12.

[27]Munson, *Unionist Coalition*, 611-12, citing, Michael Sadler, "Changes in opinion as to the administration of education in England between 1870 and 1896." Sadler MSS, Bodleian Library, MS Eng. Misc. c 551, ff. 13-54.

time at Toynbee Hall where Morant lived.[28] Gorst by-passed Kekewich and began to use Sadler and Morant as his personal advisers, as the Duke did a little later.[29] Morant and Mrs. Barnett urged Gorst to prepare a comprehensive bill. By November 1895, the Cabinet was pressing for a decision, and Kekewich was brought in by Gorst to advise on the plans for new LEAs based on the counties and county boroughs.[30]

Gorst's proposals were ambitious: (1) to give grant aid to the voluntary schools; (2) to abolish the 17s. 6d. limit; (3) to exempt the schools from the rates; and (4) to replace the Cowper-Temple clause with Clause 27 which would allow priests and ministers to enter the schools to give religious instruction if enough parents wanted it. A workable draft of the Bill was ready by 21 December.[31]

Ministerial views were mixed. Chamberlain considered the proposals mad. Whilst prepared to help the voluntary

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[28]Morant told Sadler that his main reason for staying at Toynbee Hall was to be near Gorst. Munson, ibid., 615, citing, Morant to Sadler, 19 Nov. 1895, Sadler MSS, Bodleian Library, Oxford, MS Eng. Misc. c 550, ff. 228-29.

[29]Munson, ibid., 615-16, citing, Morant to Sadler, 23 Nov. 1895, Sadler MSS, ff. 20-21, and Acland to Sadler, ibid., ff. 249-50.

[30]Munson, ibid., 615, citing, Kekewich to Sadler, 30 Nov. 1895, Sadler MSS, ff. 130-31, and Morant to Sadler, 29 Nov., fos. 22-23.

[31]Gorst wrote: "'I regret the maintenance of the Cowper-Temple clause as a relic of religious intolerance and an unnecessary interference with liberty." Gordon, *School Managers*, 203, citing, Gorst to Balfour, 21 Dec. 1895. Balfour MSS, Add MS. 49791, ff. 9-10.

schools, he told Devonshire that substituting Clause 27 for the Cowper-Temple clause, placing a limitation on school boards, and giving rate-aid to voluntary schools, "'would raise the Liberals and all Nonconformists to a state of rebellion.'"[32] Balfour was enigmatic. He told J. S. Sandars, his private secretary, that he favoured only a small bill to relieve the voluntary schools; then in the next paragraph he wrote: "'Let me add that I am disposed to think that the very large suggestions made by Kekewich and others, help rather than hinder the progress of the Bill.'"[33]

On 18 January 1896 the Cabinet, still divided and unenthusiastic, and despite the grumbling of Salisbury that the Education Bill was "'Made in Germany,'" decided that the Bill would proceed.[34]

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[32]Gordon, ibid., 205, citing, Chamberlain to Devonshire, 15 Dec. 1895. Chamberlain MSS JC5/22/157, University of Birmingham.

[33]Alan W. Jones, *Lyulph Stanley: A Study in Educational Politics* (Waterloo: Wilfrid Laurier University Press, 1974), 99, citing,. Balfour Papers, [B.L.] Add MSS 49781, ff. 57-58 and 121-22, provisional; Jones suggests that Kekewich played a larger role in planning the Bill than generally recognized, including suggesting state-funded secondary schools..

[34]Munson, *Unionist Coalition,* 616, citing, Salisbury to Queen Victoria, 18 Jan. 1896, Royal Archives, Windsor, CAB 41/23/43 (Bodleian Microfilm); Balfour to Salisbury, ? Jan. 1896, Salisbury MSS, Christ Church, Oxford, Class H; S. A. Barnett to F. G. Barnett, 8 Feb. 1896, in Henrietta Barnett, *Canon Barnett...*, 3d. ed. (London, 1921), 507; and Manuscript Diary of Sir Michael Thomas Sadler, Bodleian Library, MS Eng. Misc. e 204, fo. 103 (10 March 1896).

Gorst introduced the Bill on 31 March 1896. He said that the county and county borough councils would become the local education authorities (LEAs) for elementary as well as secondary and technical education. The new LEAs would absorb the Technical Education Committees, and could open new secondary schools and assist those already existing. Other important provisions were: (1) The LEAs would act through an education committee, the majority of whose members would be councillors; (2) all grants would be decentralized to the new LEAs, which would also inspect the schools, with the HMIs inspecting occasionally; (3) the school boards would remain, but increases in school board rates would have to be sanctioned by the LEAs; (4) with the permission of the Education Department the LEAs could operate "the *de facto* secondary education (higher grade schools) provided by the Boards"; (5) a new exchequer grant of 4s. per pupil would be paid to voluntary schools and necessitous school boards; and (6) the school leaving age would be raised to twelve. There were also complicated provisions for the disposition of failed voluntary schools. Thus the Department would achieve the decentralization at which it had aimed.[35]

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[35]*Times*, 1, 2 April 1896; Munson, *Unionist Coalition* 616-17, citing, *Schoolmaster*, 4 April 1896; and Sadler, Minute, "Notes on the present difficulties in English Education," Sadler MSS MS Eng. Misc. c.550, ff. 152-53; Lilley 103.

Reaction to the Bill was predictable. It was welcomed by voluntary school supporters and attacked by the school boards, the National Education Emergency Committee, and a specially called meeting of Welsh Radicals and Liberals. It was also attacked by the NUT, although their President, T. J. Macnamara, an active Progressive member of the London School Board (LSB), approved of much of it. Most educationists reserved judgement until after they had studied the Bill.[36]

In the Second Reading debate, as was usual with educational legislation, the greatest controversy was over religion. Clause 27, which allowed a "reasonable" number of parents to have denominational instruction given where it was "practicable," was purposely vague to allow for local differences. Nonconformists attacked it unmercifully on the grounds that it would not solve current problems and would create new ones where they did not exist.[37] Closure on 12 May passed by 379 votes to 198, and an amendment by Asquith was defeated by 423 votes to 156, the Irish Nationalists voting solidly with the Government.[38]

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[36]*Times*, 3, 6, 7, 10 April 1896.

[37]It was all that survived of a clause to abolish the Cowper-Temple compromise, which had been "whittled down" by Chamberlain. Munson, *Unionist Coalition*, 618-19, quoting, Sir Courtenay Ilbert MSS, House of Lords Record Office, Diaries 1896-1903, no fo. H.C. Lib., MS 66; See also Lilley, 103

[38]*Times*, 6, 7, 12, 13 May 1896.

Other bills and new rules on supply preceded the Committee stage, a delay which allowed opposition to build up and 1,238 amendments to be put down, many of them by highly critical Unionist members.[39]

The Bill's end came in a few dramatic moments in Committee on 11 June 1896. Gorst had been strenuously defending the Bill against an amendment by Sir A. Pollitt, a Unionist, and the President of the Municipal Association, who wanted non-county boroughs--which was later amended to those of over 20,000 population-- to become LEAs. When Gorst left the Chamber for dinner, Balfour who had just come in, accepted the amendments. Confusion followed.[40]

Finally J. H. Yoxall (Lib., Nottingham W.), an NUT official, gained the floor, and pointed out that Gorst in a very able speech had said that he hoped there would be fewer LEAs by combining them; then a few minutes later Balfour got up and threw over the Vice-President by accepting amendments

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[39]*Times*, 12 May 1896,13; The Bill "incurred a 'hearty dislike...on both sides of the House.'" Munson, *Unionist Coalition*, 618-19, quoting, H. Whates, *The third Salisbury administration* (n.p., n.d.), 392-95.

[40]It is not known why Balfour accepted the amendment. Lilley states that the Education documents held in the Public Record Office provides ample evidence of the progress of other legislation as well as draft bills, abortive attempts at legislation on technical education prior to 1889, and a considerable amount of material on the genesis of the 1902 Act, but there is nothing on the 1896 Bill. "Do we see here an attempt to protect Balfour's reputation?" Lilley, 107. The guess of the *Economist*, below, is probably as good as any other.

which would increase the number of LEAs. Later in the evening Captain Bethell (U. Yorkshire, E.R., Holderness) said that he could not understand what had induced the Government to make this change, and that he had not sufficient parliamentary language at his command to express his profound regret that this concession had been made. These remarks caused another uproar.[41]

Balfour had opened himself up to three hours of debate; to "the wrath of sturdy supporters like Captain Bethel," and "the taunts of adversaries like Mr. Yoxley."[42]

It was later revealed that the Parliamentary Committee of the County Council's Association had met on 5 June (six days before the debate) and resolved that any amendment accepting non-county boroughs "'would be disastrous to the efficient administration of education in the administrative counties.'" On 12 June, the day after the fiasco, it further resolved that the amendment

> strikes a serious blow at the Technical Education Acts,...and the association considers that county councils cannot...undertake with advantage the duties conferred on them with regard to public elementary education.[43]

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[41] *Times*, 12 June 1896, 6, 8; Lilley, 103-6 gives a full description of the incident and its effect.

[42] *Times*, 12 June 1896, 9.

[43] *Times*, 17 June 1896, 10; quoting *County Council Times*, n.d.

The *Times* leader commented that this position was "not without importance." Balfour had made a serious mistake, and the Bill had had to be withdrawn, to the great annoyance of both Salisbury and the Queen.[44]

The *Economist* claimed that the Bill failed because: (1) Gorst accepted that there was popular demand for assistance to the voluntary schools, when the only demand came from the clergy, and he forgot that a major bill without popular support is at the mercy of special interests; (2) the Bill was too complicated; and (3) it was mismanaged by Balfour who took too easy a position, was not interested, underrated the Opposition, and possibly did not understand it.[45]

In 1900, a special correspondent of the *Times* made a strong defence of Gorst. He agreed with Yoxall that Gorst had handled the Bill well. He blamed the debacle on the counties disowning the Bill, and on the Cabinet, not only for vacillation, lack of leadership, and ignorance of their own legislation, but for having no real interest in

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[44]Ibid., 11; Lilley, 106; The Queen sent two telegrams to Salisbury objecting to the Cabinet's decision to drop the Bill, and insisted that another Cabinet be held to reconsider. Munson, *Unionist Coalition*, 620, citing, Salisbury to Queen Victoria, 22 June 1896, CAB 31/23/59, CAB 412/23/58; and the Queen's telegrams to Salisbury, 19, 20 (2), 22, 23 June. Salisbury MSS, Correspondence with Queen Victoria, July 1898[*sic*]-1901.

[45]*Economist*, 27 June 1896, 822. With the exception of the remarks about Balfour, these reasons are very close to those given by Munson, ibid., 618-19 which mainly cite contemporary private correspondence.

education. Salisbury and Balfour never pretended to; Chamberlain "had bigger fish to fry"; while Devonshire "hardly displayed enthusiasm."[46]

With many poor pupils and few rich subscribers, the Roman Catholic schools needed relief badly. Cardinal Vaughan, who saw Anglican division as being partly responsible, was furious with the Anglican leaders:

> Let the Church of England pull herself together...and hold to them (the Nonconformists) in this sort of language: You have enjoyed a monopoly of the rates for five and twenty years. You shall have this monopoly no longer.[47]

Following the withdrawal of the Bill, the Government changed their approach. By 21 June it was known that a short bill to relieve the voluntary schools would be introduced in January 1897, and that it would be passed by 31 March. The *Times* pointed out that the bill's supporters would have to compose their differences, one of the main reasons for the recent humiliating failure. Balfour had failed as a parliamentary leader by allowing the Bill to be pushed aside by matters of little interest to most Unionists.[48]

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[46]"Educational Progress, 1895-1900: Secondary Education," *Times*, 6 September 1900, 7.

[47]Platten, 295, quoting, H Vaughan, "The Triangular Battle for Education," *Dublin Review*, n.d.

[48]*Times*, 22 June 1896, 11.

Ilbert considered that the Bill's defeat "was probably the severest humiliation that a strong government has ever experienced."[49] However, as the *Economist* pointed out, the Government was a Conservative-Liberal Unionist coalition, which meant that particular care was needed with domestic legislation. The Bill was complicated, the provision that the school boards could not raise taxes without the LEAs' approval, was bound to cause constant friction,[50] and as Devonshire pointed out later, without reform at the centre, administration would have been almost as difficult as before.[51] But the most serious permanent effect was the Government's reluctance to undertake any educational legislation at all unless forced to, at the same time as the reforms that were undertaken kept their opposition in a state of alert.

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[49]Munson, *Unionist Coalition*, 620, quoting, Ilbert MSS, diary, 7 November 1896. Ilbert was Parliamentary Counsel to the Treasury, the chief draftsman.

[50]*Economist*, 27 June 1896, 822.

[51]Devonshire's opinion after reviewing the reasons for the failure of the Bill. See Chapter III.

CHAPTER III

EDUCATIONAL REFORM IN SMALL STEPS

I. BY LEGISLATION, 1897-1899

Financial help for the voluntary schools was a contentious matter, and if the Church had not agreed to rate-aid the Goverment would have dropped the matter, at least for the time being. However, the death of Dr. Benson allowed Dr. Temple as Archbishop-designate to call a conference of Anglican educationists which agreed to ask for rate-aid in school board districts, and brought the Anglican position much closer to that of the Roman Catholics.[1]

Meanwhile, Nonconformists, already aroused by the 1896 Bill and encouraged by its withdrawal, spent the winter of 1896-97 organizing resistance.[2] Not that supporters of reform were quiescent. A joint parliamentary committee chaired by Professor Jebb pressed for action regarding secondary education, as did a large deputation representing every secondary school interest, which met with Devonshire, Gorst, and Sir John Donnelly, the Secretary of the Science and Art Department. Sydney Webb told of the weaknesses in

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[1]Platten, 294; Machin, 228-29.

[2]*Times*, 18 November, 2 December 1896, 12, 13 February 1897.

commercial education in London; there were good endowed schools, but one system was needed if the job was to be done well. Mrs. Bryant said that neither the Girls' Public Day School Company nor the Church Schools Company was quite self-supporting; however, there were serious deficiencies in girls' secondary education, and the need for county schools for girls was imperative.[3]

Under pressure, the still divided Cabinet decided on a piecemeal and twofold approach: Balfour would introduce a bill to relieve the financial difficulties of the voluntary schools; and Gorst would begin the reorganization of secondary education.[4] Chamberlain wanted state-aid for voluntary and necessitous schools boards, the counties and county boroughs to become authorities for secondary education, and the school boards to continue but restricted to primary education. Devonshire and Gorst supported a more radical approach. But the Duke was a political realist; he told Salisbury "'that it has taken all your influence...to keep us together,'" and advised against "'having Cabinets as

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[3]*Times*, 15 January 1897, 10. Jebb served on many commissions and committees. He was the Professor of Greek at Cambridge University as well as being its Conservative M.P . Even in Wales the schools being built under the Welsh Intermediate Act were only beginning to be opened. Newport High School for Girls, *The Jubilee Book of the Newport High School for Girls: 1896-1946* (Newport, Mon. [Gwent]: R. H. Johns, 1946) 10.

[4]Daglish, 42, citing, Devonshire to Balfour, 7 Nov. 1896, Balfour Papers, Add MS 49769 fo. 112. For Gorst's work in reorganizing secondary schools by regulation see Ch. III.

much as possible.'"[5] Salisbury's health was not good, and all that mattered to him was that the bill should be small and simple. The result was eight small bills from 1897 on.[6]

Balfour introduced the money resolution for the first, the Voluntary Schools Bill on 1 February 1897. He said that the voluntary schools would no longer have to pay rates; the grant per child would be increased from 4s. to 5s; and the 17s. 6d. limit would be abolished: without any contributions a school would still get a 17s.6d. grant, but to obtain a grant of 17s.7d., 17s.7d. would have to be contributed. The Government would encourage associations of voluntary schools, and would not pay the grants to managers who refused to join.[7] Acland objected that there was no

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[5]Munson, *Unionist Coalition*, 622, citing, Devonshire to Salisbury, 24 March 1897, Salisbury MSS.

[6]Munson, ibid., citing, Beatrice Webb, Diary, 3 February 1897, quoted in E. J. T. Brennan, "The Influence of Sidney and Beatrice Webb on English Education 1892-1903," unpublished M.A. thesis, University of Sheffield, 1959, 127; Chamberlain to Salisbury, 11 November 1896, Salisbury MSS; Salisbury to Queen Victoria, ? Nov. 1897, CAB 41/23/66, 5 Nov., CAB 41/23/65, 14 Jan. 1898, CAB 41/24/1 and 27 Jan. CAB 41/24/2; H. J. Gladstone to his mother, 26 Apr. 1897, and 2 May, Glynne-Gladstone MSS Flintshire (Clwyd) Record Office, Z/19/16. For the Teachers' Superannuation Act see Ch. I.

[7]There had been association before. John C. Medd to editor, *Times*, 15 March 1897, lists 15, the earliest, the City of York began in 1879. In Winchester one covered all the voluntary schools in the city. The associations were strictly a business arrangement and did not interfere with the teaching in the schools.

provision for necessitous school boards. A *Times* leader agreed, and gave Walthamstow and Romford as examples.[8]

A Government motion gave the Bill priority on all days for which it was appointed. No amendments were made in Committee, so there was no Report stage. The Opposition rarely got out one-sixth of their number, and opposing the Bill was left in "the hands of Lloyd George and his Welsh 'forwards.'" However, Balfour's firm handling of the Bill did "much restore to the Government's standing among its followers. Third reading in the House of Lords took place on 5 April, "without comment".[9]

However, the financial problems of the poorer school boards had not been forgotten, and following the Voluntary Schools Bill a Necessitous School Board Act was quickly passed by Parliament.[10]

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[8]Lilley, 107; Munson, *Unionist Coalition*, 622, citing, A. S. T. Griffith-Boscawen, *Fourteen Years in Parliament* (London, 1907), 115-17; *Times*, 2, 6. 12, 17, 26 February 1897. [Other editions had mentioned the County Boroughs of East and West Ham as among the three most necessitous boards. It would appear that all the boards in the London suburbs which were in or were formerly part of Essex were having difficulties.]

[9]*Times*, 10 February 1897, 6; Munson, *Unionist Coalition*, 622; Machin, 228; *Times*, 31 March, 3, 6 April 1897. Welsh "forwards" is a pun on the popular Welsh international rugby football team.

[10]Legally the Elementary Education (1870) Act Amendment Act, 1897. A total of 749 school boards would receive additional grants. Nearly 200 would receive less than £10. West Ham would receive the largest addition, £11,971, Leeds, £6,788, six other boards more than £2,000, and 18 boards between £1,000 and £2,000. *Times*, 6 April 1897, 6.

Gorst's behaviour during the passage of the Voluntary Schools Bill was peculiar. He did not go to his office; "he told A. J. Mundella, that the 'truth is that this d....d Government hates Education'"; and he wrote two articles critical of the Government, while his ostentatious taking up of a "position of critical detachment and contemptuous independence" during the debates drew Opposition criticism and greatly annoyed Balfour.[11]

Neither was Gorst's behaviour an isolated incident. His introduction of the Education Department estimates was followed by criticism of both Gorst and the Government. Much of a long speech by Gorst detailing the serious problems in elementary education was devoted to school-age children working and the serious lack of teachers. He told the House of some of the worst cases of children working: Each week a boy of 6 peeled omions for 20 hours for 8d, a girl of 6 delivered milk for her parents for 35 hours without a wage, a boy of 10 drove a donkey cart for 80 hours for 6s, and a number of girls of various ages carried bulk

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[11] *Times* (leader), 26 March 1897, 9; Munson, *Unionist Coalition*, 623, citing, Sir Eldon Gorst, "Biographical Notes" (1896), Gorst MSS, St. Anthony's College, Oxford, Middle East Centre, DT 107., f. 46. [Sir Eldon, Gorst's son was British Consul-General and Agent in Egypt. *D.N.B.* s.v.] The articles were, "Prospects of Education in England," *North American Review* (1897); 427; and "The Voluntary Schools," *Nineteenth Century* 40(November 1897). Munson, ibid.

firewood for woodcutters for 70½ hours for 6s. each week.[12] Regarding the teachers, he said that the Department was seeking candidates not only in England, but in Ireland and the colonies.[13] However, much of the effect was lost when Gorst made contemptuous comments about the Education Department, and thinly disguised his ridicule of the Duke.[14]

A stinging rebuke was administered to both Gorst and the Government in the *Times*:

> Nor would it be unreasonable to infer, from this and previous occasions, that the whole matter is of profound indifference to the Government; and that having badly burnt their fingers over elementary education in 1896, they will have no more to do with it than they can help. It was most unsatisfactory when matters of supreme and pressing importance are not taken seriously.[15]

Gorst was accused of being "only nominally a member" of the Government, who despite his recognized experience and ability, made sport for the House "which laughed on Friday, for a while over humorous but transparently contemptuous allusions to other members of the Committee, and to the Lord

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[12]Gorst stated that 144,000 full-time pupils were working. *Times*, 29 April 1899, 8

[13]Gorst announced that the Department was actively seeking as teachers anyone over 18 who had an Oxford and Cambridge higher certificate or better, or its equivalent, including candidates from Ireland and the colonies.

[14]*Times*, 2 May 1899, 7.

[15]*Times*, ibid.

President himself."[16] His behaviour contributed nothing to education. He should either have been loyal or resigned.

The *Times* agreed that child labour enforced by parents was undermining the education system. Gorst was not altogether to blame for the weaknesses mentioned. Pupil-teachers were the weakest link in a process that was "wasteful educationally, unsatisfactory, and even dangerous to the teachers and the taught in equal measure." Nor would the defects be remedied while Parliament drifted like a ship without "Captain or pilot upon a sea of barren and often irrelevant controversy."[17] The need was for a strong minister representing education in Parliament who was prepared to set a clear and definite policy of national education.[18]

That the criticisms had no effect became evident in 1898 and 1899. The Bryce Commission had recommended the raising of the school leaving age from eleven to twelve, and it had been included in the 1896 Bill, but the Government had not pursued the issue further. In 1898 W. S. Ronson (Lib., S. Shields) introduced a Bill to raise the school leaving age to 12, and the age at which half-timers could

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[16] *Times*, ibid.

[17] Ibid; Sidney Webb provides an excellent contemporary description of the pupil-teacher system in, "The London Education Act, 1903: How to Make the Best of it," *Fabian Pamphlet No. 117*. (See Brennan, 114-15.)

[18] *Times*, 29 April, 1, 2 May 1899.

leave regular schooling from 11 to 12. It also allowed children in agricultural districts who were between eleven and twelve, and who had passed the prescibed standard, to work in the summer provided that they attended 250 sessions (125 days) in the rest of the year. The Bill did not get further than the Committee stage, but it was reintroduced in 1899. Warmly welcomed, the Bill received its Second Reading on 1 March by 317 votes to 59. It passed through all its stages quickly, and took effect on 1 January 1900.[19] The Government was once again severely criticised in the press, as it had been in 1898, for not treating the Bill as a Government measure. Gorst was the only minister present throughout, and he appeared to speak for himself.[20]

As for secondary education, both the Bryce Commission and the Taunton Commission, twenty-seven years earlier, had recommended a minister of education. The Bryce Commission was also highly critical of the Charity Commission, most of whose educational work involved drawing up schemes for

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[19]Elementary Education (School Attendance) Act (1893) Amendment Act, 1899. 62 & 63 Vict. Ch. 14.

[20]*Times*, 2 March 1899, 9 February 1900; Munson, *Unionist Coalition*, 623; The *Economist*, 4 March 1899, 306, said that the health of the children was the cardinal point and it hoped that the Government would give effect to the opinion of the House; and *Times*, 15 March, 16 May 1899. W. P. Turnbull, Chief HMI, North-East Division was particularly critical: Halifax was granting exemptions at age 11 to children who had passed Standard II. They were "ignorant, and dull." Ibid., 23 June 1897, 21. Most of the opposition to the Bill came from Lancashire. Half-time education was not abolished until 1918.

financing the endowed schools. Co-ordinating and organizing secondary education, although recommended by the Taunton Commission, had been neglected.[21]

On 28 February 1898 Devonshire circulated a Cabinet memorandum analysing the reasons for the failure of the 1896 Bill. He pointed out that even if the Bill had passed, the new LEAs would have had difficulty organizing without guidance from the centre, something which the three existing unco-ordinated departments would have found quite impossible to give. He proposed a bill combining into one ministry the Education, and Science and Art Departments, and the educational section of the Charity Commission. The new ministry would have a minister with a parliamentary secretary in the other House, a permanent secretary, an under-secretary for elementary education, and another for secondary.[22]

The Charity Commission resisted any diminution of its powers. H. M. Lindsell, Counsel to the Education Department, pointed out that the Commission's proposals meant that all the endowed schools without schemes would be

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[21]P. H. J. H. Gosden, "The Board of Education Act, 1899," *British Journal of Educational Studies* 11(1962): 45, citing, Bryce Report, 1: 93.

[22]Gosden, *Board of Education*, 47-48, 49-50, citing, P.R.O. Ed. 24/8, 26 February 1898. The reason that it would be a Board of Education seems to have been so that some other cabinet minister could act in case of need, but it was recognized that the Board would never meet.

transferred to the Board of Education, subjecting it to the ire of local interests when it redirected obsolete bequests, while the Commission retained supervision of all the schools with reorganized schemes. Ilbert had to redraft the Bill fourteen times, and his solution was to postpone the issue, and for orders-in-council to be passed according to the circumstances.[23]

There were only two educational criticisms. The first was that while under Clause 3 secondary schools which wanted to be inspected could be, "'on such terms as may be fixed,'" which meant that the schools which most needed inspection would be the last to want it and the least able to pay for it. The second, whether there should be two branches, secondary and elementary, or, with technical, three, bore on the role of science within the secondary school curriculum. Under the Bill what had been Science and Art Department would supervise secondary education from its headquarters in South Kensington, and the classical endowed and even the great public schools objected to what had been the Science and Art Department supervising secondary education. Science was seen by many grammar schools as an intrusion which was

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[23]Gosden, ibid., 49, citing, Ed. 24/8, 28 February 1898, and ibid., 21 May 1898. The final integration was undertaken by Morant beginning in 1907. Ed. 23/216F "Memorandum on Office Reorganization by R. L. Morant", January 1907, ibid., 58-59.

only welcome because of the grants.[24] In 1900 the Association of Assistant Masters claimed that the "'small grammar schools are...confronted with a choice between ruin and transformation into schools of science or technology.'"[25] But C. H. Bothamley, the Secretary to the Somerset Technical Education Committee, in a letter to the *Times* pointed out that the Science and Art Directory included mathematics, science, modern foreign languages," and all other subjects found in a secondary school" except "for English, Latin, Greek, music and physical education";[26] and that without assistance from the technical education committees and Science and Art grants, many smaller grammar schools would have disappeared.[27] Nevertheless, there were genuine worries about specialization in science at too young an age, many teachers arguing that technical or scientific

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[24]Gosden 51-52, citing, Warre to Kekewich, 7 July 1899, Ed. 24/64;. Dr. Warre was the Headmaster of Harrow. The Secondary School Regulations of 1904 were designed to alter the balance back towards a classical curriculum, and the problems involved are discussed in Chapter X, below.

[25]Whitbread, 222, citing, Circular, Incorporated Associatiation of Assistant Masters (1900).

[26]*Times*, 2 December 1899, 3. After the passage of the 1902 Act, Bothamley became President of the Association of Organizing Secretaries (predecessors of the directors of education.) For his early work, see Patrick Keane, "An English County and Education: Somerset, 1889-1902," *English Historical Review* 88 (1973): 286-311.

[27]*Times*, 2 December 1899, 3.

education must be built on "'the sound foundation of a general secondary education.'"[28]

The Bill had its Second Reading in the House of Lords on 14 March 1899. Devonshire said that the post of Vice-President of the Committee of Council would be abolished, but Gorst would retain it for the time being.[29] The Duke stressed that the Board would not attempt to control local authorities, but only to give advice and guidance. However, largely under pressure from NAPTSE, he stated that there would be three branches under the Board; but after the Bill's passage in August, this policy was virtually negated by resistance from Captain Abney, the Secretary of the Science and Art Department, and D. R. Fearon, the Secretary of the Charity Commission. Two branches were retained, with secondary and technical education going to Abney in South Kensington, but only the supervision of endowments in Wales and Monmouth (Gwent) and the concurrent right of inspection

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[28]Whitbread, 223, citing, *Journal of Education,* November 1899, and *School World,* October 1900.

[29]*Times,* 15 March 1899, 8. Munson, *Unionist Coalition,* 623, states that the departments were merged with "a parliamentary private secretary Gorst--a change which Gorst did not like." Whatever Gorst did not like, the Board of Education Act specifically laid down that he retained his title for as long as he held the position. In 1902 Gorst was replaced by Sir William Anson, the Warden of All Souls, who became Parliamentary Secretary to the Board of Education. *Statutes, 1899,* c. 33.

in England were transferred from the Charity Commission immediately.[30]

Besides the bills mentioned above, a superannuation scheme was established for elementary school teachers in 1898, and although these bills went some way towards implementing the Bryce Commission's recommendations, together they did little to solve the major problems outlined in the Commission's Report. However, at the same time Gorst was examining the problem of overlap between secondary and elementary schools, and this was to have dramatic and unexpected results.

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[30]See Gosden, *Board of Education*, 52-57. The tripartite organization was not adopted until Morant reorganized the administration after the passage of the 1902 Act.

CHAPTER IV

EDUCATIONAL REFORM IN SMALL STEPS:

II. BY REGULATION

The fate of the higher grade schools has attracted much attention from educational historians. The higher grade schools filled a gap between the elementary and the endowed schools, and were designed to cater to pupils who had passed through all their elementary standards. They were established by most of the large urban school boards, and as mentioned in Chapter I, there was a considerable overlap both in age and curriculum between the higher grade and the third grade endowed schools.

The Bryce Commission Report recommended that the counties and county boroughs should control all secondary education, including the higher grade and evening schools operated by the school boards.[1] After the Report, the fate of the higher grade schools became the basic question,[2] and the debacle of 1896 left it unanswered.

In 1879 the Education Department had placed an age limit of fourteen years for earning grants, and the higher

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[1]Pugh, *Destruction of the School Boards*, 90.

[2]Munson, *Unionist Coalition*, 623.

grade schools had turned (as did the impecunious endowed schools) to the Science and Art Department for funds.[3] The result was the establishment of "'Schools of Science,'" whose curriculum was very close to the poorer grammar schools.

The difference was largely in social class. Despite most witnesses at the Bryce Commission and one of the assistant commissioners' reports, Bryce suggested that the higher grade schools were poaching middle-class students. However, this was denied by the spokesmen for the Association of Higher Grade Schools Headmasters, who said that there were only a sprinkling,[4] while the Commission's Report concluded that the schools were doing much needed work in satisfying the need for secondary education by "'the lower social strata.'"[5]

After the failure of the 1896 Bill, Gorst was charged with carrying out as many of the Bryce Commission's recommendations as possible without having to legislate. His first priority was to remove the overlap, and to do this he formed two committees. The first was a joint conference

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[3]Daglish, 37, citing, *Report of the Committee of the Council on Education, 1879-80*, ix.

[4]Daglish, 38, citing, *Bryce Report*, 7: 201-2, and 3: 228.

[5]Daglish, ibid., citing, *Bryce Report*, 1: 67-68. Facts that were borne out by, [M. Sadler and R. Morant], "Higher Grade Board Schools and Public Secondary Schools (Statistics)," (1898), 25: 530; *idem*, 39, 40, Tables 1 & 2.

between representatives of the Incorporated Association of Headmasters (grammar schools) and representatives of the Association of Headmasters of Higher Grade Schools. Chaired by Kekewich, it had Sadler and Morant as secretaries. As Gorst explained in a speech at Birmingham on 17 November 1897, the aim of the committee was to achieve "a *modus vivendi* between the two rival types of schools operating in the secondary sector,"[6] and he added that implementing the recommendations of the Bryce Commission could best be done through the co-operation of those involved rather than through Parliament.[7] The second committee followed a suggestion by Sir John Donnelly;[8] it had Gorst as chairman, and ostensibly was to inquire into the "method by which grants were made...by the Department of Science and Art".[9] But its membership, which included three former Bryce Commissioners, indicated that its inquiries would be more than routine.[10]

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[6]Lilley, 107-8, citing B. M. Allen, *Sir Robert Morant: a Great Public Servant* (London, 1934), 115-17.

[7]Lilley, 107;

[8]Originally Donnelly, irked by criticisms of the Department's art classes, had suggested to Devonshire that a committee of distinguished artists should examine the courses. Daglish, 42, citing, Donnelly to Devonshire, 26 June 1896; Devonshire to Donnelly, 9 Aug. P. R. O., Ed. 23/4.

[9]Lilley, 108.

[10]The members were, Sir Henry Roscoe, Professor Jebb, Mrs. Sidgwick (former Bryce commissioners), and G. L. Ryder, a Treasury official. Captain Abney, R.E., who was soon to succeed Donnelly as Secretary of the Science and Art

In the two years since the collection of evidence for the Bryce Commission there had been significant changes in the operation of the higher grade schools. The rich grants available from the Science and Art Department had skewed the curriculum in many of the schools--for example, navigation had been taught in one Midland town, and in another a headmistress considered a class in agriculture. To prevent this the Department persuaded the schools to become Organized Science Schools with the Department paying a capitation grant of £1 besides the examination grants. At the same time the examinations were made more difficult, and English, languages, and other literary subjects were crowded out. In 1894 the Department made new rules for entry which came into effect in 1896: boys and girls were eligible after Standard VI, and the subjects offered must include mathematics, elementary drawing, manual training, English, and at least one language, and science must be taught by laboratory work in a four year course.[11] With a cohesive modern curriculum, the organized science school now presented a formidable challenge to the classically oriented grammar school.

Department, was Secretary; Lilley, 108; Daglish, 42, citng, Donnelly to Devonshire, 26 June 1896, Devonshire to Donnelly, 9 Aug. P.R.O. Ed. 23/4.

[11]*Times*, 22 September 1897, 6.

At the same time as some fifty grammar schools became organized science schools, other grammar schools complained that they had been undersold by the higher grade schools. There were sixty higher grade schools, all in the larger towns, although only four in London.[12] In most cases when their pupils left they went straight to work. But in some, Leeds and Cardiff for example, the schools were in close touch with the university colleges and the pupils stayed on until they were seventeen or eighteen years' old.[13] In others, such as in Manchester, Bolton and Halifax, some pupils transferred to first-class grammar schools.[14]

As the Bryce Commission pointed out, in some cases pupils found that there were no other avenues open. The

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[12]David Reeder, "The Reconstruction of Secondary Education in England, 1869-1920," in Müller, Ringer and Simon, 143, suggests that there were "probably about 85" in 1902. The *Times* was probably only counting those that were not attached to an elementary school and had a full four-year programme.

[13]The Bryce Commission Report, 8: 159-63, praised Leeds Higher Grade School. Discipline was the best, and the teachers at that and other higher grade schools were "a new type of teacher, young, brilliant and enthusiastic." There were seventeen students over 17 who would enter Yorkshire College [an affiliate of Victoria University]. The defects were too large classes, and an unbalanced and disjointed curriculum. P. H. J. H. Gosden, *How They were Taught: an Anthology of Contemporary Accounts of Learning and Teaching in England, 1800-1950* (New York: Barnes & Noble, [1969]), 110-16.

[14]*Times*, 22 September 1897, 6; The Cardiff Intermediate school did not open until early 1895. Newport *Jubilee Book*, 11.

higher grade schools filled the gap,[15] acting as third grade secondary schools, largely for the lower strata. However, from 1895 to 1897 there was a steady increase in the number of pupils staying on for a third year, and many higher grade schools that were formerly equivalent to third grade secondary schools became equivalent to second. This had the effect of breaking down social barriers, and although not too many students would go on to a university, pupils would be able to enter the local technical schools. But the main purpose was to give school leavers "a more extended and liberal education than they would formerly have been able to obtain."[16] One of the advantages was that the pupils were taught by teachers of superior ability who understood the conditions under which the pupils had been taught, and who had "the wholesome tradition of the elementary schools that each pupil will receive their due share of attention."[17]

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[15]The Bryce Commission pointed out that it was here that secondary education was most deficient. The boards were filling a gap which should not have existed. The Commission had little sympathy for the smaller grammar schools encroached on, and did not want a line drawn. *Times*, 1 November 1895, 6.

[16]*Times*, 22 September 1897, 6. This is a knowledgeable and comprehensive article, and is probably one of the best short descriptions of the higher grade schools This writer has only seen it cited once in the literature and then only incidently, despite it being the only description which referred to the effect of the changes in the Science and Art Directory in 1894. Heretofore, what has been missing is not the facts, but the connection between the changes and the perceived threat to the grammar schools.

[17]Ibid.

The main opposition to the higher grade schools came from the small grammar schools, and from people who wanted secondary education to come under the county and county borough councils. The grammar schools did not foresee competition from the latter; they did not object to a ladder of opportunity, but they wanted to be part of it. They argued that elementary teachers should not teach secondary subjects, although many of those teachers had high ability and high attainments. Furthermore, the grammar schools were not established for the good of the teachers, bnt the teachers for the good of the schools. They should train their teachers to follow the elementary schools' tradition, "that every pupil is deserving of attention."[18]

The first Committee, the conference between the representatives of the headmasters' associations, met from May to July 1897 and again in November. "Although a degree of mutual trust existed by mid-July the meetings were, nonetheless, often strained," the degree depending on whether the higher grade schools' "'potentialities and actualities [were] intended to be curbed, or not.'"[19] A memorandum drawn up by the Conference suggested that the

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[18]Ibid.

[19]Daglish, 40-41, citing, Jebb papers, *Servanda*, 13: 55, Sir Richard Jebb's note of a conversation with 'K' [Kekewich], 14 July 1897; and Sadler Papers, Bodleian Library. Eng. misc. c. 550 fo. 92, R. L. Morant to M. E. Sadler, n.d. but late 1897.

best way of dealing with the problem of competition would be for the state to recognize both types of schools as being different with different aims. They should be "'complementary not antagonistic'" to one another, and they should be differentiated not by subject, but by leaving age, "which in the secondary schools...would be two or three years later than in the higher grade schools; and it was agreed that a school giving education above the primary level was not necessarily a secondary school.[20]

The second committee reported in April 1897. It had not only considered the question of grants, but the decentralization of the grants to local authorities. It pointed to the Bryce Report, I, 290, which stated that all organized science schools, mechanics' institutes, and technical schools seemed to fall within the scope of the local authority for secondary education "which can best correlate them with other agencies under its control and help them by such pecuniary resources as it may posses."[21]

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[20]*Times*, 24 January 1898, 6; Lilley, 108. The joint memo. was published as a parliamentary paper on 18 August 1898. *Times*, 19 August 1898, 4.

[21]Lilley, 109, citing, Bryce Report, 1: 290; and *Report of the Committee Appointed to Inquire into the Distribution of Science and Art Grants*. Under the Schools for Science Act, 1891, schools for adult instruction or the promotion of science and the arts, established under the Literary and Scientific Institutions Act, 1854, could be transferred to local authorities which had a technical education committee.

Following this suggestion the Committee drew up a revised Science and Art Directory and annexed it to its report. To ensure co-ordination at the lower level Clause VII of the 1897 Directory was amended: where there was a technical education committee, an authority could be established to distribute the grants locally.[22]

Throughout 1897 and well into 1898, Gorst repeatedly made it clear, both inside and outside of Parliament, that to form an authority in a county borough required "'not only the consent but the association of the school board.'"[23] He "hoped 'concert and union' would prevail" between school boards and committees";[24] and he became so conciliatory that the *Spectator* noted that Gorst favoured the school boards more than his colleagues. Furthermore, when introducing the 1898 Education Estimates, he said that in the large towns the voluntary schools were inferior to the board schools, and that in London there was no comparison between the religious instruction in the Board schools and that in the voluntary schools, facts which were unpleasant to someone like himself who desired the continuance of the voluntary system. Nevertheless, the school boards remained

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[22]Lilley, 109, citing, DSA Directory (1897), C8635, 3.

[23]Daglish, 42-43, quoting, *School Board Gazette*, November 1899, 250.

[24]Daglish, citing, *Hansard parliamentary debates*, 4th ser., vol. 64 (5 Aug. 1898), c. 350; Ibid., vol.59, (17 June 1898), c. 603; See also *Times*, 18 November, 21, 24 December 1897, 18 June 1898, 8.

"convinced that Clause VII meant 'clearly the recognition of the Technical Instruction Committees and nothing else.'"[25]

This view was reinforced by Devonshire's Cabinet Memorandum of 28 January 1898, which, besides recommending the establishment of the Board of Education, also recommended that Gorst's Clause VII authorities be used to distribute the grants for secondary and technical education, including those endowed schools which were "Schools of Science" or had grant-earning science or art classes. The Science and Art Department encouraged the counties and county boroughs to apply for recognition as Clause VII authorities, and despite strenuous school board objections at the public inquiries held by the Department, the technical education committees began to be recognized.[26] However, the application by the London County Council (LCC) in December 1898 would lead to a crisis.

In 1898 the position in London was that, in round figures, the LSB educated 830,000 pupils in day schools and 125,640 in Evening Continuation Schools, 6,050 of whom were in science and art classes. During the year fees were abolished,[27] and at the same time commercial schools were

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[25]Daglish, 42-43, citing, *Spectator*, 20 February 1897, 261; and quoting, *School Board Gazette*, 5 February 1898, 143.

[26]Lilley, 111-12.

[27]*Times*, 18 February 1898, 14.

established and science and art classes were turned into science and art schools.[28]

The London Technical Education Board (TEB), an arm of the London County Council (LCC), supported 119 post-secondary institutions in the capital, including seventeen schools of science and art.[29] Sidney Webb had been the guiding hand of the London TEB which had Dr. W. Garnett as its Secretary, but in 1898 Webb resigned and for most of the next year was on a world tour with his wife.[30]

In the summer of 1898 the new Chairman of the TEB, Edward Bond, a Conservative MP, proposed that an application should be made under Clause VII. This was made on 20 December, and the public inquiry was held on 1 February 1899 by Sir John Donnelly, the Secretary of the Science and Art Department. The main LSB argument, that a year earlier a

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[28]*Times*, 15 April, 22 July 1898, 29 October 1900. Tony Taylor, "The Cockerton Case Revised: London Politics and Education," *British Journal of Educational Studies* 30(October 1982): 331.

[29]The TEB supported wholly or in part 13 university colleges and polytechnics, 12 domestic economy schools, and 17 schools of science and art. It offered junior and intermediate scholarships for secondary school work, and senior scholaarships tenable at universities. Taylor, 332, citing, *Journal of Education* (July 1898). One senior scholarship was for Edith Ellen Humphrey, aged 21 yrs. 9 mos., to study chemistry in Germany. *Times* ,25 October 1897, 8
The figures for senior scholarships were: 5 at Cambridge, 5 at the Central Technical College (Imperial College of Science), 3 at Durham College of Science at Newcastle, 2 in Germany, 2 at Bedford College, and 2 at Holloway College. *Times*, 18 April 1898, 11.

[30]Brennan, 50.

similar request by Derby Town Council had been denied because of the objections of the School Board, was brushed aside and the LCC was appointed the Clause VII authority.[31]

During the autumn of 1898, Gorst, increasingly frustrated by the resistance of the school boards,[32] was looking for ways to curb them; Garnett was to provide the first one. Immediately after the Clause VII hearing, Garnett, Gorst, Donnelly, and Kekewich went to the Education Department, and there Gorst allegedly asked Garnett how an authoritative interpretation of the Education Code (1890) Act could be obtained. (The Act authorizing the school boards to operate evening classes for pupils too old to be in elementary schools.) Garnett suggested going to the District Auditor, and that Francis Black, the Principal and proprietor of the Camden School of Art, would do so. Eagleshan was very sceptical of this story, considering it: "A strange question from a one-time Solicitor-General to a scientist."[33] However, Garrett had already primed Black to launch this attack, and as the *Cockerton* case, it finally forced an unwilling Government to embark on comprehensive educational legislation.

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[31]*Times*, 10 February 1899, 15; Taylor, 336-37; Lilley, 111.

[32]Taylor, 338; Daglish, 43.

[33]See Taylor, 329-30, especially n. 2; Taylor, 335 citing, *Holloway and Hornsey Press*, 16 December 1898.

Meanwhile Morant, who knew of Gorst's intentions, prepared a report on the Evening Continuation Schools with a historical summary, which pointed out that in 1894 the Education Department had asked the school boards to separate the accounts for day and evening schools which previously were often mixed up. According to Taylor, there is a strong presumption that this report was sent secretly to Gorst,[34] who mentioned the point in a speech on 11 January 1899; and that sometime between 3 January and 25 January the Department of Science and Art was told to obtain separate financial returns for science and art classes from the LSB.[35]

Suggestions as to who started the Cockerton case have been numerous and contradictory. Francis Black, who was a graduate of the National Art School,[36] opened an art school in north London in either 1893 or 1894, and by 1898 he had 300 students studying drawing, painting, needlework, and book illustration. Black complained that local evening schools were drawing away his students. Garnett was a close

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[34]The report, which Morant rewrote in 1901, is in Eaglesham, *School Board*, 200-11.

[35]Taylor, 340, citing, L.S.B. Minutes, L. Finance Committee, 2 March 1899, *Times*, 12 January 1899; and J. R. Fairhurst, "Some Aspects of the relationship between Education, Politics and Religion from 1895-1906" (Ph.D. thesis, Oxford University, 1974), 167.

[36]Educated in both France and England, Black graduated as an Associate of the Royal College of Arts in 1882, after working as a lithographer. Taylor, 334-35.

friend of Black, and gave the prizes at his Art School sometime before 15 December 1898, which was when the tension between the TEB and the LSB was reaching a climax. Taylor suggests that it was then that they discussed both the Clause VII application and a challenge before the Auditor.[33] When the application for Clause VII recognition was made on 20 December, the LCC offered the LSB greater representation on the new secondary authority if the LSB gave the County Council a greater share in the administration of the evening and higher grade schools, an empty offer so long as the LCC controlled the financing. Thus Garnett was not only preparing a case for the LCC to gain Clause VII recognition, but he was preparing to attack the Board's ability to finance secondary education.[37]

A number of art schools and other post-secondary institutions had complained to the Science and Art Department about competition from evening classes. One, from the North London School of Art, that free art instruction in neighbouring schools was damaging it financially, was relayed by the Department to the LSB on 6 February. The LSB was asked "whether any of the expenses were defrayed out of the school fund, and if so on what authority."[38] Lyulph Stanley, the Vice-Chairman and leader

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[37]Taylor, 336.

[38]*Times*, 17 February 1899, 10.

of the Progressive Party,[39] said that the Board had every right under the Science and Art Directory to hold free art classes; that all expenses were defrayed by the Board; and that only the Local Government Board (LGB) had the authority to audit the books. The North London School in conjunction with other art schools, then challenged the School Board expenditures before the District Auditor, T. Barclay Cockerton, and they agreed that they would all be represented by William Hales, the solicitor for the Camden School of Art.[40]

Cockerton did not announce his decision until 26 July. In the meantime other issues arose to harass the LSB.

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[39]At that time, the Liberals and Labour Representative members on school boards and other local authorities were usually known as the Progressives and the Conservative members as the Moderates (in the inter-war period, the Municipal Reform Party).

[40]*Times*, 18 May 1899, 8.

CHAPTER V

BEFORE AND AFTER THE *COCKERTON* JUDGEMENT

Although Gorst did not promote the Cockerton case, he was privy to it, at least from 1 February 1899, when following the inquiry into the LCCs' application for Clause VII powers in London, he discussed the case with Dr. Garnett, the Secretary of the London TEB.[1] In January, Morant had secretly acquainted him with possible irregularities in the accounts of the LSBs' Evening Classes, and he had already ordered the Science and Art Department to obtain separate accounts for Science and Art classes. Yet, on 30 January 1899, when Mr. Helps, HMI for Chelsea, submitted a memorandum to the Education Department which criticised the programmes at five higher standard schools, in part because of the differing requirements of the Education, and the Science and Art Departments, Gorst knew nothing about it.

Helps stated that the work in the schools was uncoordinated, and the schools themselves lacked the equipment for commercial training. Too much time was spent on art and insufficient time on modern languages, music, and physical

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[1]Daglish, 43, claims that Gorst "set in motion the events which led" to *Cockerton*, but judging both from Taylor, op. cit., and the reports in the *Times* of the complaints being made by a number of post-secondary institutions, it is plain that he did not.

training. The problems were caused by the differences in the requirements of the Education, and the Science and Art Departments, and other claims such as specialized art and county scholarships. There were no examinations except those needed to obtain Science and Art grants; and Helps regretted that the plan, carefully thought out in 1891, for three years' work after Standard V had not been carried out. The LSB welcomed the report, which confirmed their own inspectors' findings of curricular deficiencies up to Standard VII,[2] and to rectify the problems a meeting was arranged for April between LSB officials and the relevant HMIs. A new curriculum was drawn up and approved by the LSB in September,[3] and there the matter rested until May 1900.

Meanwhile, in the application to the District Auditor, T. Cockerton, the LSB lost the challenge by Black to the legality of the art classes. Cockerton decided that the Education Code (1890), Act, 1890, did not override the 1870 Act, under which school boards could only supply elementary education, and that classes financed by Science and Art Department grants were *ultra vires*, which was what the art schools wanted. The LSB then decided to appeal to the high

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[2]See "London School Board'" *Times*, 18 February, 28 October 1898.

[3]"London School Board," *Times*, 15 March 1899, 8; Eaglesham, *School Board*, 47-48.

court.[4] Ten months earlier the Cabinet had decided to grant the LCC recognition as the Clause VII authority for London;[5] and together these two decisions went a long way towards satisfying the Government's immediate goals, but until there was a final decision on *Cockerton*, major educational legislation was at a standstill.

There was considerable reluctance by the LGB (the District Auditor was an officer), the Treasury, the law officers, and the permanent officials of the Education Department to get involved in the litigation--the district auditor was entitled to engage counsel. However, Gorst was determined that the law officers should argue the District Auditor's case, and eventually the Treasury and the LGB, which realized that some of its own decisions might be questioned, agreed. Nonetheless, Gorst told the Commons on 7 July 1901 that the Board of Education "'had nothing to do with the case, the judgement or the prosecution of the appeal.'"[6]

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[4]Eaglesham, School Board, 118-19; The LSB applied for a writ of *certiorari* to remove the case to the Court of Queen's Bench certain surcharges made by the auditor. *Law Report*, *Times*, 6 December 1899, 3.

[5]*Times*, 17 February 1899, 8.

[6]Eaglesham, *School Board*, 120, citing, Letters dated, 4, 9, April 1900, M.H. 27/141, P.R.O., March-May 1900, Ed. 14/25; and *Hansard parliamentary debates*, 4th. Ser., vol. 93 (1900), cols 984.

Meanwhile, any further development of higher grade schools was ended by two important changes in the educational system . The first, the Elementary School Code of 1900, was described by the *Times* as "the most important change in our educational system since MR. FORSTER'S Act of 1870". It substituted a block grant of 22s. or 21s. per pupil instead of the previous basic 12s. 6d. or 14s. with additional grants for specific subjects.[7] A core curriculum was laid down and a number of additional subjects, one or more of which could be taken with the permission of the inspector. But no grant would be paid for pupils over fourteen years old.[8] Although the NUT approved of the change, opposing arguments were that it put a lot of responsibility on the teachers, because previously many schools had never earned anywhere near 21s., and that too many decisions were left to the inspectors.[9]

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[7]The term "specific subjects" were subjects additional to the Revised Code of 1862. The first were history and geography added by M. W. Corry (later Lord Rowton) in 1867.

[8]The core curriculum was: English, arithmetic, reading,drawing for boys and needlework for girls, lessons on geography, history, singing, and physical education. The other subjects were Latin, German, bookkeeping, navigation, mathematics, shorthand, domestic economy, and domestic science. *Times*, 16 February 1900, 13.

[9]*Times*, 27 February, 28 March, 13 April 1900. There is not a great deal of modern comment. Sturt, 402, considered that the regulation was beneficial because the most that an inspector could reduce the grant was 1s.

It was estimated that taken all together, the schools would earn £533,600 more than before. Voluntary schools collectively would gain, but because of the age limit, urban school boards would lose heavily. Leeds would lose about £7,000; and for each higher grade pupil Swansea would lose 4s. 6d., and 1s. 5d. for every other.[10]

The changes were very cleverly designed; while good teachers would benefit by the increased flexibility in the curriculum, the Government's political aim of curbing the school boards was accomplished by the age limit, while at the same time the voluntary schools gained at the expense of the large towns.

Kekewich saw it as a "'stronger declaration of war against the higher grade schools," and the Dean of Manchester, Chairman of the School Board Association, memorialized Devonshire. He first took aim at Clause VII, adding that it seemed that only the Science and Art Department had any doubts about the legality of the higher grade schools.[11] Abney defended his old department (the Board of Education Act took effect on 1 January 1900), admitting that the loss of the higher grade schools would be a national disaster. The opposition worried Devonshire, who

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[10]Voluntary schools would gain £191,000 extra, board schools together, an extra £68,000, and increased grants for pupil-teachers would come to £274,600. Daglish, 43-44.

[11]Daglish, 43-44, citing, Kekewich to Gorst, 27 Feb. 1900, Ed. 24/71; and *School Board Chronicle*, 24, 17, March 1900.

told Balfour that it could jeopardize the reforms which he and Gorst had planned, but a promise to reconsider the higher grade situation would dissolve further opposition.[12]

However, this argument was overtaken by the second change, the Minute of 6 April 1900. The higher grade school was to be replaced by a new type of school, the higher elementary school, analagous to the écoles primaire supérieur in France. Planned for a four-year syllabus, the grants would rise from 27s. and 25s. in the first year to 65s. and 55s. in the fourth year. Only pupils who the inspector considered would benefit would be enrolled, and no pupil would be allowed to remain in the school after the end of the school year in which his or her fifteenth birthday fell.[12]

As the Board of Education explained to the Treasury, the Minute of 6 April was intended to join together the upper elementary standards and the lower classes of a school of science in a new school; and, in part, the directive for approval by the HMI was so that the schools "'did not become a cheap resort for middle class children.'"[13]

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[12]Daglish, 43-44, citing, Maclure to Devonshire, 14 Mar. 1900; Memorandum, Sir W. de W. Abney, 30 March 1900, Ed. 12/91; and Devonshire to Balfour, 30 Mar. 1900, Add. MSS 49769, f. 177.

[12]*Times*, 17 April 1900, 7.

[13]Daglish, 44-45, citing, Ed. 24/39, J. E. Gorst, 2 April 1900, "Scheme for new Grants under the Code for Higher Elementary Schools," 5.

When the Commons debated the two iniatives, the Government case was skilfully propounded by Sir Richard Jebb. He argued that the two measures had to be considered together, that the Minute of 6 April only dealt with elementary education which had to have "'immediate utility'" and a leaving age of fifteen, while secondary education would be dealt with in a bill soon to be introduced (it was introduced and then withdrawn).[14] Jebb's eminence and the clarity of his arguments added to Gorst's assurances that the Minute would be applied intelligently, disarmed any opposition.[15]

Cardiff was the first school board to restrict its higher grade intake; and this followed pressure from the intermediate (secondary) school, although the headmaster admitted that there were not enough scholarships available for those affected.[16]

In London there were different problems. The LSB wanted the schools which had been doing ex-Standard work

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[14]*Times*, 27, 28 June 1900.

[15]Daglish, 45-46, citing, *Hansard parliamentary debates*. 4th ser., vol. 82, c. 596-602 (3 May 1900); *Times*, 1, 4 August 1900.

[16]Eaglesham, *School Board*, 143-53, gives a full description of the controversy which ensued. One of the points made by Lewis Williams, Chairman of the Cardiff S. B., was that boys at 15 would find the intermediate school inhospitable socially, a claim which was hotly denied by the headmaster, who said that many of his teachers were of working-class origin. *Times*, 24 April, 12 June, 1900.

recognized as higher elementary schools. Furthermore, it pointed out to the Board of Education that restricting the age limit to fifteen interfered with training pupil-teachers, and at a meeting with LSB representatives, Kekwich agreed. But Gorst was adamant, arguing that it would be a fatal weakness to make concessions to the LSB "'which is avowedly trying to get...Secondary Education into its hands.'" Faced with this large application, Devonshire asked how this situation had arisen. Kekewich dissimulated: approval had been given for higher standard schools (i.e. Standards V to VII) in 1890--there were now seventy-nine; and until apprised by the report of Mr. Helps that Science and Art work was being done in them, that was all that was known. He had ordered inquiries to be made.[17]

Although Kekewich pleaded ignorance, his officials had held lengthy conversations with the LSB on the organization of higher standard work; the times of the inspections by the Education, and the Science and Art Departments had been correlated; and in 1896 action had been taken to prevent the duplication of grants.[18] In addition, Gorst, answering a parliamentary question on 16 February 1899, said that the

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[17]Gorst obtained Devonshire's agreement that all applications had to be approved by him and Devonshire. Daglish, 46, citing, Gorst to Devonshire, 4 May 1900; Gorst to Kekewich, 6 May, Ed. 24/39; Eaglesham, *School Board*, 145-46, and Daglish, 46, citing, Gorst to Kekewich, 6 May 1900, Ed. 14/102.

[18]Eaglesham, *School Board*, 146; *Times*, 11 May 1896, 12.

Committee of the Council on Education had told the LSB on 20 January 1888 that they could not use the school fund for work which was not under the day or evening codes.[19]

It is surprising that there has been no comment on the dates in this affair. Help's Memorandum arrived at the Education Department on 30 January 1899, yet it was not until May 1900, that Kekewich was instructed to look into the matter, and he did not reply to Devonshire until 19 June 1900. Apparently neither Devonshire's nor Gorst's office read the reports in the *Times* of the LSB meetings, where Help's Memorandum was discussed at length, nor did they read their own departmental papers. What makes the affair more intriguing is that Morant became Gorst's secretary in the summer of 1899.[20]

Eaglesham has shown that the squeeze on the higher grade schools did not come because of the Cockerton ruling. It was deliberate Government policy, agreed to by the Treasury, and by Balfour as the chronology clearly shows:

30 January 1899 Helps' Memorandum to Education Department

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[19]An answer to W. R. Bousfield, Hackney N., (C.). *Hansard parliamentary debates*, 4th ser., vol. 66, c. 1091 (16 February 1899); Taylor, 343, suggests that this question was "stage-managed" in connection with the Clause VII application by the LCC; Part of a letter, sent by the LSB to the Education Department on 11 October 1900, stated that the 1888 correspondence ended with the Education Department recognizing art classes in Plumstead Rd. school, and these were still operating. *Times*, 12 October 1900, 6.

[20]Taylor, 342.

14 March	LSB debates the Memorandum
29 April	Conference between officials of the Education Department and LSB on the Memorandum
26 June	Cockerton decision
9 September	LSB approves the higher standard curricula
8December	Education Department pressing the LGB to support Cockerton in the Courts
11 December	Whitehall directive on the danger of conferring with the LSB, and directing an examination of its schemes for higher work
6 April 1900	Higher Elementary School Minute
19 June	Kekewich Memorandum denying knowledge of London higher standard schools[21]

One month before the *Cockerton* case was due to be heard, the Unionist coalition won another overwhelming election victory. The 'Khaki' election of 1900 returned 332 Conservatives and 69 Liberal Unionists, opposed by 81 Liberal Imperialists, 106 Radicals and Labour Representatives, and 82 Irish Nationalists.[22] There was a hint of possible trouble ahead. Prior to the election the *Economist* suggested that Parliament did not work well with a weak Liberal Party; it had no programme, and was rent with endless quarrels over policy and personalities. After the election the *Economist* found that the Conservatives had won 340 contested seats, and the Liberals 131 (a few returns were not in). But the Conservatives had received 1,586,000 votes, against 1,374,000 for the Liberals. The Liberals were far stronger in the country than they were in

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[21]Eaglesham, *School Board*, 51, 148; Munson, *Unionist Coalition*, 623; *Times*, 15 March 1899, 8.

[22]*Times*, 19 October 1900, 11.

Parliament. If and when the Party pulled itself together, it was bound to affect how it operated.[23]

However, there was nothing that the Opposition could do about *Regina v. Cockerton*, which was heard in the Court of Queen's Bench before Mr. Justice Wills and Mr. Justice Kennedy on 19, 20 and 21 November 1900, with the judgement coming down on 20 December. Mr. Justice Wills made it quite clear that the Education, and Science and Art Departments had been severed in 1864, and that there were separate votes for their expenses. The Science and Art Department's aims were much higher than the Education Department. Organized science schools were aimed at these grants. He then explained the 1870 Act, and said that there was nothing in that Act which allowed school boards to go beyond the Code. The LSB had no power to pay for Science and Art or Evening Continuation classes from the rates. The 1870 Act dealt with the education of children, and children were persons whose age was below somewhere between sixteen or seventeen, after that they became young men or young women.[24] The LSB would now have to decide whether they should appeal.

The LSB decided to appeal on 31 January 1901. Lyulph Stanley pointed out that boards in the north of England had gone much further than London, and that they had all been

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[23]*Economist*, 2 June 1900, 773, and 13 October, 1426.

[24]*Times*, 20, 21, 22 November, 21 December 1900.

encouraged by a government department. Mr. Justice Wills had said that it was imperative to go to the House of Lords; and that Parliament would legislate better if the law was cleared up.[25]

Contemporary comment blamed the Education Department. Typical was the *Quarterly Review* which agreed with Mr. Justice Wills that Parliament should have acted long before. But a judicial prohibition of the methods of the school boards to carry out "the intentions of Parliament in the interests of the humbler classes...while unquestionably grotesque, becomes very serious." Moreover, it can hardly be doubted that the school boards had "in many cases the direct encouragement of the Education Department."[26]

Nevertheless, an immediate benefit which flowed from *Cockerton* was that some of the county technical education committees (TECs) were "stirred" to action. Middlesex TEC gave instructions to the district councils under the 1889 Act to provide funds in order to establish technical and secondary schools. The Committee's Report stated that it was already helping all the endowed schools in the county, and that it regretted a want of good modern instruction,

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[25]*Times*, 1 February 1901, 2, 7.

[26]"The Educational Opportunity: *Regina v. Cockerton*," *Quarterly Review* 153(20 December 1900): 532. The article contains a useful summary of the precedents that Gorst used to defend the Court's opinion in Parliament, and the precedents that the *School Board Gazette* (March 1900) found to the contrary.

especially in English and foreign languages. The Berkshire Committee made similar comments, but added that there was an acute shortage of girls' secondary places, and a need for girls' boarding accommodation, as seventy percent of the girls were studying to be teachers. Buckingham followed, opening the first secondary school for girls on 23 September 1901.[27]

Meanwhile, in January 1901 the Fabian Society had published a tract, aptly named *The Education Muddle and the Way Ahead*, which offered a solution to the current educational problems.[28] It proposed the abolition of most of the school boards and that education should become the responsibility of the counties and county boroughs, but that local committees, possibly made up of appointees of the non-county boroughs and urban district councils, should replace the current school managers under the supervision of the counties.

The Tract argued that school boards and their elections were becoming more and more subject to religious partisanship; that the boards had bitter enemies; and that keeping the county and town councils out of primary education increases the tendency "(even if unconsciously) to

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[27]*Times*, 29 January, 6 February, 24 September 1901.

[28]Comment and the text of Fabian Socity, Tract No. 106, [Sidney Webb], *The Education Muddle and the Way Out*, is in Brennan, 85-105.

reinforce that powerful social prejudice" which resists developng elementary education beyond "the preparation for a life of hewing wood and drawing water."

The pamphlet was critical of the organization of the Board of Education for perpetuating the former system under another guise, and argued that the Board's work should be divided geographically. It called for the Board of Education to lay down minimum educational and administrative standards to be followed by the new LEA's, and that the government should take over in the event of failure.

It proposed that educational committees of the local authorities should be established modelled on the co-opting principle of the best technical education committees, which, after the approval of the educational budget, would have complete educational authority, and the tract insisted on provision being made for the appointment of women on the committees.

It suggested that London and other large towns where school boards were established should be left as they were, with the county or town council supervising all other forms of education; but in county boroughs where there were no school boards, the county borough should take over the schools, as in the counties. Furthermore, it proposed the rationalization of a miscellany of school systems run by the poor law Guardians, and a number of government departments.

The Tract was very critical of the Anglican and Roman Catholic voluntary schools. Their boards of management were self-elected, with the real work being done by the incumbent. Because the schools were short of money, confusion was further increased by "'associations of voluntary schools,'" which "'secured control...to the official hierarchy of the various denominations.'" The tract proposed giving the schools rate-aid with the local authority having the power to administer non-sectarian education, and representation on the bodies of school managers.[29]

Webb's argument here was that since 1896 the Government had drifted. The school boards were weak; therefore power, bit by bit was taken away from them, but they still existed. Similarly the counties were given more power because they were strong, but they were not given the unrestricted rating power and control of all education that they needed to become efficient LEAs. He continued:

> The Church is powerful and the Church schools are in want of money. Therefore a new source of confusion is introduced by the ceation of 'associations of voluntary schools,' which secure the control of an important section of education to the official hierarchy of the various denominations[29]

Webb's argument here was wrong. Associations had been formed as early as 1879 and some were interdenominational. Under the 1897 Act, they were restricted to the same

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[29]Brennan, 90, quoting *The Education Muddle*.

religion and the Church divided England and Wales according to its own organization, by diocese or archdeaconry. The Birmingham Archdiaconal Council of Education, which had previously provided other services for the schools such as cookery classes, was told by the Bishop of Coventry that: "The Education Department rigorously confined the Associations formed under the...Act,...to the one duty of distributing the Aid Grant."[30] While Roman Catholic property, legally, had always been under the control of the bishop.

Despite having been castigated in the Tract, there was some Anglican agreement. At a meeting of voluntary school managers and teachers presided over by the Bishop of Rochester--at that time the diocese covered much of south London, resolutions were passed which called for LEAs that would be responsible for all schools in a large area, permitted to levy a rate, and would be represented on the management of all religious schools.[31] All these ideas were contained in *Tract No. 106*.

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[30]Gordon, *School Managers*, 222, quoting, 3d Annual Report of the Birmingham Archdiaconal Council of Education (1898), 8. Birmingham City Reference Library. Gordon, ibid, Chapter 6, 201-45, describes the 1897 Act and its effects.

[31]*Times*, 17 January 1901, 2. The Government favoured rate-aid instead of state aid because civil expenditure, mainly on education, had risen 40% since 1895-96. See Chapter VII. The Bishop was E. S. Talbot, a cousin of the Prime Minister.

Although the meeting was not representative, the presence of the Bishop would indicate that important elements in the Church were willing to give up a degree of control over the schools in return for rate-aid.

Even before publication those in Government circles were keenly interested. Gorst ordered fifty galley pulls immediately, and the initial printing ran to twenty thousand copies with a second edition before the end of the year.[32] The pamphlet provided a blueprint for the 1902 Act, but until *Cockerton* was decided, no major legislation could begin.

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[32]Brennan, ibid., 86.

CHAPTER VI

THE *COCKERTON* JUDGEMENT AND AFTER:

ANOTHER BILL IS WITHDRAWN

Cockerton would have to be concluded before any comprehensive bill could be introduced, but the situation became clearer on 1 April 1901 when the *Cockerton* appeal was dismissed. The Master of the Rolls' judgement was slightly more restrictive than that of Mr. Justice Wills. He suggested that the age limit was "rather high." He repeated that ratepayers' funds could only be used for the education of children, and that the Code was not necessarily conclusive about what was elementary education, Greek and Hebrew were definitely forbidden, but there was no restriction on the medley of scientific and technical subjects in the code. What was material was age.[1]

The reaction of the LSB was sober. At its meeting on 25 April it decided not to appeal the judgement; and on 2 May it announced: (1) that after the end of that term, 27 July, there would be no further evening classes for adults; and (2) that it had already asked the Board of Education to

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[1]*Law Report, Times*, 2 April 1901, 14. An interesting coincidence was that at the same time in a Chancery Court, Mr. Justice Farwell was hearing the *Taff Vale* case.

sponsor a bill to allow Evening Schools to open in the autumn.[2]

The Cabinet's reaction was confused. Although it decided to introduce a major education bill, Balfour told the King that: he "'could not hold out much hope of any measure of a...complicated character becoming law this session.'"[3] The legislative calendar was full, and a bill establishing a single educational authority would be bitterly opposed by school-board supporters.[4]

Gorst introduced the 1901 Bill on 7 May. It was an updated version of the 1896 Bill. Statutory committees of county and county borough councils would make their own arrangements with school boards. Women would be able to serve on the committees. Councils would retain the rating power, but could allocate the Local Taxation (whisky money) and a 2d. rate to secondary education; school board rates would be unaffected. Discussing *Cockerton*, Gorst denied Government involvement, adding that the new authorities would arrange for the operation of affected schools. Bryce, speaking for the Opposition, said that the Bill was gigantic and complicated; it would not create unity in education, and

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[2]*Times*, 26 April, 3 May 1901.

[3]Munson, *Unionist Coalition*, 623, quoting, Balfour to King Edward VII, 26 Apr. 1901, CAB 41/26/8 (Salisbury was ill).

[4]*Economist*, 15 June 1901, 891.

there was a serious risk of friction between the new LEAs and the school boards.[5]

There was much criticism outside Parliament. The school boards were upset by *Cockerton* and were bitterly opposed. The *Times* summed up the position on 27 and 28 May. It agreed with Dr. Macnamara that the Education Department could not airily evade responsibility for *Cockerton* when in fact it encouraged the "School Boards to think that 'My Lords' would wink at illegal doings."[6] Both public and Parliament needed to be assured that there were powers in the Bill to allow the necessary schools to operate. The Bill appeared to be timid, but "it has to be remembered that neither the Government nor the majority which keep it in office has until recently betrayed any great knowledge or interest in educational questions."[7]

"As the law stood the authority which had the buildings, equipment. and staff could not operate the Evening Schools even if the school was self-supporting."[8] The prohibition appeared "unreasonable, impolitic, and financially extravagant," and the Bill did not meet the problem because "'the incompetence of the Lord President' to

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[5]*Times*, 8 May 1901, 8.

[6]*Times*, 27 May 1901, 7, and 28 May 1901, 10.

[7]*Times*, 27 May 1901, 7.

[8]*Times*, 31 May 1901, 6.

follow legal points...seems to have permeated the Department."[9]

Clause 8 was such a case. It allowed the new authority to empower the school boards to continue Evening Schools on such terms as might be agreed upon. When schools were closed they ceased to exist, and new applications had to be filed each year. If the Bill passed "in the fag end of the Session, there [would] not be a single Evening School existing. If this [resulted] from careless drafting, it [was] singularly inept."[10] Although existing schools could carry on, new ones could be only be established by the new authority. Thus there would be two concurrent authorities. The school board could only estimate the expenditure, and if there were more pupils than expected, either the new authority would have to establish a new school, or some pupils would have to be excluded. This criticism assumed that there were to be no drastic additions to the Bill. Sir Richard Jebb, "who is supposed to be deep in the counsels of the Board of Education,"[11] said that he hoped that an eventual transfer of primary education to the new

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[9]*Times*, ibid. On 3 May, answering a questiom in the House of Lords from Lord Reay, the Chairman of the LSB, about *Cockerton*, Devonshire said: "I am quite incompetent to follow the noble lord into the legal points of the judgment in 'Rex v. Cockerton.'". *Times*, 4 May 1901, 8.

[10]*Times*, 31 May, 6.

[11]*Times*, ibid.

authorities would occur smoothly. On that basis the Clause made sense, but if that did not happen there would be so much confusion that such a transfer would become inevitable. If an enabling bill were passed, temporarily making the Evening Schools legal, then a major reorganization could be put before the country.[12]

Criticism of the Bill both inside and outside Parliament continued to mount; and the Bill was withdrawn by Balfour on 27 June. "MR BALFOUR admits that they practically threw up the sponge at the beginning."[13] The Government did not expect the embittered opposition which arose, but it suffered from an "infirmity of purpose and acceptance of obstacles as insuperable."[14] It was not the way that the public expected a Government with an enormous majority to behave. Devonshire had done his duty, "if not with enthusiasm...yet with diligence and good common sense." The Prime Minister seldom mentioned education. "There was, indeed, the other day a half-contemptuous reference in another connexion to 'educational enthusiasts,' but no indication of whom LORD SALISBURY was thinking." While Balfour was now far more knowlegable than he had been six years earlier, it was regrettable that a Cabinet which had

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[12]Ibid.

[13]*Times*, 28 June 1901, 9.

[14]*Times*, ibid.

such an exceptional opportunity in its prolonged term of office, with an unprecedented majority, and following the Bryce Report, should not have a minister equal in capacity to Acland. There should have been "a little more 'go' and energy in the conduct of...business."[15]

It is difficult to know why the Government introduced the 1901 Bill, except that the Board of Education anticipating the Court of Appeal's judgement, had a bill prepared. Jebb's remarks would seem to indicate that the Government intended to amend the Bill in Committee or more likely do what the *Times* suggested and what was eventually done, pass an enabling bill and introduce a comprehensive reorganization in the next session. From the Opposition's point of view, and bearing in mind Jebb's remarks about incorporating primary education into a new scheme, it might have been better not to oppose the 1901 Bill because the school boards were still to play a role. Which raises a hypothetical question, could the Bill be so drastically amended without falling foul of the Commons rules regarding the inadmissability of amendments which alter the whole purpose of a bill?

However, 'Go' and energy, were not lacking in the Board of Education. Gorst was among the first to realize that the kernel of Mr. Justice Wills judgement was age, and that the

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[15]*Times*, 28 June, 1 July 1901.

Evening Schools would be brought to a virtual halt. After a false start, a committee consisting of Gorst, Abney, and Morant drew up new regulation for Evening Schools. Central administration would be done by the secondary education branch in South Kensington, and locally a school board had to place itself under the county or county borough technical education committees, except for classes conducted for children under twelve. The Minute of 3 July 1901 appeared in the *Times* accompanied by a letter in which the Board of Education attempted to allay any discontent of which there was plenty.[16]

A short enabling Bill was introduced in the Commons on 2 July and passed into law in August. Known as the 'first Cockerton Act,' it made any classes that could not be paid for out of school funds legal for one year (a second Act had to be passed before the 1902 Act took effect) provided that the board had the permission of a local authority acting under the Technical Instruction Acts.[17]

Eaglesham points out that it was "difficult to find even in Government speeches any rational ground for the restrictive, almost punitive attitude towards the school boards" which lay behind the Bill, except for Balfour using the *Cockerton* judgements to claim the county and county

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[16]*Times*, 5, 10 July 1901; Eaglesham, *School Board*, 159-64.

[17]Education (No. 2) Bill, *Times*, 3 July 1901, 6.

boroughs as future LEAs. At the same time Gorst was arguing that much of the Evening Schools' work was poor in quality, which was evident from the poor attendance and trivial work, he was also claiming that the classes were overlapping the work of the TECs.[18] Eaglesham considered that it was an astonishing argument. Only recently had the Board of Education discouraged competion, and neither the Board nor the school boards had doubted the legality of the Education Code (1890) Act. The school boards were on the horns of a dilemma. If the schools were poor, they were condemned by Gorst; if the schools were good, they were accused of overlapping. Eaglesham continues by suggesting that it would have been possible to argue that if they were poor, why were they paid a grant, and if they overlapped, what was the Board of Education, which now controlled the whole system doing? Sir William Hart-Dyke had spoken of getting rid of overlap when he had been Vice-President of the Committee of Council on Education in 1890.[19]

The Oposition knew that the legal problem was a pretext, but did not realize that the higher grade schools were hardly affected. There were at the most 1,000 over-age pupils in schools of science, and at the widest

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[18]Eaglesham, *School Board*, 138-39, citing, *Hansard parliamentary debates*, 4th ser., vol. 96, c. 1270-71.

[19]Eaglesham, ibid., citing, *Hansard parliamentary debates*, 3d. ser., vol. 314, c. 1135.

interpretation around 4,000 in all the schools.[20] There is no doubt that the Liberals missed some very telling points.

Also introduced was a Teachers' Tenure Bill which allowed the Board of Education to hold an inquiry into the dismissal of a teacher who had held their position for three years. If wrongfully dismissed, teachers could be reinstated or compensated. The Bill was given a first reading and then, over the protests of educationists, withdrawn.[21]

The pressure of parliamentary business, and the apathy of Government supporters, had not only derailed a major bill, but a useful small bill as well. Salisbury's letter to the King was apt:

> The feeling...was very decided that in face of the reluctance of members of the Government party to incur the discomfort involved in regular attendance...it was idle to attempt in the latter half of the Session to pass so complicated a measure.[22]

The opposition, including the powerful forces of Nonconformism and the school boards, was now thoroughly aroused. "The battle, postponed since 1896, would come in 1902."[23]

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[20]Eaglesham, ibid., 138-40.

[21]*Times*, 3, 13, 19 August 1901. The Commons met on Saturday, 17 August, when the withdrawal was questioned by Sir. A. Rollet.

[22]Munson, *Unionist Coalition*, 623-24, quoting, Salisbury to King Edward VII, 28 June 1901, CAB 41/26/15.

[23]Munson, ibid., 624.

CHAPTER VII

MAKING THE EDUCATION BILL

Balfour was the key to the 1902 Education Bill. When he finally decided that education had to be dealt with comprehensively, he knew that he was the person who was going to have to push a bill through.[1] Beatrice Webb wrote in her diary of his charm--he would have needed all of it; but she added that he was always building up or pulling down theories in his mind, "when he is not playing the game of office-holding or office-getting."[2] But it was as a debater that he was pre-eminent, and his skill had been displayed in the Commons since 1885.[3] He had kept out of the debate on

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[1]Sir William Graham Greene (an uncle of the author), Secretary of the Admiralty, 1911-17, who knew Balfour well when he was First Lord, wrote that Balfour was: "Strong in that when he had made up his mind that a certain policy or action was right, he was fearless in giving it his full support; weak in that in such cases he was too indifferent to the effect on public opinion of what might be said or done." Arthur J. Marder, *From the Dreadnought to Scapa Flow: The Royal Navy in the Fisher Era, 1904-1919.* (London: Oxford University Press, 1961-70); 2d.ed., [only] Vol. 2, *Jutland and After: May 1916-December 1916* (1978), 223, quoting, W. Graham Greene "Earl Balfour as First Lord of the Admiralty," February 1934. Graham Greene MSS. National Maritime Museum..

[2]*Our Partnership By Beatrice Webb*, eds. Barbara Drake and Margaret Cole (London, New York and Toronto: Longman, Green & Co., 1948), 354.

[3]Mackay, 12-13, citing, Lady Frances Balfour, *Ne Oblivicaris*, 2 Vols. (London, 1925), 1: 307-8, 2: 284-85, and Mary Gladstone Drew, Whittinghame MSS, Balfour Papers, 3/80, pp. 43-44. (Drew's "Notes on A. J. Balfour" are in the Drew MSS in the British Library, Add, MSS 46270, f. 178. Munson, *Unionist Coalition*, 625, n. 22.)

the Education (No. 2) Bill except on 9 July 1901 when he said that it was "'incumbent on this House,...to establish secondary education for all classes.'"[4] But in a letter to Devonshire, he complained about the attitude of the school boards and the local authorities towards reform, and he added that there was gossip, "'which I am sure is well-founded that your Permanent Secretary [Kekewich] neither loves your policy nor is anxious to further it.'"[5]

Nonetheless, planning of the Bill was begun by a Cabinet Committee comprised of Balfour, Devonshire, and Walter Long (President of the LGB), with Gorst, Kekewich, Morant, and Ilbert in attendance. The first draft was ready by 25 August. Morant's part at the meeting on 8 August was to supply facts and figures. However, by 1 August he had prepared a memorandum which *inter alia* suggested that:

> The only way to get `up steam' for passing any Education Bill at all in the teeth of School Board opposition will be to include in it some scheme for aiding denominational schools.[6]

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[4]Mackay, 89-90, quoting, *Hansard parliamentary debates*, 4th ser. 96 (1901). cols. 1446-48 (9 July 1901).

[5]Balfour to Devonshire, 8 Aug. 1901, Balfour Papers, Add. MSS 49765, ff. 191-92; quoted by Mackay, 90.

[6]Gordon, *School Managers*, 247, quoting, [Ed. 24/14/15/13(a)] in Allen, *Morant*, 153; Munson, *Unionist Coalition*, 624, n. 89; N. W. Sabin, *Science, Religion and Education in Britain: 1804-1904* (Kilmore, Victoria: Lowden Publishing Company, 1973), 288.

This time solid backbench-Conservative support had to be ensured.

About a week later Morant was introduced to Balfour at a lunch given by Edward Talbot, Bishop of Rochester, and over the coffee was able to demonstrate his mastery of the educational issues and political problems involved. The parliamentary session ended on 17 August, and Balfour told Morant to let him know anything of use in preparing the Bill.[7]

Shortly afterwards Lord Hugh Cecil, who led the 'Hughlighans,' the High Church party, drafted a bill that included, despite some bizarre features, far-reaching proposals: that every voluntary school should be maintained out of public funds; that the LEA control secular teaching, including the teachers; and that the existing managers control religious instruction, provide the buildings, and pay for their repair out of the subscriptions.[8]

Morant wrote to Balfour on 14 September; he said that "'the poor old Duke'" was being hoodwinked by Kekewich, Ilbert, and "'young Acland'". Kekewich wanted only secondary schools dealt with, and would leave primary schools until a time "'more favourable to his friends the School Boards and N.U.T.,'" when the Liberals returned to

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[7]Mackay, 92, citing, Allen, *Life of Morant*, 154-56.

[8]Gordon, *School Managers*, 247-48, citing, Memorandum on the Preservation of Voluntary Schools, 1901, Ed. 24/14.

office. Devonshire did not know this, but "'only wonders how all the difficulties can be met.'"[9] In another letter he entreated Balfour: "'Unless you are going to take the helm in Education next Session and before the Session nothing will be done successfully.'"[10]

Balfour invited Morant to Whittinghame in October, and after Morant returned to London, he wrote to Balfour to tell him that he had met Lord Hugh Cecil, and that many parts of Cecil's Bill fitted into a Bill which they had worked out at Whittinghame. Furthermore, he had underestimated Devonshire, who had prepared a memorandum for Cabinet "'all by himself.'" It provided the basis for three draft bills which he had ordered Ilbert, "'first hand,'" to prepare: two bore on elementary education; one was drastic, to abolish all the school boards, the other "'on his own lines of local option'"; and the third covered secondary education only.[11] Morant considered that all three bills were unworkable. Turning to the future, he urged Balfour not to allow voluntary education to be left out in any Cabinet

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[9]Gordon, *School Managers*, 248-49, and Mackay, 92, citing, Morant to Balfour, 14 Sept. 1901, Balfour MSS. Add. MSS. 49787 ff. 20-21.

[10]Blanche E. Dugdale, *Arthur James Balfour, First Earl Balfour, K.G., F.R.S., Etc.*, 2 vols. (London: Hutchinson & Co., 1936; reprint, Westport, Connecticut: Greenwood Publishers, 1970), 1: 320-21.

[11]Mackay, 92-93, citing, CAB 37/59/111, (Devonshire's Memorandum), P.R.O., 2 Nov. 1901.

discussion. He added that he had met with Sir Arthur Rollitt,[12] who had been reasonable to begin with, but later said that if rate-aid to denominational schools was in the Bill he might vote against it; he "'was also difficult on the small area problem.'"[13] And in a letter to Balfour's confidential shorthand writer the next day, Morant added that the opposition of the non-county boroughs would interfere with equalizing the rates.[14]

Balfour could see that there were serious problems with rate-aid: (1) The non-county boroughs' case was unanswerable from a parliamentary point of view; if they united against the Government, its position would be hopeless; (2) in exchange for the school buildings which would be maintained by the voluntary managers, all secular education in voluntary schools was to be paid for out of the rates, but

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[12]Morant was upset because Devonshire had consulted three school board supporters, Kekewich, Ilbert, and A. H. D. Acland, the former Liberal Vice-President. Gordon, *School Managers*, 248-49, citing, Balfour Papers, B.L. Add. MSS 49787, f. 29. Rollitt, a supporter of the inclusion of the non-county boroughs as LEAs, had been largely responsibe for the failure of the 1896 Bill.

[13]Mackay, 92-93, citing, Morant to Balfour, 30 Oct. 1901, Add. MSS 49787, ff. 29-30

[14]Mackay 92-93, citing, Morant to Wilfrid Short, 31 Oct., Add. MSS 49787, f. 31; Gordon, *School Managers*, 248-49, citing, Morant to Balfour, f. 35, 2 Nov.; This was the beginning of the problem of the Part III-LEAs of the 1902 Act. The larger non-county boroughs and urban districts which were allowed to control elementary education. There were not only difficulties with the rates, but difficulties in allocating scholarship places in the county secondary schools. Part III was repealed in 1944.

many of the buildings were inferior and the cost of improvements would leave the managers no better off than they were before; and (3) because they would bring denominational problems into local elections, variable agreements between voluntary school managers and LEAs would satisfy no one.[15] Balfour became depressed over the whole issue; he began to think that it was "'far more insoluble than the South African problem.'"[16]

Nevertheless, Balfour and Morant continued to prepare the bills for the Cabinet meeting on 5 November. Morant told Balfour that: "'Ilbert still drafts the things in a highly hostile spirit. He admitted this morning that they could not possibly work as drafted'". Yet Morant was becoming more optimistic. He appealed to Balfour on 2 November: "'I do earnestly hope (if I may venture to express this to you) that you will not let any definite decision be taken by...Cabinet that Elementary Education be left out of the Bill'".[17] Morant admitted that the religious question was insoluble; but suggested that a solution was "'far more

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[15]Variable agreements between school boards and the new LEAs was a hangover from the 1901 Bill. It became Clause 5 of the 1902 Bill, the local option clause, and was deleted by an amendment of Henry Hobhouse.

[16]Mackay, 93, and Gordon, *School Managers*, 248-49, citing, R.L.M[orant] from A.J.B[alfour], copy, n.d. probably 1 Nov. 1901 in Ed. 24/14/26.

[17]Mackay, 93-94, quoting, Morant to Balfour, 2 Nov. 1901, Add. MSS 49787, ff. 35-36.

nearly complete (as we now see) than was attained in 1870.'"[18]

Devonshire circulated his memorandum on 2 November. It was accompanied by three bills; two covered both secondary and elementary education, the third only secondary. The first gave municipal councils down to urban districts full autonomy to act either through the school board or directly; the second abolished all school boards, the county councils would become the LEAs, and the counties would levy the rate. Both drafts gave aid to voluntary schools for secular education. The Duke told the Cabinet that "it had 'scarcely discussed the question of... rate aid to voluntary schools.'" It was bound to arouse strong opposition, but that would occur with any elementary education bill, and probably with any education measure. As to religious instruction, he suggested replacing the Cowper-Temple clause, which forbad denominational teaching in board schools, with a general right of entry by religious teachers, as outlined in Clause 27 of the 1896 Bill.[19]

However, on 5 November the Cabinet rejected rate-aid for voluntary schools; partly not to add to the rates, and partly because of the political strain which it would put on

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[18]Ibid.

[19]Gordon, *School Managers*, 249, and Munson, *Unionist Coalition*, 625-26, citing, "Printed for the Use of the Cabinet," 2 Nov. 1901, Devonshire, CAB. 37/59/111.

the coalition. It also decided not to restrict the Bill to elementary education, and to form a new Cabinet Committee: Balfour would be Chairman, with Devonshire, Lord Selborne, Lord James of Hereford, Walter Long and R. W. Hanbury; Gorst was dropped, as were Kekewich and Ilbert as advisers; and in December Lord Thring was brought in as draftsman, with Morant as the Committee's principal adviser. The Duke then proposed that the counties should decide if they wanted to become the LEAs for elementary education; if they did, they could decide whether to give the voluntary schools aid in exchange for control or not. This awkward arrangement would create a national system in a clumsy way, but it was politically appealling in that it would push religious controversy out into the counties. Politically, this was the least contentious policy,[20] but Devonshire had touched a raw nerve. Chamberlain wrote to Lord Selborne:

> I wish to remind you that the question of Education is a very delicate one in the case of the Radical Unionists. If you were to promote a Bill giving Rate aid to denominational schools I think you would lose Birmingham and the Birmingham influence, whatever that may be worth, to the Unionist Party.[21]

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[20]Gordon, *School Managers*, 249, citing, Fitzroy, *Memoirs*, 1: 63, Salisbury to Edward VII, 5 Nov. 1901, CAB 41/26/23, and Memorandum, CAB 37/59/112; Mackay, 94; and Munson, *Unionist Coalition*, 625-26.

[21]Munson, *Unionist Coalition*, 626, citing, Chamberlain to Selborne, 7 Nov. 1901, Chanberlain MSS, University of Birmingham, JC 11/32/19; J. Powell Williams of the Conservative Office had been sounding opinion all over the country. He considered that rate-aid would be very damaging to the Radical wing of the Liberal-Unionist Party. Gordon,

Morant's star was now rising. On 13 November he was one of the two guests, with Sir Richard Jebb, M.P., at a dinner of the Conservative Party United Club at the Café Monico. Jebb said that a comprehensive bill would probably be welcomed by the House, and he wondered whether the large non-county boroughs and urban districts were suitable as LEAs for elementary education.[22]

However, the financial picture was grim. The Treasury was opposed to further grants, as had been made in 1897, because ordinary expenditure had increased by forty percent since 1895-96. Despite the Boer War civil expenditure was rising as fast as military; and the great bulk was for education, partly because of more students, and partly because of the 1897 Acts.[23]

On 19 November Devonshire told Archbishop Temple that there was little support for rate-aid outside of Church organizations. While inside the Cabinet opinion was

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Schoiol Managers, 249, citing, J. Powell Williams to Devonshire, 1 Nov. 1901, Ed. 24/16.

[22]"The Unionist Party and Education," *Times*, 14 November 1901, 11. Jebb was often used by the Government to fly a kite.

[23]Munson, *Unionist Coalition*, 626-27, citing, Cabinet Memoranda, ? September; ? October 1901, CAB 1/2/383-4. The second written by Hicks Beach but is under Balfour's name. It is referred to in Hicks Beach to Salisbury, 13 Sept. 1901, Salisbury MSS. Whilst the grants gave voluntary schools an adverse balance of £ 140,000 for 1897, a small balance for 1898, by 1900 the schools were again in difficulties. Munson, ibid, citing, Memo., R. L. Morant, February 1902, Ed. 24/13A/10(a).

divided. Balfour favoured optional rate-aid, but most of the Cabinet supported Chamberlain who argued that it was both wrong and politically inexpedient.[24] Nevertheless, Devonshire wrote to Chamberlain on 3 December insisting on rate-aid for voluntary schools under those councils that voted to become LEAs. He argued that the Government could not pass a bill without rate-aid; neither could there be a new system of education unless the voluntary schools were placed under the new LEAs.[25] The Cabinet met on 5 December, and the next day Devonshire tried to persuade Chamberlain to accept the Cabinet decision which gave the local authorities permissive powers to grant rate-aid; Chamberlain considered it unwise. Devonshire then wrote to Balfour and said that if the proposal went before the House it was quite possible that "'our own side'" would make it compulsory, and if carried it would lead to the "'break up'" of the Government.[26]

Morant then took a hand; on 7 December he wrote to Balfour and suggested that they put the Bill to one side,

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[24]Gordon, *School Managers*, 249-50, citing, Devonshire to Temple, 19 Nov. 1901, Temple MSS, v. 49, f. 415, (Lambeth Palace Library), and Devonshire to Salisbury, 2 Dec. 1901, Salisbury MSS.

[25]Munson, *Unionist Coalition*, 627, citing, Devonshire to Chamberlain, 3 Dec. 1901, Chamberlain MSS, JC 11/11/15.

[26]Gordon, *School Managers*, 250, and Munson, *Unionist Coalition*, 627, citing, Devonshire to Balfour, 6 Dec. 1901, Add MSS 49769, f. 203.

and clear up the important points which must be settled before any Bill could be drafted. He concluded that if a new LEA was to set the standards for all the schools of a town, then it must control and finance them; religious instruction must be paid for by the managers in Church schools; and to keep the peace the Cowper-Temple clause must remain in force in board schools.[27]

Nevertheless, the Cabinet Committee which met on 9 December became deadlocked. Salisbury was not hopeful; he reminded the Bishop of Rochester that people forgot that "'the strongest government'" was a coalition, and that the quarrels of twenty or thirty years earlier could always break out again.[28] However, by 11 December the Committee had decided to support the Duke's proposals that rate-aid should be given to every school under an LEA. If this could not be done then the Bill should be restricted to secondary education. Finally, it was unanimous that each denomination should pay for its own religious instruction. If not Nonconformist Liberal Unionists would "'break up the

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[27]See Dugdale, 1: 322-23 for the full questions and answers, to which all later works refer.

[28]Gordon, *School Managers*, 250, citing, Devonshire to Salisbury, 9 Dec. 1901, Salisbury MSS; and Salisbury to Talbot, 7 Dec. 1901, in G. Stephenson, *Edward Stuart Talbot, 1844-1924* (London: S.P.C.K., 1936), 143.

party;'" and to exclude elementary education would convince Conservative Churchmen that they had been misled.[29]

However, on 13 December the Cabinet voted by ten to eight to deal only with secondary education. Morant was ordered to prepare two bills; the second to help the voluntary schools if backbench pressure should force its introduction. But Chamberlain was certain that the second bill would meet with widespread Nonconformist resistance as the 1870 Act had; and that the denominations would pay for religious instruction failed to convince him otherwise.[30] The arguments continued, and two days after the Cabinet meeting, members of the Cabinet were as confused as ever. Balfour admitted that he was, and Devonshire told Hicks Beach: "'I have been so much occupied over the Education Bill that I do not really understand it myself.'"[31] At the

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[29]Munson, *Unionist Coalition*, 628, and Gordon, *School Managers*, 251, citing, Memorandum by the Cabinet Committee on Education Bill, 12 December 1901, written 11 December, Balfour, CAB 37/59/130; Gordon, ibid, citing, "Instructions for the Preparation of a Draft Bill on Education," signed on 12 December, Devonshire, CAB 37/59/131.

[30]Munson, *Unionist Coalition*, 628, citing, Ilbert MSS, Diary, 13-14 December 1901; Fitzroy, *Memoirs*, 1: 67-68, 69; Morant, "Notes of Conversation between Mr Chamberlain and Mr Morant on Education Bill," 12 December 1901, Add MSS 49787, ff. 43-50; Julian Amery, *The Life of Joseph Chamberlain*, 6 vols. (London, 1951), 4:483-84; and Allen, *Morant*, 166-69.

[31]Munson, *Unionist Coalition*, 628-29, citing, Balfour to St. Loe Strachey, 11 Dec. 1901, St. Loe Strachey MSS, Beaverbrook Library, London, S/2/4/8; and Devonshire to Hicks Beach, 15 Dec. 1901, St. Aldwyn MSS, Gloucester Record Office, D 2655, PCC/89. The reason for the confusion was that there was no Cabinet secretariat to circulate minutes. This was not a new phenomenon, and it did not end until Lloyd George

same time Chamberlain told Devonshire that there were rumours in the press of a comprehensive bill. This would increase the pressure on the Cabinet, and might force it to accept the Duke's programme.[32]

But Balfour had already assumed that the Cabinet would change its mind, as had Salisbury, who did not like it. Salisbury wanted only a very modest bill, and any decisions about rate-aid left to the ratepayers in the localities. He opposed doing anything else either for the Church schools or for the quality of education, writing that, "'inspectors and other experts'" had caused the funds provided under the 1897-Act to run out prematurely by demanding perfection in voluntary school buildings. "'If we can find a way to finance the impecunious Voluntary Schools, the other questions may, for a time at least, be postponed." This minimal policy had the support of Chamberlain, who could see the rocks that lay ahead.[33]

After the Cabinet meeting of 19 December, Balfour ordered Morant to prepare a new Bill able to be separated

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established the War Cabinet Secretariat under Hankey.

[32]Munson, *Unionist Coalition*, 628-29, citing, Chamberlain to Devonshire, 14 Dec. 1901, Chamberlain MSS, JC11/11/7. Munson adds that the Government was under heavy pressure from the Church at this time. Ibid, n. 104.

[33]Peter Marsh, *The Discipline of Popular Government: Lord Salisbury's Domestic Statecraft, 1881-1902* (Hassocks, Sussex: Harvester Press, 1978), 316, citing, Memorandum, CAB 37/59/??, 17 December 1901.

into two, elementary and secondary. It was to include: (1) Clause 27 of the 1896-Bill to be substituted for the Cowper-Temple clause; (2) county or county borough councils could choose whether or not they wanted to become the LEAs for elementary education; (3) county or county borough councils were to become the LEAs for secondary education; (4) LEAs could make rate-aid available to voluntary schools on any terms which they chose; (5) areas where there were board schools, alone, could be rated for elementary schools; and (6) funds in the rest of the county were to be pooled as much as possible.[34]

However, in the New Year and part-way through the drafting, Morant told Balfour that the rates would either have to go to all voluntary schools or to none. It was impossible to differentiate--as he (Balfour) knew, and as Gladstone had shown in 1870--since it made any sound scheme for county finance impossible. Then there was the appointment of teachers by the managers: a church school must have teachers of that religion; therefore a majority of the managers must be of that religion; if not the raison d'être of the school would be destroyed. But ratepayers'

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[34]Mackay, 94-95, citing, "Memorandum on the Proposal to Introduce Two Bills for Education," 17 December 1901, Balfour. CAB 37/59/134; Gordon, *School Managers*, 252-53, and Munson, *Unionist Coalition*, 629, citing, "Mr Balfour's Instructions to Me...as to lines of Education Bill," 20 December 1901, Add. MSS 49787, f. 51. The two draft bills were ready by 9 January 1902. Munson, ibid., citing, Ed. 24/18/149b.

control would be achieved by making the county councils paramount, and all school managers would have to follow council's instructions.[35]

By the end of January, "'having allowed themselves to be pressed to include Primary as well as Secondary [education] without knowing the difficulties,'" the Cabinet foresaw serious political trouble: if many Liberal Unionists were afraid of a large bill, many Conservatives wanted rate-aid, and it would be hazardous to ignore them.[36]

Cabinet problems were also on Balfour's mind; he told Evelyn, Lady Rayleigh, that the Cabinet would not have Gorst "`at any price,'" and insisted that he take charge of the Education Bill in the Commons. She wrote:

> And the worst of it was he...did not believe in Education--and whatever line he took the Bill would be torn to pieces, and there was no really satisfactory line to take.[37].

Balfour favoured limited rate-aid on a compulsory basis. He would appease the ratepayers by having some maintenance costs paid for by subscription, as well as

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[35]Gordon, *School Managers*, 253, citing, Morant to Balfour, 3 Jan. 1902, Ed. 24/18.

[36]Munson, *Unionist Coalition*, 631, quoting, Michael Sadler, Diary, 31 January 1902, Sadler Papers, f. 81; Salisbury to Edward VII, 31 Jan. 1902, CAB 41/27/3; and Fitzroy, Memoirs, 1: 73-74.

[37]Mackay, 94-95, quoting, Evelyn, Lady Rayleigh, Diary, (22 January 1902), Terling Place, Essex.

religious instruction; but he was worried whether the councils would accept the added burden.[38]

On 5 February Devonshire showed the Cabinet how the LEAs would have the powers of supervision and control as distinct from school management. Every school would be subject to an LEA for secular education, which would maintain them all, and each school would be managed by a body of managers. The only difference would be that the provided schools (ex-board schools) would be completely under the control of the LEAs, and religious instruction would be non-denominational; while in the non-provided (ex-voluntary) schools the appointment of the majority of managers would be unchanged, one-third would be appointed by the LEA, and religious instruction would be whatever they decided.[39] The Cabinet was surprised by the mastery of the subject displayed by Devonshire in a cogent speech, despite interruptions by Chamberlain. No formal vote was taken because Salisbury feared that a negative vote would lead to the Duke's resignation.[40]

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[38]Mackay, 95, citing, Balfour to Devonshire, 22 Jan. 1902, Add MSS 49769, f. 213; Balfour's Memoranda, 6 February, CAB 37/60/32; and 11 February, CAB 37/60/37.

[39]Gordon, *School Managers*, 254-55, and Munson, *Unionist Coalition*, 631, citing, "Rate Aid to Voluntary Schools," 5 February 1902, pp.2-3 written 4 February, [Devonshire], CAB 37/60/31.

[40]Mackay, 96-97, citing, Fitzroy, *Memoirs*, 1: 73-74 (5 February 1902); Peter Fraser, *Joseph Chamberlain: Radicalism and Empire, 1869-1914* (South Brunswick, N.Y.: A. S. Barnes & Co., 1966), 217. (Fraser gives no citation other than the

Balfour hoped that his scheme, outlined on 6 February, would placate Hicks Beach, Salisbury, and Chamberlain. It differed from the Duke's in that the voluntary schools would maintain their own schools by subscription, and the LEAs would only pay for improvements which they required. But it soon transpired that the only real difference was in who was to pay for religious instruction. But Morant advised the Duke that the amount involved was too small to matter, and by 11 February Balfour was coming around to this view.[41]

Nevertheless, on 4 March the Cabinet Committee decided, "'with the Duke dissenting,'" that the Bill should be dropped. On 8 March Sandars told Balfour that, because of the opposition of Chamberlain and the decision of the Cabinet Committee, he had met with Captain Middleton, the Chief Conservative Agent, and the two whips, on the night of 7 March. They had decided that as a secondary education bill would raise the same problems, it would be better to drop the Bill rather than to risk failure.[42]

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document itself, CAB 1/2, by Devonshire, 4 February 1902).

[41]Munson, *Unionist Coalition*, 631-32, citing, Balfour, Memorandum, 6 February 1902, CAB 37/60/32. Hicks Beach claimed that he suggested the proposals. Hicks Beach to Devonshire, 3 Feb. 1902, Ed. 24/19/171; Balfour had suggested on 3 February that the LEAs pay for only a portion of needed inprovements, Ed. 24/19/170b.

[42]Fraser, 218-19, quoting, Add MSS 49761; Munson, *Unionist Coalition*, 633, citing, Balfour to Sandars, 7 Mar. 1902, Sandars MSS, Bodleian Library, MS Eng Hist c 735 ff. 52-55; and Sandars to Balfour, Add MSS, 49761, ff. 13-16, 8 Mar. 1902; and Fitzroy, *Memoirs*, 1: 80-81.

However, at the Cabinet meeting on 14 March, Chamberlain suggested a reversion to *ad hoc* authorities, and that secondary education should be handed over to the school boards. It was simple and bold and would get around the *Cockerton* difficulties. But the Conservative Party would have nothing to do with it; and it drew a strong rebuttal from Morant. Moreover, Chamberlain's action was probably to demonstrate that the reason for the Bill was to satisfy the Conservative Party rather than any educational necessity.[43]

However, by 18 March it appeared that the Cabinet had reached some kind of conclusion. Salisbury told the King that the school boards would be abolished, London would be excluded, the Cowper-Temple clause would remain and Clause 27 would be dropped. Whether aid would be given to the voluntary schools would be left to the local authorities. But here Salisbury had become confused between an option to become an LEA for elementary education and the option of rate-aid, or Cabinet policy had once again changed. The former seems the most likely; but one account states that the ministers continued to argue about the Bill for another three days.[44]

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[43]Fraser, 219, citing, Balfour Papers, Add MS 49761, and Fitzroy. *Memoirs*, 1: 81.

[44]Munson, *Unionist Coalition*, 623, citing, Salisbury to Edward VII, 18 Mar. 1902, CAB 41/27/10; Machin, 261, citing, D.R. Holding, "An Examination of the Third Salisbury Cabinet" (B.Litt. thes. University of Oxford, 1978), 156-61.

The Education Bill had its First Reading on 24 March. As in the 1901 Bill, it proposed that county and county boroughs would become the LEAs for secondary education, which could now be rationally organized. They would act through Education Committees to which educationists would be co-opted.[45] County and county borough councils could become LEAs for primary education, and counties could delegate this power to non-county boroughs of over 10,000 population and urban districts of over 20,000.

Where the council became an LEA for elementary education, all voluntary schools would become non-provided schools, and would be fully maintained by the new authority, which would have full control over secular education. The LEA would appoint two managers to each non-provided school with another four appointed according to the trust deed. The denomination had to keep the school in repair. This would make voluntary schools part of a national system, which would be both unifying and diverse.

The *status quo* remained for religious instruction; the Cowper-Temple clause was retained in all provided schools. In "single school districts," a second school could be built by the LEA if sufficient parents wanted it, and if "'the

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[45]See P. H. Gosden, "The Origins of Co-optation to Membership of Local Education Committees," *British Journal of Educational Studies* 25(1977): 258.

economy of the rates' permitted." It answered the "complaints of rural Nonconformists and urban Churchmen."[46]

After the First Reading debate, as a necessary preliminary to pushing a bill through against an aroused opposition, Balfour introduced new Rules. Henceforth debates on supply which had been stretched out for weeks, were now confined to one night each week, and if not passed by August the votes were closured. The debate on the new rules took up most of the time from 25 March until Friday, 2 May, and the Second Reading of the Education Bill began on Monday, 5 May.[47]

Meanwhile Morant went to stay with the Webbs, and he explained to them in part why the Cabinet had so much difficulty in drawing up the Bill. Government business was conducted in a strange way. Gorst was ignored: Morant wrote to him to ask whether he should put his name on the back of the Bill. Gorst answered: "I have sold my name to the Government; put it where they instruct you to put it." The Duke "failed through inertia and stupidity to grasp any complicated detail half-an-hour" after he had listened to

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[46]My emphasis. Munson, *Unionist Coalition*, 635-36; For the introduction of the Bill in the Commons, see *Times*, 25 March 1902, 4, and opinion and comment, 27, 28 March, and ILP opinion, 2 April 1902.

[47]Mackay, 50-51, citing, Sandars Papers, Eng c 771 ff. 326-27; Henry Lucy, *Later Peeps at Parliament* (London, 1906), 156 (2 May, 16 June 1902); and idem, *A Diary of the Balfourian Parliament, 1900-1905* (London, 1905), 24-25, 161-62, 317-18.

it; he was preoccupied with Newmarket; and he stayed in bed till noon. It was impossible after a Cabinet meeting to find out what had been decided:

> Salisbury does not seem to know or care, and the various Ministers, who do care give me contradictory versions. So I gather that Cabinet meetings have become more than informal--they are chaotic--breaking up into little groups, talking to each other without any one to formulate or register the collective opinion.[48]

It was evident that someone would have to take control, and that person was Balfour.

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[48]Beatrice Webb, Diary, "April, Friday Hill", in *Our Partnership*, 240.

CHAPTER VIII

THE PASSAGE OF THE 1902-ACT:

PART I

The *Economist* set the stage for the 1902 Bill: Theoretically, it said, all should agree, but "actually no subject arouses more excitement of a not purely educational kind." So while the Cabinet argued, the opposition marshalled its forces. Its objective was to preserve the *status quo*, and its arguments were based on a mixture of religious and political considerations.[1]

On 6 June 1901 1,498 delegates who represented the Nonconformist churches and their Free Church councils,[2] the Co-operative movement, the Liberal Party, the Labour Representation Committee, and the Independent Labour Party (ILP) met to co-ordinate their campaign.[3] The Liberation

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[1]"The Debate on the Address," *Economist*, 18 January 1902, 74; N. R. Gullifer, "Opposition to the 1902 Education Act," *Oxford Review of Education* 8(1982): 89.

[2]The principal Nonconformist Churches were: (1) the Wesleyans, with ca. 500,000 communicants; (2) the Congregationalists, ca. 400,000; (3) the Baptists, ca. 350,000; and (4) the Primitive Methodists, ca. 187,000. D. R. Pugh, "English Nonconformity, Education and Passive Resistance 1903-6," *History of Education* 19(1990): 355, n. 3.

[3]At the annual ILP Conference on 1 April 1902, Mrs. Pankhurst moved a motion which was defeated, that while regretting the failure to provide for election of women to the new LEAs, approved the unification embedded in the Bill.

Party Conference followed in October, and later there was a Free Church campaign directed at their local affiliates. In England almost all the opposition was associated with one or more of these bodies; in Wales where Nonconformity predominated other organizations joined in. The opposition was directed by two leading Nonconformist divines, Dr. John Clifford and Hurst Hallowell.[4]

When the Bill was introduced in the Commons on 24 March, Lloyd George, who was to make his name as a masterly opponent of the Bill, wrote to his wife while Balfour was speaking: "'5.30 p.m. Balfour is developing a most revolutionary Education Bill...Up to the present I rather like the Bill.`"[5] His only objection was to the option clause. Later he told the *Western Mail* (the leading Cardiff daily): "'I am not unfavourably impressed with the Bill, judging it from a purely Welsh point of view.`"[6]

However, the *Daily News*, attacked the "'The Anti-School Board Bill.'" The enlightened school boards were to go because the Government was the tool of the Church, the

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"Independent Labour Party Conference," *Times*, 2 April 1902, 5.

[4]Munson, *Unionist Coalition*, 630; Pugh, *English Nonconformity*, 355.

[5]John Grigg, *Lloyd George: The People's Champion 1902-1911* (Berkeley: University of California Press, 1978), 25-26, quoting, Lloyd George to Margaret George, 24 Mar. 1902, National Library of Wales.

[6]Grigg, ibid., quoting, *Western Mail* (Cardiff), 25 March 1902.

servant of the Treasury, and the slave of the capitalist; and H. W. Massingham, the parliamentary correspondent, added that John Clifford was strongly opposed. The next day the Government's subservience to the Church was emphasized and it became the "'Bishop's Bill'"; Massingham said that Liberal opinion was hardening, and that the Reverend W. T. Townsend, President of the National Council of Free Churches, had condemned the Bill as "'the most reactionary in all its aspects'" against which they would "'offer their most determined opposition.'" It was time for Lloyd George to climb aboard.[7]

The concentrated Nonconformist campaign was innovative; its leaders were able to carry the whole badly split Liberal Party with them, including Harcourt, Grey, and Lloyd George, who with Rosebery had originally liked the Bill. Only Haldane approved. However, as late as September, John Clifford told a meeting of Birmingham Liberals that their leaders were not absolutely united.[8]

The provision of rate-aid to voluntary schools, notwithstanding the other clauses, created an opportunity to breathe new life into the traditional alliance between the Liberal Party and Nonconformity, even though, the reunion

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[7]Grigg, 27, quoting, H. J. Massingham, *Daily News*, 25, 26 March 1902.

[8]Machin, 263; "Dr. Clifford and the Liberal Party," *Times*, 24 September 1902, 9.

was never as complete as hoped, except perhaps in Wales. Nonconformist clergy and some educationists, objected strongly to the lack of nondenominational training colleges, and Liberals agreed seeing it as undermining the idea of a national education system. While genuinly religious opposition arose in single-school districts in rural areas where Nonconformism had recently made large inroads.[9]

The supporters included most Anglicans, the Conservative Party, followed reluctantly by the Liberal-Unionists, the very small but influential Fabians, the Roman Catholics, some Wesleyans, almost all educationists, and with some professional reservations, most teachers.[10]

The Wesleyans operated 458 voluntary schools with an enrollment of 150,000 children, and the Westminster Teacher Training College. Led by Dr. Waller, the Secretary of the Wesleyan Education Committee, Conservative Wesleyans, and those associated with education supported the Bill

However, most Wesleyans identified themselves with the other Methodist sects and the rest of Nonconformism, and were satisfied with the board schools and their plain Bible

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[9]Gullifer, 88-89, citing, John D. Gay, *The Geography of Religion in England* (London, 1971), 111.

[10]Gullifer, 88-89; The Irish Nationalist MPs met on 5 May and decided to support the Bill in principle. It reduced "the prospect of disturbances from that stormy quarter." *Times*, 6 May 1902, 6-8, 9

teaching.[11] Led by the Reverend Hugh Price Hughes, a giant of the late-Victorian pulpit, and a leader of Nonconformist opposition to the Bill, they considered that the schools were an anachronism; while behind the current dispute were the questions of uniting Methodism, and their relationship with the rest of Nonconformism.

It is not known how many Wesleyans did not oppose the Bill. At a specially called conference on 22 April, Dr. Waller was supported by one-third of the delegates; and although in later meetings of district synods a majority, in some cases an overwhelming majority, opposed the Bill, many Wesleyans did not.[12]

Educationists supported the Bill. Dr. Macnamara told a public meeting on 18 April that,[13] based on the assumption that the Bill would be amended to compel the counties to take over the supervision of secular education in voluntary schools, one authority would link all levels of education.

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[11]In 1902 the other sects were: the Primitive Methodists (a mostly rural group which was most affected by single-district Anglican schools), 195,000; the United Free Methodists, 93,000; the Methodist New Connexion, 43,000; and the Bible Christians, 31,000. The last two were negotiating a union. R. G. Pugh, "Wesleyan Methodism and the Education Crisis of 1902," *British Journal of Educational Studies* 36(October 1988): 233-35.

[12]Pugh, *Wesleyan Methodists*, 232-49, passim; *Times*, 23 April 1902, 11.

[13]Although Dr. Macnamara was a Liberal MP (Camberwell, N.) and an NUT official, his views were similar to those of most educationists.

Municipal direction had been the original plan of Gladstone and W. E. Forster, and the Radicals of that time, Mundella and George Dixon of Birmingham. Both the 1896 and 1901 bills had provided for an elected majority on the LEAs; this Bill would have to do the same. A 2d. rate for secondary and technical education was "grotesque." All elementary education would be paid for by public funds, but it should have come from the government, not from the rates. Expenditure would rise from £5,500,000 to £8 million. He was surprised that the Radicals had not accepted the Bill; now there would be "the most bitter religious fight the country had ever known"; it would drown the children's real needs in theological clamour.[14]

The NUT National Conference supported the Bill in principle, but with many reservations. Most were rectified during the passage of the Bill; and one, that secondary education in Wales should come under the counties as it would in England, was used by Lloyd George as the base of a trap he sprung on an unsuspecting Government (See below, p. 154).[15]

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[14]*Times* 19 April 1902, 13. The finances of the Bill were critically examined by Lyulph Stanley, who was opposed to it in, "The Government Education Bill," *Contemporary Review* (May 1902): 609-26. His figures agree with Macnamara's.

[15]*Times*. 2, 3, 4, April, for the Conference, and 5 May 1902, for the resolutions.

The Second Reading debate began on 5 May and lasted for four days. It was generally considered to have been conducted at a high level. Bryce, opening for the Opposition, said that the Bill would not create educational unity; that central direction was to be reduced unwisely; that voluntary school managers would be virtually independent of the LEA; and that the Bill did nothing for teacher-training, particularly in solving the religious problem. It was a voluntary schools' bill.[16]

Gorst denied that central supervision would decrease; teacher education would be one of the first tasks of the new LEAs, which would be entirely responsible for secular education in voluntary schools.[17]

Lord Hugh Cecil made an eloquent plea for inter-church co-operation:

> We must look...to an amicable understanding between the Church and Nonconformity...It is an entire misconception to suppose that those who support Church schools [looked] upon Nonconformists as their opponents. On the contrary they regard them as their misguided and mistaken allies.[18]

He argued that the Opposition should put more trust in the county councils; and referring to rate-refusal, he said that

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[16]This was the same clause referred to by Macnamara. It allowed the counties to decide whether they would take over elementary education. If they did, they had to give rate-aid to the voluntary schools.

[17]*Times*, 6 May 1902, 6-8, 9.

[18]*Times*, 7 May 1902, 6-8.

eventually Churchmen would come to rue the Bill, and might do likewise.[19]

Campbell-Bannerman said that the Bill was essential to Convocation, and that the Church schools would be used for proseletysing. Board schools which had been successful were only to live on sufferance, while voluntary schools were to live on the rates.[20]

Lloyd George attacked the Church schools: there were 8,000 parishes with no alternative schools, and half of the 2 million pupils in Church-schools were the children of Nonconformists. Board schools were not the preserve of Nonconformists; most ratepayers were Anglicans and they controlled the school boards. He warned the Irish members that the beneficiaries of the Bill were the enemies of Ireland. And according to Massingham this was received with "'loud and assenting cheers from Mr. Dillon and the whole Irish party.'"

By now Lloyd George was speaking "in terms appropriate to the birth of a myth; it 'had the high interest of a sincere revelation'"; and he assumed the vacant leadership

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[19]*Times*, ibid.; D. R. Pugh, "The Church and Education: Anglican Attitudes 1902," *Journal of Ecclesiastical History* 23(1972): 225, quoting, Fitzroy, *Memoirs*, 1: 84-85; Pugh describes the very diverse attitudes held by the clergy. See also Gullifer, 85-87 for a discussion of the diversity.

[20]*Times*, 9 May 1902, 5-6.

"with a strict economy of sincerity undetected at the time, and more surprisingly overlooked by historians."[21]

Balfour summed up. Voluntary schools would disappear if the Opposition had their way, and the cost would fall on the rates. No one had suggested a practicable alternative. The county councils would control secular education with the power to dismiss teachers. The Opposition was forcing a division for religious reasons; the taxpayer already paid for education in voluntary schools, and the position of the ratepayer was no different. He knew that there were bigoted incumbents; but the Bill would end one-man management, and in extreme cases a second school could be built.

The Second Reading was carried by 402 votes to 165, a Government majority of 237. Many Irish Nationalists voted with the Government; three Liberal-Unionists and two Conservatives voted against the measure.[22]

The Committee stage of the Education Bill began on 2 June, and it took 276 divisions, an autumn session, and the application of the guillotine to complete on 20 November. Lloyd George spoke about 160 times not counting interruptions, probably a record up to that time.[23]

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[21]Grigg, 32.

[22]*Times*, 9 May 1902, 6-7; Machin, 262.

[23]Munson, *Unionist Coalition*, 637; Machin, 262; Grigg, 32-33.

The most important amendment during the summer was the deletion of Clause 5, moved by Henry Hobhouse. Local authorities would be compelled to take over elementary education, and provide rate-aid to the voluntary schools; they would be instructed to meet the needs of secondary education and of teacher-training, and to "co-ordinate all levels of public education" in their area. The vote was taken on 9 July while Salisbury was arranging his retirement with the King, and "Chamberlain, who had supported the Clause throughout," had been injured in an accident and was in hospital. Despite a moving plea by Austen Chamberlain on behalf of his father, the Clause was deleted by 271 votes to 102. Militant Nonconformists immediately raised the cry "Rome on the Rates."[24]

This amendment was crucial to: (1) establishing a uniform educational system across England and Wales; and (2) providing assistance to all voluntary schools. The original Clause 5 allowed a county to opt out of elementary education, but if they opted in, they had to support the voluntary schools. Under the amendment all counties now had to take over all elementary education, including the

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[24]Munson, *Unionist Coalition*, 636-37; Marsh, 318-19; In a letter to Morant on 23 October 1901 which Morant sent on to Balfour, Hobhouse had suggested that compulsion was more equitable. CAB 49787, ff. 26-28, Morant's copy is in Ed. 24/16/100; Mackay, 100-1, citing, *Hansard*, 4th ser. 110(1902): cols. 1269, 1233-36; Machin, 263-64.

voluntary schools and the supervision of their secular education.[25]

Balfour was not overjoyed. At a family dinner he said that "'he was beginning to hate both Education and religion.'" His dislike was not directed against the Nonconformists, but at "'"our people" (the Unionists) who through hatred of "High Church parsons" might give "more power to the Education Authority in the management of the voluntary schools than was just."'"[26]

Chamberlain wrote to Balfour on 4 August and warned him: "'Alas, now,'" this has "'brought out all the fighting Nonconformists and made them active instead of passive opponents.'" Nevertheless, he praised his "'surprising patience and resource'"; but continued to press on Balfour the Liberal-Unionist "reserved subjects" scheme: that religious instruction should be under the supervision of the clergy, with the majority of managers appointed by the LEA. However, Balfour rejected this proposal because it perpetuated one-man rule in Church schools in single-school districts.[27]

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[25]See Education Act, 1902, ss. 5, & 22(1).

[26]Mackay, 102, quoting, Diary of Evelyn, Lady Rayleigh, 10 July 1902.

[27]Mackay, 101-2, citing, Chamberlain to Balfour, 4 Aug. 1902, Chamberlain Papers, J.C. 11/5/5; and Gordon, *School Managers*, 257-58, citing, Balfour's copy, Add MSS 49774, f. 7; Munson, *Unionist Coalition*, 638-39.

Parliament adjourned on 8 August.[28] The Marquis of Londonderry was then appointed President of the Board of Education, Gorst's resignation was accepted, and Sir William Anson was appointed Parliamentary Secretary to the Board. Gorst had sorely tried his colleagues' patience; but at his final interview with Balfour, he promised that although he might criticize, he would not "'think of voting for an amendment which the Government regarded as fatal.'"[29]

But arguments over who was to appoint the majority of school managers continued to exercise the Government throughout the recess; and although various compromises were suggested by the Bishop of Hereford and others, Balfour refused to change the original proportion.[30]

Unionist MPs returning to their constituencies found a well-organized opposition led by the National Council of Free Churches, whose leaders had realized, as had the Liberals, that the Bill was a heaven-sent opportunity to gather their flocks together; and together they spent the recess marshalling public opinion against the measure.

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[28]Munson, ibid. Parliament adjourned just in time for the opening of the grouse season on the 12th. It was not considered a good opening day. *Times*, 13 August 1902, 9.

[29]"Notes on Interview," 7 August 1902, Balfour MSS, Add MSS 49791, f. 36, cited by Gordon, *School Managers*, 246-47, 262. "Sir John Gorst: Independence as a Politician," *Times* (obituary), 5 April 1916. Gorst was granted a £1,500 per year political pension.

[30]Gordon, *School Managers*, 258, citing, *Times*, 29 July 1902; Pugh, *The Church and Education*, 222-23.

Although 'Rome on the rates' was a useful cry to inflame further the prejudices of the more impressionable Protestants,[31] the real target was the Church of England. The opposition sought support from Nonconformists for religious reasons, from Liberals for political reasons, and from the ratepayers in general. Ratepayers represented many diverse interests: some because the rates would go up or they had never paid an education rate; others believed in laissez-faire and objected to education being dragged into religion and politics. Together they all clamoured for representation in anything as basic as education.[32]

Numerous rallies and demonstrations took place, the most memorable being at Woodhouse Moor, Leeds, where 70,000 people were addressed by sixteen M.P.s and others from six platforms. A series of letters by John Clifford to the *Daily News* continued the Government's discomfiture; later published in two pamphlets, they did much to solidify the opposition and keep the Liberal front bench up to the mark.[33] A prominent Congregational divine, the Reverend

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[31]Jesse Collings, Chamberlain's closest associate, told Walter Long that "there was a 'deep and strong and unreasoning' anti-Romanist feeling spreading 'even in B'ham." Munson, *Unionist Coalition*, 639, quoting, Collings to Long, 25 Sept. 1902, Balfour MSS, Add. MSS 49776, ff. 27-30.

[32]Gullifer, 87-88, 89-90, 92-93.

[33]*The Fight Against the Education Act: What is at Stake*, and *Clericalism in British Politics*. Pugh, *The Church and Education*, 227, n. 2; Munson, *Unionist Coalition*, 638. Other descriptions said 100,000 people were addressed from five platforms.

J. G. Rogers, far more moderate than Dr. Clifford, strongly supported rate-refusal. Personal sacrifice appealed to public opinion, and was a protest against ritualism. Ritualism would be overwhelmed by "the rising tide of the free churches." Meanwhile he advocated a majority of representatives of the LEAs on the boards of management of voluntary schools; and he agreed with many Anglicans that arrangements must be made for catechetical instruction in the public elementary schools.[34]

By November 1902 the Unionists had lost three by-elections, and they only held Sevenoaks with a much reduced majority.[35] The *Economist* noted that many voters were tired of the Government; the Corn Tax was unpopular; and the Education Bill was disliked by both Nonconformists and ratepayers. Chamberlain said that it gave ratepayers control of secular education, but the Bill only gave the LEA two managers out of six. "There was no denying that religious passions [had] become inflamed."[36]

Gorst answered the critics in an article in the *Nineteenth Century*. The school managers would not have the responsibilities of the old voluntary school managers; they

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[34]J. G. Rogers, "The Nonconformists and the Education Bill," *Contemporary Review* 82(1902): 429-34.

[35]Bury in May, N. Leeds in July, and Orkney and Shetland in November. Machin, 265; Grigg, 36-37.

[36]*Economist*, 23 August 1902, 1320.

could only act as provided by statute, or as instructed by the local authority.[37]

However, besides an aroused opposition, Balfour faced Chamberlain's continual demands to meet the Liberal-Unionists. Chamberlain was far better placed than Balfour in Whittinghame or Morant in London to assess Nonconformist strength; he warned of the increasing seriousness of the rate-refusal campaign, and predicted that Nonconformist demands would force the Liberals to revoke the Bill when they regained office. Chamberlain suggested a Nonconformist-Church conference "'to split the opposition'", less extreme leaders such as J.G. Rogers might act as "'tame elephants.'"[38]

Morant admitted to Sandars that he was "'not a little perturbed'"; and he told Randall Davidson, Bishop of Winchester, that Balfour did not read the newspapers, and did not realize that misconceptions were not always destroyed by argument. One of his pet points was to put all six voluntary-school managers, only one of whom would be a clergyman, in control of religious instruction. It would create a huge wrangle in the House, and continuous arguments

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[37]Gordon, *School Managers*, 262, quoting, J. C. Gorst, "The Education Bill," *Nineteenth Century* 308(1902).

[38]Munson, *Unionist Coalition*, 639, citing, Chamberlain to Balfour, 31 Aug. 1902, Chamberlain MSS, J.C. 11/5/8; Chamberlain to Balfour, 13 Sept. 1902, Balfour MSS Add. MSS 49774, ff.32-33; and Collings to Long, 25 Sept. 1902, Balfour MSS, Add. MSS 49776. ff. 27-30.

among the managers.[39] Nevertheless, Morant considered that Chamberlain's reserved subjects' scheme was unworkable. He was in favour of leaving the managers alone.[40]

As became evident when the question of putting all the managers in charge of religious instruction--the Kenyon-Slaney amendment--came up in the Commons, Morant's assessment was wrong. There was a lot of argument, but only forty-one members were opposed.

However, Balfour's nerves were stronger than Morant's. He wrote to Chamberlain in late September disagreeing completely with four managers representing the LEA. It would not satisfy the Opposition; it would permanently upset the Bill's supporters; and Chamberlain apparently had forgotten the Roman Catholics. If the Irish joined forces with Lloyd George the Government would be in even greater difficulty. And Devonshire, who was still responsible for the Bill in the Lords, strongly supported Balfour's position. Balfour told Archbishop Temple, that, considering

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[39]See Balfour's explanation regarding the Kenyon-Slaney amendment, moved on 31 October, p.

[40]Gordon, *School Managers*, 258-59, citing, Morant to Sanders, 28 Aug. 1902, Balfour MSS, Add. MSS 49787, ff. 70; Mackay, 106-7, citing, Morant to Sandars, 28 Aug. 1902, Balfour MSS, Add. MSS 49789, ff. 73-76; Dugdale, 327; Gordon, ibid., 261-62 and Munson, *Unionist Coalition*, 634, citing, Morant to Davidson, 10 Sept. 1902. Davidson MSS, Lambeth Palace Library, Education/Box 1894-5, 1901-2, no f; and Gordon, ibid., 259, citing, Morant to Balfour, 19 Sept. 1902, Add. MSS 49787, f. 81.

how little the managers had to manage, the argument "'seems rather absurd.'"[41]

Balfour did try to settle the single-school district issue. The Bishops of Winchester and of Manchester, Sir Robert Finlay, the Attorney-General, Anson, and Morant met with Balfour at Whittinghame and rejected a proposal by the Bishop of St David's which would allow the managers, or failing them the LEA, to provide extra religious instruction where desired. It was too difficult to draft a section to apply only to rural parishes, and it would reopen the Clause 27 controversy of the 1896 Bill. In telling Dr. Temple of the decision, Balfour said that he would accept anything which was "'just and reasonable.'"[42]

Shortly before Parliament reconvened the two Unionist leaders met their supporters. Chamberlain met his in Birmingham on 9 October. He was "'extremely dexterous...as might be expected. They came to curse and most of them went away ready to bless.'" The *Manchester Guardian* said that

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[41]Mackay, 107, citing, [Balfour to Chamberlain?] Chamberlain Papers, J.C. 11/5/9 (endorsed original missing E.D.).Mackay considered that it was written before 28 Sept. 1902; Munson, *Unionist Coalition,* Balfour, Memoranda, 6 September 1902, CAB 37/62/130 and CAB 1/3/61. Gordon, *School Managers,* 261-62, Devonshire to Chamberlain, 2 Oct. 1902; Chamberlain MSS. J.C. 11/11/11; and Balfour to Temple, 1 Oct. 1902. Temple MSS, Official letters, Vol. 53, f. 336.

[42]Munson, *Unionist Coalition,* 638-39, citing, Balfour to Tenple, 1 Oct. 1902, Davidson MSS Box/Education 1894-95, 1901-2, ff.332-33; and Ed. 24/25/289; and Balfour to Edward VII, 12 Oct 1902, CAB 41/27/30.

Chamberlain was adamant: he told the meeting that he would gladly hear any suggestions, but the Bill would not be withdrawn. While a later report stated that Chamberlain was supported by 90 votes to 20. Chamberlain wrote to Sandars after the meeting, and asked for the management issue to be closed; he said that although a resolution had been passed against Clause 7, he had refused to listen to any attack on the Clause or the Government: "Despite the 'awful tangle,'...nothing would induce me to withdraw the Bill for a second time. I would much rather resign".[43]

However, Herbert Gladstone, the Liberal Chief Whip, considered that Chamberlain would not be able to control the Liberal Unionist revolt; and Bryce wrote that: "'There is a general impression about that the ministry is tottering and will either have to drop the Bill or be, not unwillingly, defeated.'"[44]

Balfour thought differently. Two days before Parliament resumed he went up to his constituency in Manchester where he made two speeches, the first to the Liberal-Unionists. He said that it was laughable that a

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[43]Munson *Unionist Coalition*, 639-40, quoting, Sir Edward Hamilton MSS diary, 10 October 1902, Hamilton MSS, B.L. Add MSS 48680, f. 33; *Manchester Guardian*, 10, 11 October 1902; and Chamberlain to Sandars, 9 Oct. 1902, Ed. 24/25/291; quoted by Munson, ibid.

[44]Munson, *Unionist Coalition*; 640; quoting, Bryce to the Marquess of Ripon, 22 Sept. 1902, Ripon MSS, B.L. Add. MSS 43542, ff. 17-18.

measure, which was to be piloted through the House of Lords by the Duke of Devonshire and was defended by Chamberlain with that "immutable lucidity and unexampled command of language,"[45] should be some deep clerical plot. In the second speech, Balfour spoke of the patriotism engendered by the South African War. As to why he had "'disturbed the social peace,'" the educational system was "chaotic..., innefectual [and] behind the age."[46] The country was the laughing stock of all the advanced nations. The Government could not allow that to continue. As to the religious difficulty, "the real control of denominational schools [was] not in the so-called managers," but with the LEAs. For people to refuse to pay their rates was quite unworthy of a free country; he had never known "misrepresentation taken to such cynical lengths."[47]

It was quite clear now that the Government would do all that was necessary to push the Bill through.[48]

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[45]*Times*, 15 October 1902, 5.

[46]Ibid.

[47]*Times*, ibid., 5; leader, 7; see also Munson, *Unionist Coaltition*, 641; Mackay, 108-9; Dugdale, 1: 324-25.

[48]*Times*, 15 October 1902, 7.

CHAPTER IX

THE EDUCATION ACT: PART II:

OCTOBER-DECEMBER 1902

By October 1902 the opposition to the Bill had solidified. It was still hoped that the Bill could be defeated; and both opposition and supporters made strenuous efforts to encourage their friends and confound their enemies. However, many Tories were appalled by the furore which had arisen. Rumours circulated about the ministry's ability to survive, made more plausible by backbenchers' dismay at the extension of government powers and increases in the rates. Campbell-Bannerman told Bryce: "'All the casual Tories I have met take our line. Why the....did they meddle with this hornet's nest? What the country wants is higher educ. & technical...What tempted them to meddle with the School Boards?'" While Bryce suggested to Herbert Gladstone that the Cabinet "'will have to strain the loyalty of their own men to carry the Bill.'" Nevertheless, for the backbench Unionist, as it had been for the Cabinet earlier, the Bill was the only alternative to a humiliating defeat.[1]

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[1]Munson, *Unionist Coalition*, 639-41, quoting, Campbell-Bannerman to Bryce, 23 Sept. 1902. Bryce MSS, Bodleian Library, UB 32, no f; Bryce to Gladstone, 29 Sept. 1902. Viscount Gladstone MSS, British Library, Add MSS 46019, ff. 71-72; For backbench displeasure see letter in *Leeds and*

The autumn session of Parliament began on 16 October, and Balfour immediately moved, over Lloyd George's objections, to give Government business priority,[2] which was only approved over "explosive protests by the Irish members," whose support of the Bill had been questioned at home. Obstruction that upset the Roman Catholic Church which educated thousands of Irish children in England. Not that the Bill was in danger so long as the Unionist majority held.[3]

Consideration of Clause 8 (Section 7 of the Act) began on 17 October and lasted for the rest of the month. Grants under the Voluntary Schools Act would be paid to the LEAs, which would be responsible for all the expenses of provided and non-provided (voluntary) schools, except for those for which the managers of the latter were responsible. In addition ministers promised that amendments would be introduced which would allow teachers and pupil-teachers to be appointed regardless of their religion; the dismissal of non-provided school teachers would be subject to the LEA, except for religious reasons; the LEAs would fix all

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Yorkshire Mercury, 16 October 1902, and Sadler diary, 17 August 1902, MS Eng Misc e 205, f. 97.

[2]Gullifer, 83, citing, R. E. Welsh, *The Capture of the Schools* (London, n.d.), 39; *Times*, 17 October 1902, 4.

[3]Redmond, the Nationalist leader was in the United States: "When he returned he would have his hands full getting rid of the mess his less astute colleagues have spent their time making." *Times*, 21 October 1902, 7.

teachers' salaries; women would be able to sit on education committees and act as school managers; and the 1903 Code would deal with the extraneous duties of teachers.[4]

The Government originally intended to repeal the Voluntary Schools Act, but realized that if it had, it would throw an even greater burden on the ratepayers. The other changes were either continuing past practice, women sat on the school boards, or were things that should have been done long before.

The Unionists were greatly encouraged when it was announced on 22 October, that J. Lockie had captured Devonport for the Conservatives in a by-election; but Opposition resolve did not weaken.[5]

On 24 October Balfour scolded the Opposition that although he had received every courtesy from them, in the seven days since Parliament resumed only eleven lines had been passed. Chamberlain was blunter: "If this is not obstruction I would like to know what was."[6]

However, the *Times* commented, "While the Opposition keeps up the semblance of a campaign, the Bill makes steady

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[4]*Times*, 18, 21, 23, and 24 October 1902. Teachers had complained for years about extraneous duties, from cleaning the school to playing the church organ.

[5]"Election Intelligence," *Times*, 23 October 1902, 5.

[6]*Times*, 24, 25 October 1902.

progress."[7] It compared Balfour's handling of the Bill with the Home Rule Bill of 1893, when "large blocks were put through without discussion." Furthermore, Asquith speaking at Pontypool did not appear to be as confident as Dr. Clifford, that the Bill "could be killed by the rising tide of popular indignation" sustaining "an inch-by-inch" campaign in the Commons. Nevertheless, Lloyd George said that this fight would not end with the Bill's passage as in 1870: "That this was only the beginning."[8]

Another mass meeting was held on Saturday, 1 November, at the Alexandra Palace and was addressed by the opposition leaders. Campbell-Bannerman accused the Unionists of persecuting the school boards which were efficient--he mentioned Cockerton's name which was hissed--and planning so that no child would be educated above his station. The Conservative aims were to preserve the Church-schools and keep the rates down. Dr. Clifford compared the Liberal Party to the valley full of dry bones in Ezekiel 37, which stood up and came to life. The Bill, he said, was quite

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[7] *Times* (leader), 31 October 1902, 7.

[8] *Times*, ibid. Printing House Square must have been in a benign mood. They could have added that the fight did continue after 1870, but that it was an internicine fight within the Liberal Party which contributed greatly to their loss of the 1874 general election.

unworkable. The crowd then started to drift away, and four Liberal MPs never had a chance to speak.[9]

However, the day before, on 31 October, Colonel Kenyon-Slaney (C. Shropshire, N.), had moved an amendment to the Bill, which made its passage through Parliament, and ultimately public acceptance a great deal easier.[10] Religious instruction in a non-provided school would be "in accordance with the tenor of the provisions (if any) of the trust deed...and...under control of the managers." He said that it prevented one person imposing his will on the scholars; it was aimed at "extreme minded men...who perhaps chiefly belonged to his church."[11] Anson immediately accepted the amendment. Lord Hugh Cecil said that Parliament "did not appreciate the feelings of pain and bitterness that would be excited outside."[12] However, after

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[9]*Times*, 3 November 1902, 7

[10]"London Education and the Act of 1902, *Quarterly Review* 197(1903): 629-30.

[11]At the Bellesdon National School in Leicestershire, the incumbent, the Reverend C. R. Foulkes, who had earlier lost nine-tenths of his congregation, dismissed the headmaster, whereupon almost all the children were withdrawn from religious instruction. Neither the sponsor, Lord Churchill, nor Yoxall who did get the headmaster reinstated, nor Morant were able to settle the matter satisfactorily, but the Kenyon-Slaney amendment would. Gordon, *School Managers*, 264-69, citing, Morant to White (a Charity Commission official), 1 Dec. 1902. Ed. 21/10/99. See Appendix , for a brief description of Ritualism.

[12]*Manchester Guardian*, 1 Novemeber 1902, 5; See Morant's perturbation and comments on Balfour's "pet points" in Chapter VIII.

a long debate the amendment to Clause 8(3) was accepted by 211 votes to 41. But Lord Hugh continued his attacks: Balfour, he charged, had not made it clear that the control of religious instruction by the managers had been part of the Government's plan. This Balfour denied, and he warned the High Church party that they were "'unhappily separating certain classes of ecclesiastical opinion from the great body of opinion in this country.'"[13] It was dangerous to the cause of religion in general and to the Church of England in particular.[14]

Almeric Fitzroy found it curious that the Government, which had been bitterly attacked for allegedly surrendering to the bishops, should have shown how little real influence the Church really had.[15]

However, the amendment was not as damaging to the Church as a first appeared. Schools where religious instruction was entrusted to the incumbent were unaffected; and if there was not a trust deed the Board of Education had drawn up a model one, and it was far from oppressive.[16]

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[13]Dugdale. 1: 327-28.

[14]Ibid.; *Manchester Guardian*, 1 November 1902, 5.

[15]Gordon, *School Managers*, 268-69, citing, Almeric Fitzroy, *Memoirs* (New York: Geo. H. Doran, 1925), 112-13.

[16]See "The Autumn Session," *Blackwood's Magazine*, December 1902, 867-73. The Archbishop of Canterbury took counsel's opinion on the amendment. Mr. Dankwerts K.C. said that only the character of religious instruction in accordance with the tenets and doctrines of the Church was preserved, and that there would be great difficulty in withdrawing schools from

It was anticipated that the great Albert Hall meeting organized by the Church for 14 November would become a protest meeting; but both the Bishops of London and Rochester supported the Bill. A motion by Lord Hugh Cecil, that the duties of the incumbent to supervise religious instruction were insufficiently recognized, and that the Bill should safeguard them, was carried overwhelmingly.[17]

On 3 November, Clause 9--that anyone wishing to build a new school must give notice--was passed with only one amendment; but it took five divisions to vote down six other amendments, and closure was only accomplished after two more votes. The next day Balfour introduced a new form of closure. A vote to move closure by sections would no longer need the Chairman's approval first (the penultimate vote on the previous night); a timetable would be established, with votes on different parts of a clause being taken every two hours. It was immediately attacked by the Opposition on the authority of Anson, Ilbert, and of the Fourth Party: Lord Randolph Churchill, Balfour, Gorst, and Ritchie (now Chancellor of the Exchequer).[18]

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their use as public elementary schools. Gordon, *School Managers*, 269-70, citing, Copy of Opinion of Mr. Dankwerts K.C., 5 December 1902, Temple MSS, vol. 53, ff. 370-71.

[17]*Times*, 15 November 1902, 8.

[18]"Provision of New Schools," *Manchester Guardian*, 4 November 1902, 7. This Clause became Section 8. Anson, a constitutional lawyer, had written, *The Law and Custom of the Constitution*, Pt. 1 (1886), Pt. 2 (1892). *Concise DNB*, Anson, Sir William, s.v.

The amendments to Clause 12 (the powers and composition of the education committees), that all educational matters should be referred to the committee, that women and the representatives of local educational interests should sit on the committee, and that only finance was reserved to the local authority, were generally well-received. The Opposition spun out the debate, and on 11 November Balfour moved a resolution to establish a timetable for the rest of the Bill's progress in the Commons. Despite an admonitory letter to all Liberal MP's from the Chief Whip on the instructions of Campbell-Bannerman, "the Opposition did not assemble in formidable numbers to support the uncompromising amendment of which Sir Henry Campbell-Bannerman had given notice," and the debate was considered tame.[19]

The *Economist* strongly opposed closure by compartments. For measures needed to keep the public peace, the Crimes Bill or the Evicted Tenants Bill, necessity justified the means; but the Nonconformists as ratepayers were working towards a long controversy. Unionist morale would collapse if the Bill was withdrawn; therefore, the Party was to be saved at the expense of the House. Moreover, the Government

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[19]*Times*, 8 November 1902, 11, 14. This Clause became Section 17. Ibid, 12 November 1902, 6-8, 9; The letter stated, in part, that the attendance of members "had not been so full or regular as the importance of the subject and the intense interest taken in it by supporters in the country would seem to demand." *Manchester Guardian*, 10 Novem. 1902, 4.

could manipulate closure by compartments; not that Balfour could be accused of that, and his argument was reinforced by the reiteration of points already made during the Second Reading. The Bill should have been introduced before Easter, and the changes in the rules referred to a select committee.[20]

At a private meeting of Welsh Liberal MPs in early November, Lloyd George proposed that an amendment be moved which would place the Welsh secondary schools under the counties as in England, instead of the joint board which administered them under the Welsh Intermediate Education Act. Several MPs argued that the system was perfectly satisfactory, but Lloyd George got his way by his "tremendous determination and driving force".[21] On 12 November Sir Alfred Thomas moved the amendment. Only Bryn Roberts (L. Carnarvonshire) objected pointing out that it was upsetting perfectly good arrangements. Lloyd George made a short speech, and Balfour agreed to the amendment hoping to appease the Welsh. But it was a trap for an unwary Government.[22]

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[20]*Economist*, 15 November 1902, 1756.

[21]Grigg, 34-35, citing, Hebert Lewis, Diary, quoted by K. O. Morgan, *Wales in British Politics, 1868-1922*, 187.

[21]*Times*, 13, 14 November 1902; Grigg, ibid. Grigg states that Lloyd George did not speak on the amendment, but the *Times* reported that he did. It might have made Balfour suspicious if he had not: Monmouth and Durham County Councils had passed resolutions against the Bill on 5 November, (*Manchester Guardian*, 6 November 1902, 4), Denbigh on 6

The subsequent debate was devoted almost entirely to endowments. Lloyd George spoke six times. The argument was whether and if so in what amounts, endowments should go to the LEA or the school managers. Bryce and the Welsh members argued that it should not be decided by the Board of Education, but that the Board of Education should hold a local inquiry; the Government agreed, but Gorst jumped up and moved an amendment that the local authority should pay for the inquiry which was accepted by the Government. Lloyd George tried to get out of the trap: he said that he only wanted some discretion to be given to the Board of Education. However, the House divided 180 votes to 90, although the Opposition did pick up an extra ten votes on whether an endowment should be credited towards a particular parish.[23]

In a brief digression to the Report stage of the Bill's financial resolution, Balfour announced that the grant to LEAs would be increased from £930,000 to £1,300,000, but LEAs would have to raise a 3d. rate or the grant would be reduced *pro tanto*.[24]

November and Cardiganshire on 7 November, *Times*, 8 November 1902, 8. County control could be used to embarrass the Government later.

[23]*Times*, 18 November 1902, 6. Section 23(9) and (10).

[24]*Times*, 19 November 1902, 6.

Returning to the Committee stage of the Bill on 19 November 1902 Trevelyan considered that after the Bill's implementation there would be few subscribers left;[25] and Lloyd George, who spoke eight times, said that the clergy could pick and choose subscribers. Balfour dismissed both arguments: the denomimations would no longer have to make sacrifices; furthermore, the Board of Education would not allow clerical preponderance on the boards of management.[26]

A number of new clauses were added to the Bill as the Committee stage drew to a close: The first placed the foundation managers within the ambit of the Education Acts 1870-1900 and of the Bill, while the second requiring fees charged by voluntary schools to be split with the LEA raised the Oppostion to new peaks of indignation. Dr. Macnamara protested that the Church would be able to duck its responsibilities to keep up the fabric of the schools; and Lloyd George drew a picture of the bishops brandishing their croziers in the faces of the ministers of the Crown in order to gain concessions. Anson explained that it had been

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[25]Henry (later Viscount) Chaplin (Mid-Lincolnshire, C.), who had been President of the LGB until 1900, had earlier made the same point in a speech to the Central Chamber of Agriculture: that because of falling agricultural values owners of estates might not be willing to pay both rates and subscriptions. "The Death Knell of Voluntary Schools," *Manchester Guardian*, 5 November 1902, 7.

[26]The arguments of Trevelyan and Lloyd George were diametrically opposed: the incumbent could hardly pick and choose if there were only a few subscibers. *Times*, 20 November 1902, 6-7.

customary to use fees collected from rent of the building towards repair of the fabric, and that now the LEA would share in them. The third made the Scilly Islands Council an LEA, and the fourth permitted LEAs to maintain marine schools for the children of Admiralty employees, orphanages, industrial schools, and other boarding institutions. The Opposition complained that many of the schools had enormous endowments, or had laundries and other profitable departments, and the interest of the public had to be protected. Anson and Balfour both pointed out that the institutions were public elementary schools under local authorities and had received grants for years, although some children came from outside the district.[27] The Committee stage was now virtually complete.

The *Times* considered that the Liberal Party had not gained much from the Committee stage. Lloyd George had drawn lurid pictures of bishops terrorizing the ministers; yet the bishops had little influence on the Bill, and the later divisions showed no real resistance to the ministerial proposals. The Government had neither gained nor lost, but could credit themselves that they had "turned the edge of an Opposition which was confident not long ago that it would be

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[27]Sections 14, 15, and 26. Also moved was Schedule I, the conduct of Education Committees, and managers; Schedule II, references to previous acts were aligned with the Bill; and Schedule III, the Technical Instruction Acts, 1889 and 1891 were amended in line with Part II of the Bill. *Times*, 21 November 1902, 4-5.

able to wreck the Bill and, probably even to destroy the Government over it."[28]

Subsequently, Dr. Clifford addressed a demonstration in Birmingham Town Hall. He said that Nonconfomity had been roused as it had not been for thirty years. The Bill was a menace to the national well-being, but an unspeakable advantage to the Free Churches. When Parliament resumed, he was sure that the ministers had seen enough of the temper of the country that they would not try to push the Bill through. He thought that they would compromise and make concessions. The Opposition should not let the Bill pass, and when they regained power repeal it; but fight on until there was not the slightest strain of sectarianism. That would only be fair to the children, the teachers, and the public who paid.[29]

During the Report stage Lord Hugh Cecil moved a clause establishing a "right of entry", that where there were sufficient children they could receive religious instruction from their minister, or that parents could withdraw their children.. Bryce approved, and Balfour said that had the clause been suggested during Second Reading it might well have become part of the Bill; at this late stage it would create tremendous controversy, and prove to be unworkable.

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[28]*Times*, 21 November 1902, 7.

[29]*Times*, 24 November 1902, 4.

Lloyd George agreed: in Wales each party would use it to destroy the other; there would be constant "lamb stealing," and many "little Fashodas." The Clause was defeated by 243 votes to 57.[30]

However, Lloyd George's power as a debater, "his increasing influence over the minds of other members,"[31] and the magnetic effect of his speeches was demonstrated when he rose during the Third Reading debate. For the first time the outer lobbies were empty and the benches thronged, to hear a speech remarkable for its combative spirit. Brilliant and sustained raillery occasionally expanded into broad comedy. In concluding the debate, Balfour paid tribute to Lloyd George; he had played "a most distinguished part" throughout the debates and had "shown himself to be an eminent Parliamentarian."[32]

Bishops Talbot of Rochester, Davidson of Winchester, and Gore of Worcester attacked the Bill in the House of Lords, and Archbishop Temple, nearly blind, spoke against it; but all to no avail. The Bill passed on 18 December.[33]

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[30]*Times*, 26 November 1902, 11. The reference to "lamb stealing" recognizes the large part that sheep played (and still play) in the Welsh rural economy.

[31]*Manchester Guardian*, 4 December 1902, 8; Grigg, 33, quoting, *Hansard parliamentary debates*, 4th ser. vol. 115, (1902), cols. 1170-80.

[32]Ibid.

[33]Gordon, *School Managers*, 269-70.

For Balfour it was a parliamentary triumph. At the zenith of his career, he had shown what could be done by a statesman when he considered that he was "pressed by dire necessity."[34] The Bill was not his responsibility, but he rescued the Coalition from its extremity, his "name will always be linked with education departure,"[35] and he was congratulated by the King on "'the skill, temper, and patience which, if he may be allowed to say so, you have shown in steering such a difficult and controversial Bill through the House.'"[36]

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[34]Mackay, 109.

[35]Ibid.

[36]Munson, *Unionist Coalition*, 641, quoting; Lord Knollys to Balfour, 5 Dec. 1902, Add. MSS 49683, f. 114.

CHAPTER X

AFTER THE ACT

Developments following the passage of the 1902-Act fall into three distinct divisions: (1) Passive resistance to the implementation of the Act in England by organizations and individuals, and in Wales by the LEAs supported by the powerful political skills of Lloyd George; (2) the Education (London) Bill; and (3) the implementation of the Act itself, and in particular the controversies subsequent to the Secondary School Regulations of 1904.

I

Passive resistance in England meant rate-refusal. However, Nonconformist politicians first asked whether they should sit on the new education committees. Because it would "'minimize its [the Act's] mischief and prepare for something better,'" the answer was yes.[1]

First suggested by George White, a Liberal M.P. and Baptist, rate-refusal was publicised in the *British Weekly* of 3 April 1902 by Robertson Nicoll, the editor. To organize the campaign the National Council of Free Churches

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[1]D. R. Pugh, "English Nonconformity, Education, and Passive Resistance 1903-6, *History of Education* 19(1990):358, quoting, an editorial in the *Methodist Times*, 18 December 1902. Similar opinions were found in other Nonconformist publications. Ibid., n. 22.

spun off the National Passive Resistance Committee with Dr. Clifford as Chairman. A magazine, the *Crusader*, was published, and local groups were formed all over the country.[2] Kekewich became a leading advocate after he retired. He argued that a Liberal Government would succeed the Unionists, and drastically amend or repeal the legislation; and he described many legal ways of challenging one's rates.[3]

Rate-refusal began in April 1903. Those convicted of not paying their rates had their goods distrained or were imprisoned. By March 1906 70,000 summonses had been served, many to repeaters; 586 auctions of distrained property had been held; and by February 1907, 190 persons had been imprisoned. However, Machin suggests that by the time of Balfour's resignation the movement was winding down.[4]

Those sentenced to prison were given a week to order their affairs; then they were escorted to prison by a sympathetic crowd. If in prison on a Sunday a service was held within earshot outside; and when released they were

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[2]Pugh, *English Nonconformity*, 360; Machin, 266-67.

[3]Sir George Kekewich (who had formally retired in 1903), "The Church and the Education Act," *Contemporary Review* 83(June 1903): 779-86; and idem., "The Amendment of the Education Acts," ibid. 84(October 1903): 457-68.

[4]Ibid., 360; Machin, 266-67.

escorted to a welcoming breakfast,[5] a procedure soon to be followed by the militant suffragettes.

Pugh suggests that if the Unionists had not been in such disarray in 1905 they may well have compromised, but they considered that there was no point in making the effort and left the problem to the Liberals. Although twenty-six rate-refusers were elected as Liberal M.Ps in 1906, Kekewich among them,[6] the Liberal Government was not completely trusted by the movement. To the rate-refusers, the 1906 Education Bill was wholly satisfactory; however, it was defeated in the House of Lords, as were two other amending bills.[7] The reasons why the Liberals did not repeal the Act, "although elected with the specific intention to do so," were that by 1906 religious controversy had died down; the Act was seen to be working reasonably well; and there was a general feeling that leaving Churchmen with a grievance would only reopen the controversy.[8] There is no mention of passive resistance in the Index to the *Times*

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[5]Pugh, *English Nonconformity*, 369-70, citing, "The arrest of Rev. W. J. Potter at Stourbridge, Wilts.," *British Weekly*, 20 October 1904.

[6]Michael Dawson, "Money and the Real Impact of the the Fourth Reform Act," *Historical Journal* 35(June 1992): 369-82. Kekewich was elected as MP for Exeter, but became involved in a suit concerning election bribery and did not run again.

[7]Ibid, 372-73.

[8]Gullifer,93; Noel J.Richards, "The Education Bill of 1906 and the Decline of Political Nonconformity," *Journal of Ecclesiastical History* 23(1972): 49-63.

after 1910, and though the movement continued, it was effectively at an end.[9]

Neither was Nonconconformity unanimous. The Quakers and the Salvation Army took no part in the movement. Members of the small Presbyterian Church of England largely followed a leading divine, Dr. Munro, who considered that the rate demands were not unconstitutional and should be paid, and that the Kenyon-Slaney clause was an honest attempt to reduce "'outrages on the sacred right of conscience.'"[10]

The Wesleyans remained split: the majority had strongly opposed the Bill, although a minority led by Dr. Waller had supported it. Following the sudden death of the Reverend Price Hughes in November and the passage of the Bill in December, the controversy began to subside. But when Dr. Waller informed the managers of Wesleyan schools how they could obtain the badly needed funds, R. W. Perks, M.P.,[11]

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[9]Dr. Clifford, who died in 1922, never paid his educational rate. Pugh, *English Nonconfomity*, 372-73.

[10]The Presbyterians had 76,000 communicants. Pugh, *English Nonconformity*, 360, citing, *Prebyterian*, 6 August 1903, and letter to editor, ibid., 15 January 1904.

[11]Perks was the chief opponent in the Commons to plans for the creation of a Catholic university in Ireland in the 1890s, and after becoming "disenchanted with the big spending policy of the" Progressives on the LCC, which he feared were infecting the Liberal Party, broke altogether with the Party over the 1909 budget. D. W. Bebbington, Electoral Sociology, 1867-1918," *Historical Journal* 27(1984): 653.

who had assumed Price Hughes' leadership role, strongly objected. It was inconceivable, he argued, that Wesleyans should share in the plunder. Although he received considerable support, Wesleyan opinion was changing: moderates picked up a suggestion that two managers in each school should be elected by the parents. It was quickly approved by the Board of Education--those elected were deemed to have been appointed by the Church--provided that the minister sat *ex-officio*. Although approved by Synod in 1903, it was attacked by other Nonconformists, whereupon Synod passed a "lukewarm resolution expressing sympathy" with passive resistance. But officially the matter was closed.[12]

In predominantly Nonconformist Wales the actions of the LEAs were much more serious: the grievance against Anglican-single school districts was widespread; and because the successful operation of the Welsh Intermediate Education Act ensured that there was no serious shortage of secondary school places, the benefits of the 1902 Act were far less apparent than in England.[13]

On 17 January 1903 Lloyd George stated that because the 1902 Act did not specifically state that rate-aid had to be given to voluntary schools in all circumstances, it should

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[12]Pugh, *English Nonconformity*, 355-58.

[13]Machin, 268-69.

be withheld unless the trustees accepted full public control. Most Welsh LEAs agreed except for Brecon and Radnor which had Conservative majorities. However, Dr. Edwards, the Bishop of St. Asaph, and a friend of Lloyd George suggested a compromise: the voluntary schools would follow the agreed syllabus and religious instruction would be given outside school hours. County council delegates agreed to this on 27 February 1903, and again on 24 March in London, but the agreement appeared shaky. To buy time the implementation date was postponed to 1 February 1904. But Welsh resistance was encouraged by the religious revival of 1904-5, and the local government elections which returned anti-Unionist majorities. Morant and Balfour then planned the Education (Local Government Default) Act which provided that the amount owed to the voluntary schools was deducted from the local authorities' grants and paid directly to the schools. But they were very cautious in its use. By 1906 it had been applied to Merioneth, Montgomery, and Glamorgan; but only in Merioneth were large numbers of children withdrawn from school. In England only Cambridgeshire followed suit, although the West Riding withheld a portion of the voluntary schools' headmasters' salaries, an action the courts considered illegal.[14]

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[14]Machin, 268-69; Gareth Elwyn Jones, "The 'Welsh Revolt' Revisited: Merioneth and Montgomery in Default," *Welsh History Review* 14(1983): 417-38; E. J. R. Eaglesham, "The Centenary of Sir Robert Morant," *British Journal of Educational Studies* 12 (November 1963): 7.

Welsh issues became further confused by a demand of the LEAs, prodded by Lloyd George, for a Welsh National Council for Education. The Central Welsh Board (CWB) had supervised the Welsh-Intermediate schools since 1896. But the county schools established under the 1902 Act did not come under the CWB, and they received higher grants under the Secondary School Regulations of 1904. Protracted negotiations between the LEAs and the Board of Education ended when Anson and Morant used the excuse of a lack of Welsh unity, although earlier the Cabinet had been close to agreeing.[15]

With the Liberal victory in 1906, the revolt could be called a success, and Part V of the 1906 Bill gave Wales effective educational autonomy. But the Bill did not pass and all that was gained was the establishment in December 1907 of a Welsh Department within the Board of Education.[16]

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[15]The Charity Commission controlled the schools prior to 1896. Leslie Wynne Evans, ""The Welsh National Council for Education, 1903-6," *Welsh History Review* 6(1972): 49-86, citing, Balfour to Edward VII, 29 June 1904, P.R.O., Cabinet Letters to the Sovereign; *Times*, 4 June 1896, 14, quoting, *Report of the Charity Commission*, 1896; and *Times*, 17 July, 10, quoting, *Athenaeum*, n.d.

[16]Evans, 86-87; E. W. Jenkins, "Science Education and the Secondary School Regulations," *Journal of Educational Administration and History* 10(1978): 36, n. 40, gives the date as February 1907, and notes that "from 1908 onwards separate, but similar, regulations were issued for England and Wales."

II

A resolution on London education was adopted by the Fabian Society three days after the 1902-Act had received Royal Assent:

(1) London needed a comprehensive and integrated educational system from infant school to university;

(2) Because of the heavy rate the London County Council should be the LEA, and should appoint a committee with a minority of co-opted members, and for which all present members of the LSB would be qualified; and

(3) The LCC should be in the same position as a county borough, and co-operation with the metropolitan boroughs should be through local committees, half appointed by the LCC and half by the borough council, taking over school management and generally supervising the schools. They should be able to authorize repairs up to a fixed amount, and organize prize-giving and similar events.[17]

Written by Sidney Webb the proposals were the opening shot in a campaign by Sidney and Beatrice Webb to give London a rational educational framework.[18]

The problem in London was that although there was an adequate number of secondary schools, there was no organic

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[17]*Times*, 19 December 1902, 4.

[18]Sidney Webb was the driving force behind, with Haldane, the reorganiztion of London University; and the founding of the London School of Economics, the London Day [Teachers'] Training College (now the London University Institute of Education), and the Imperial College of Science. He was Vice-Chairman of the London TEB in 1902-3. See Brennan, 36-47.

relationship between them and the elementary schools; and about half of the secondary schools lacked the means to adequately pay their staff. Furthermore, although the LSB schools, together, were equal to any in the country, there were very wide variations in quality. The Jewish, Wesleyan, British, and perhaps 30 of the 331 Church schools were adequate, but 300 Church schools, and all the Roman Catholic schools had fallen "calamitously behindhand."[19]

The Webbs had become closely associated with Morant in April 1902 when Morant stayed with them and spent many hours discussing "the best way of so influencing the Cabinet and its advisers that we get a good authority for London."[20]

Towards the end of 1902 Morant dined with the Webbs to discuss the London Education Bill He said that he had drafted a two-clause Bill for London, and had run head first into opposition from Walter Long (President of the LGB), who, "elated with his triumph over...the Water Board, says 'he will be d---d before he sees the L.C.C. the education authority.'"[21] Morant saw political difficulties ahead

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[19]About 200,000 children had no hope of winning any of the scholarships etc., available. Sidney Webb, Fabian Tract No. 117, *The London Education Act, 1903: How to Make the Best of It*, in Brennan, 111-12.

[20]Beatrice Webb, Diary, April 1902, *Our Partnership by Beatrice Webb*, 239-40.

[21]Beatrice Webb, Diary, n.d., but the last entry for 1902, Ibid., 250-51; Ironically, while the Government was fighting the Education Bill through Parliament, in part to get rid of *ad hoc* bodies, they pushed through the Metropolitan Water Act which established the Metropolitan Water Board, an *ad hoc*

because no one wanted any particular change "sufficiently to get discordant views into line." The Church wondered whether it was worth it; the Unionist MPs "were terrified at the N.U.T. on the one hand, and the Tory political worker on the other."; and no cabinet minister "is keen to enhance the dignity of the L.C.C. though all except Long realise that the borough councils would be impossible."[22]

The educational dificulties to be surmounted were that: "The political Conservative [was] dead against the L.C.C. for London"; the Liberals were in favour of an *ad hoc* body; and the Progressives on the LCC had only held their tongues because they were frightened education would go to the metropolitan boroughs. However, Haldane had got the *Times* on the Webb's side, and Sidney Webb despairing of convincing the Cabinet wrote to Harmswoth, the proprietor of the *Daily Mail*, whom he had never met, stating that the Government was going to establish an indirectly elected authority like the Metropolitan Board of Works, and "he was sure that the London Conservative M.P's would not stand it." The Government would have to give way, and the *Daily Mail* would

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body, instead of giving the function to the LCC. The reason was largely political: the 1900 LCC-election had returned 84 Progressives, 32 Conservatives and Unionists, and 2 independents. *Times*, 4 March 1901, 7.

[22]Although the LCC had been established under the Local Government Act, 1888, the vestries, boards of work &c. had retained their powers until the London Government Act, 1899, created the 28 metropolitan boroughs which took office in 1900. See the *Times*, 18 March-19 July 1899.

have the credit. Harmsworth asked Webb to call, and for a week he corrected reports and paragraphs on London education. It was not known how much difference this made;[23] but the support of influential newspapers is always useful.

Beatrice Webb's diary entries show how the Government was so demoralized by by-election defeats at Woolwich and Rye that they first refused to introduce the Bill, and then considered an *ad hoc* authority for London.[24] But Sidney Webb suggested that it would be dominated by Dr. Clifford and Dr. Macnamara, and this frightened the Government into introducing the Bill on 3 April 1903.

Progressive members of the LCC, including Ramsay MacDonald. and others who were Liberals nationally and largely Nonconformists, were unhappy with what they saw as the Webb's "back-stair" influence in working to make the LCC the LEA for London. They wanted an *ad-hoc* body and un-

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[23]Beatrice Webb, Diary, 1 February, Our Partnership, 257-58, n. 1.

[24]"William Crooks won a notable bye-election for Woolwich in 1903." Beatrice Webb's Diary, 27 March 1903, ibid., 262-63; The writers great-grandfather, Colonel (later Sir Edwin) Hughes, had been elected as a Conservative in 1895 and returned unopposed in 1900. When he retired in 1902, Lord Charles Beresford, a distinguished admiral, was elected as a Conservative. The 1903 election was caused by Beresford being ordered to sea. See also George Hand, *From Workhouse to Westminster: The Life Story of Will Crooks, M.P.* (London: Cassell & Co., 1907).

sectarian education. Beatrice Webb wrote that the "Crooks election had swelled the Progressive head."[25]

Borough representation on a central committee was inserted in the Bill "to be knocked out in Committee"; and on 29 April Beatrice Webb wrote that the Progressives on the LCC were coming round to the Webb's point of view because of "the natural desire of a public body to increase its dignity and power overcoming...party feeling." And on 15 June from Aston Magna, Gloucestershire, she wrote that the London Education Bill had left Committee eighteen days earlier, "in almost exactly the shape Sidney would have given it."[26]

Beatrice Webb, in her diary, points out that public opinion had to be manufactured. It was not spontaneous; and she asked herself whether it was morally permissible to act as an advocate and to tell the truth, but not the whole truth. She implies that she and Sidney launched the idea that the NUT would dominate the borough councils, the inference being that it was an exaggeration. In justification she held that the Progressive Party in the LCC, with its strong Nonconformist element and massive majority had lost the impetus for further innovative action.

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[25]In an article, "How the County Council became the Local Education Authority for London," *Education Record...*, April 1929, Dr. Garnett "impied that he was responsible for persuading the Conservatives that the L.C.C. would not be burdened by overseeing education." Jones, Stanley, 133.

[26]Beatrice Webb's Diary, 27 March, 3, 29 April, 15 June 1903, Our Partnership, 261-65.

Furthermore, these considerations had been heightened by the raging controversy over the 1902-Act; and here:

> the old nihilistic spirit of the 1843-1870 Nonconformist, who preferred *no education* to the teaching of a rival dogma, is rampant. A powerful rump of Progressives imagine themselves to be in favour of education, with a big E, but at best it was only primary education of the most mechanical and uniform type.[27]

III

> The only uniformity of practice that the Board of Education desire to see in the teaching of Public Elementary Schools is that each teacher should think for [themselves], and work out for [themselves] such methods of as may use [their] powers to the best advantage and be best suited to the particular needs and conditions of the school.[28]

Drawing on the *Handbook of Suggestions for...Teachers ...in...the Public Elementary Schools, 1905*, Morant's plan for elementary education "in the context of his time was a practical and reasonably enlightened one," and created little controversy.[29] This was not the case with the Secondary School Regulations of 1904.

It was left to the Board of Education to define secondary education. Morant began the process, but the

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[27]Ibid., 264-65.

[28]Extracts from *Handbook of Suggestions for the Consideration of Teachers and others concerned in the Work of the Public Elementary Schools, 1905*, 6, in Michael Hyndman, *Schools and Schooling in England and Wales: A Documentary History* (London: Harper and Row, Publishers, 1978), 43.

[29]Peter Gordon and John White, *Philosophers as Educational Reformers: The Influence of Idealism on British Educational Thought and Practice*, (London, Boston & Henley: Routledge & Kegan Paul, 1979), 149.

Regulations were drawn up by a team of inspectors and officials, even Anson contributed, and only after close scrutiny by the Treasury.[30]

The 1904 Regulations were intended to end the distinction between Division A, schools with a scientific bias which received a higher grant, and the classically oriented Division B schools. The emphasis on science derived from the Technical Instruction Acts. But now science was to be taught for a minimum of three hours each week instead of the thirteen hours in the Division A schools.[31] Morant reasoned that a good general education was required before specialization, and was supported by almost all current educationists.[32] He saw the "state secondary school of the future as mirroring the great public school as he knew it--with a responsible governing body, a self-respecting headmaster and a life and soul of its own";

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[30]Hee-Chun-Kang, "Equality of Educational Opportunity: Ideas and Politics, 1900-1918," *British Journal of Educational Studies* 32(1984): 62-63; Eaglesham, *Centenary of Morant*, 11; and R. Lowe, "Robert Morant and the Secondary School Regulations of 1904," *Journal of Educational Administration and History* 16(1984): 39-43.

[31]Secondary education began when the pupil was about twelve. *Regulations For Secondary Schools*, 30 June 1904, in *How They Were Taught*, ed. P. H. J. H. Gosden, 223-24.

[32]Jenkins, 38, citing, Andreas Kazamias, *Politics, Society and Secondary Education in England* (Philadelphia, 1966), 130-47.

although his efforts to persuade the LEAs met with only limited success.[33]

Modern commentators consider that the Regulations were aimed at preserving secondary education for the middle class, and that the LEAs, being less amenable to public pressure, preserved the tradition of the grammar school, although the financial reforms made secondary education "'a more stable element in a coherent pattern of education.'"[34]

As in 1862 when the Treasury, with the Revised Code, attempted to get expenditure under control after the Crimean War, so in the framing of the Secondary School Regulations of 1904, it was determined to control spending after the Boer War. Its officials were involved in the planning from the beginning; they were immersed in the details, and in the lengthy negotiations which followed. They added alternative timetabling for girls' schools which had shorter hours and had been missed by the Board; and they questioned the cost of incentives to pupils to complete the four-year course.[35]

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[33]Eaglesham, *Centenary of Morant*, 11-12. There is a brief description of Raynes Park County School, Surrey, in the 1930s which fits, despite some bizarre occurrences, Morant's prescription for such a school in Philip Oakes, review of *Something in Linoleum: A 30s Education* by Philip Vaughan. In *Times Literary Supplement*, 11 February 1994, 32.

[34]Brian Simon, *Education and the Labour Movement: 1870-1920* (London: Lawrence & Wishart, 1965), 240-41; Lowe,38-39, quoting, J. Lawson and H. Silver, *A Social History of Education in England* (London, 1973), 372-73.

[35]Lowe, 39-41, quoting, Ed. 12/118.

Finally, the Regulations were only allowed to be published after Morant sent a personal note to the Secretary of the Treasury: "'[A school's] eligibility for state aid depends in part on the financial condition of the boys' parents and in part on what will be done with the state subsidy.'"[36] Therefore, there had to be a fee limit, and the schools had to be under a trust. He added that only good could arise from the Board controlling schools educating "'the poorer among the so-called professional classes",[37] since the faulty education of this class had been a serious defect for the last thirty years. "It was useless to suggest sending those scholars to the" LEA's schools: there were not enough of them, "'English tradition [was] against it, and it [was] not likely to happen.'" The Treasury was satisfied: expenses were kept down, and the relative exclusivity of secondary education sustained.[38] Although only in force for three years, the influence of the 1904 Regulations effectively standardized secondary education after a few years of bold experiments.[39]

The Regulations were criticised by the scientific community, but a closer reading showed that under Paragraph

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[36]Lowe, 41-42, quoting, Ed. 12/118.

[37]Lowe, 42, quoting, Ed. 12/118.

[38]Lowe, 42-43, quoting, Ed. 12/118.

[39]Lowe, 37.

11 a school could offer an advanced course if the Board was satisfied that it suited the locality. It had to be equipped to offer courses in two distinct branches of science. Then thirteen hours each week could be allotted to mathematics, science, and drawing: five hours to science, of which three hours must be practical work; and in the first two years manual instruction, or in girls' schools domestic science or dairying, were compulsory. Moreover, Paragraph 13 provided, with the Board's permission, for a two-year advanced science course for some pupils, and simultaneously a more general curriculum for others. Lastly, for practical reasons, Division A schools remained on the higher grant for another two years.[40]

The first phase in the secondary curriculum debate was the legitimacy of science within a general, liberal education. But from 1897 the discussion was clouded by the dispute that began with the school board's protests against Clause VII of the 1897 Science and Art Directory and the Minute of 6 April 1900, and continued with traditionalists protesting against Division A schools receiving larger grants than Division B.[41]

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[40]Jenkins, 32, quoting, Regulations for Secondary Schools, 1904, para. 35. Paras. 5 and 6 provided exceptions for girls' schools where the hours were shorter, and for the waiving of language requirements. Ibid.

[41]Whitbread, 222-23; Lilley, 110, quoting, *School Board Gazette* 1(1899); 320-21 (where all the resolutions of the Association of School Board, 1893-99 were reprinted).

The NUT hoped that the LEAs could continue higher elementary work. In April 1903 the *Schoolmaster* reported that nearly "seventy higher grade schools in vigorous condition" had been handed over, and hoped that more would be established.[42] But in 1905 Morant raised the fees for higher elementary schools operating under the Secondary School Regulations, making them too expensive for the working class. This divorced the position of science in the curriculum from status arguments, and the discussion then changed to concern over overcrowding the curriculum.[43]

Overcrowding, Sir Philip Magnus concluded, could only be prevented by differentiation between schools. The TECs had encouraged secondary schools with grants for modern languages and commercial subjects. Either modern languages had formed a modern side with science or were taught within the humanities; and both ways contributed to overloading, particularly as oral and practical work were advocated. Therefore large schools formed two sides, traditional literary and modern scientific; if not they specialized.[44]

However, the new system did not always begin satisfactorily. In 1906 at Brighton, a staff inspector

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[42]Whitbread, ibid.,quoting, *Schoolmaster*, 18 April 1903.

[43]Ibid.

[44]Ibid., 225, citing, P. Magnus, *Educational Aims and Effects 1850-1910* (London, 1910), 35-38; and Michael Sadler, *Report on Secondary Education in Liverpool* (1904).

noted that there were three grades of secondary school. The third grade should have low fees and be an adjunct to the elementary system for pupils who left school when they were fifteen or sixteen years old.[45] Another HMI reported that that there had been a breakdown in the educational ladder in Bristol, and probably in other large towns: schools failed to catch brilliant pupils and bring their work up to university scholarship standard; and he also suggested classifying secondary schools into grades.[46] A third HMI stated that Cheshire had given serious thought to grading, with scholarships open to enable fifteen-year-old children to go to a first grade school, because education comparable to Manchester Grammar School could not be provided everywhere.[47] When questioned in the Commons, Anson "admitted that financial difficulties made it difficult for the Board to get 'a useful hold upon the education given in the minor secondary schools.'"[48]

Press comment was generally favourable; the *Times* stated that not all defects would be remedied immediately, but for the first time there was hope.[49]

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[45]Lowe, 42, quoting, Ed. 35/2465.

[46]Lowe, 43, quoting, Ed. 12/139.

[47]Ibid.

[48]Lowe, 43, quoting, *Hansard parliamentary debates*, 4th ser., Vol. 140, col. 74.

[49]Lowe, 43, citing, *Times*, 21 June 1904.

But there were serious professional reservations. The Headmasters' Conference pleaded for "'greater elasticity'"; the Incorporated Association of Headmasters sent a deputation to discuss the Regulations' implications,[50] and at their 1906 conference a resolution echoed their senior colleagues plea.[51]

The counties also objected. The Secretaries to the Education Authorities passed a strong resolution against the financial implications of the Regulations, and the Educational Committee of the County Councils Association followed suit.[52] Early in 1904 the Director of Education for Staffordshire, vainly appealed to Morant to stay his hand: "'It will militate against Authorities carrying out their duties.'"[53] Surrey objected to the age being raised for courses, and Warwickshire pleaded for greater freedom in planning the curricula.[54]

Thus far more schools than anticipated were driven into the traditional mode. Meanwhile the Liberals felt that the

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[50]Lowe, 43-44, citing, R. R. Campbell to Board of Education, 16 March 1904, Ed. 12/118.

[51]Lowe, 44, citing, Ed. 12/119.

[52]Jenkins, 33, citing, *Journal of Education* (September 1904): 593. The organizing secretaries were the predecessors of the directors of education.

[53]G. Balfour to Morant, 11 Jan. 1904, Ed. 12/118. Quoted by Lowe, 44.

[54]Lowe, 44, citing, Ed. 12/119.

Regulations had been imposed to "limit the autonomy of local councils sympathetic to Nonconformity," and in 1907, Reginald McKenna, the new President of the Board of Education, came under heavy pressure to revise the Regulations of the preceding years. Using the complaints by the LEAs as a pretext for revision, the 1907 Regulations handed back detailed control of the curriculum to the LEAs. Framed so that the Church did not gain control of secondary education, the Regulations were criticised by the Conservatives for bringing the religious problem into secondary education. The controversy diverted attention "from...the broader curricula implications," and many schools remained in the traditional mode.[55]

Most modern comment has followed the historical introduction to the Spens Report (1938).[56] It argued that neither were "'secondary schools of [a] quasi-vocational type designed to meet the needs of boys and girls who desired to enter industry'" developed,[57] nor did the system

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[55]Lowe 44-45, quoting, *Hansard* parliamentary debates, 4th ser., Vol. 179, col. 21 and ibid., Vol. 178, , cols. 75-78.

[56]R. B. Young, the historical introduction to, *Report of the Consultative Committee on Secondary Education with Special Reference to Grammar Schools and Technical High Schools* (Spens Report) (London: His Majesty's Stationary Office, 1938). Young was Secretary to the Committee.

[57]Richard Pring, "50 Years On," *British Journal of Educational Studies* (February 1989): 17, quoting, *Spens Report*, n.p. Dr. Pring's article criticizes the 1988 Education Act for making some of the same mistakes that were made in the 1904 Regulations; Earlier historians and their works who followed Young are listed by Lowe, 37 in nn. 2, 3,

fit the structure of modern society. Children were written off through the lack of appropriate schools, and the fees charged; there was confusion between courses appropriate for the university-bound and those leaving school at sixteen; and the 1904 Regulations did not ecognize the close association between secondary and vocational education argued for in both the second Samuelson Report and the Bryce Report. Spens advocated technical schools "'wholly distinct from the traditional grammar (secondary) school.'"[58]

However, many of these criticisms had been made before 1914, as had some important adjustments. Olive Banks considered that the higher grade schools which remained exerted "'a profound influence on...public secondary education.'"[59] By 1911 the Board had recognized both the need to integrate work of a practical and vocational nature into its curriculum, and that a secondary education would benefit children with less than exceptional ability.[60]

4, and 5, ibid.

[58]Pring, 17, 19-20, citing, *Spens Report*, 252.

[59]Whitbread, 229, 231, quoting, Olive Banks, *Parity and Prestige in Secondary Education* (London, 1955), 67-68, and citing, *Board of Education, Annual Report for 1911-12*, and table compiled from *Statistics of Public Education in England and Wales, 1910-11, 1911-12* by Kazamias, 152. Banks' statement has to be considered within its context. By 1911 there were only 8,000 pupils in higher grade schools, but over 82,000 ex-elementary pupils on scholarships in secondary schools.

[60]Sherrington, *Social Change and War*, 13, citing, Banks, 105-6; and S. Mclure. *One Hundred Years of London Education 1870-1970* (London, 1970), 94-95

Concern for national efficiency caused Morant to show "a greater interest in curriculum changes and the need for part-time continuation schools", and the Board began to encourage new forms of higher elementary schools: central schools in London offering both commercial and vocational instruction, and junior technical schools in the north of England for those preparing for a trade.[61] While the 1911 Report on Examinations "found that examinations restricted the development of a wider, modern curriculum"; and deplored the "influence of university entrance whereby 'the school studies of a majority (were) being regulated by the special requirements of the few.'"[62]

Educational reform is a continuous process and it is difficult to know where to draw a line. Nevertheless, by 1911 the numerous reforms begun by the Unionist Government had matured; and as this chapter has described, a new period of experimenting, particularly on behalf of the younger adolescent, had begun. However, the loss of the higher grade schools and the inflexibility of the evening school programme, left a secondary school system which was unnecessarily rigid;[63] and locally much still needed to be

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[61]Whitbread, 229.

[62]Ibid., 231-32, citing, *Report of the Consultative Committee on Examinations in Secondary Schools* (H.M.S.O., 1911).

[63]Eaglesham, *Centenary of Morant*, 5.

done to fulfil the hopes of Morant's Handbook for elementary school teachers.

It was also the end of an era for the Board of Education when Morant precipitously resigned. With all his faults, he had done as much as anybody to ensure a logical and comprehensive education system for England and Wales. That it lasted virtually untouched, until the Butler Act of 1944, speaks for itself. That Morant went on to organize Lloyd George's great National Insurance scheme speaks well for him.

CONCLUSION

Beatrice Webb wrote in her diary in 1884 that "'social questions are the vital questions of today; they take the place of religion.'"[1] She little knew that less than twenty years later she would be an actor in a process, the reform of education in England and Wales, which transcended social questions, involved high politics, and created major religious controversy of a kind that had not been seen for thirty years, and has not been seen since.

Given that in a modern society administrative reform is a necessary preliminary to any major social reform, the Education Act of 1902 was one of the century's great social reforms: it rationalized confusing and inefficient systems, and provided both the supervision and finance which education as a vital social service required. And despite its defects, the Act created a framework which remained in place for over forty years in a rapidly changing world.

The controversy which arose has been described as the last of the English religious wars. It did not end with the

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[1]Beatrice Webb, *My Apprenticeship*, (London, 1926), 149; quoted by Harold Perkin, "Social History," in *The Varieties of History*, ed. Fritz Stern (New York: Vintage Books, 1973), 455.

passage of the Act, but rumbled on underneath the political scene to surface whenever education came to the fore, until finally submerged in that greater conflict, World War I.

The reason why this religious 'war' was so violent is directly linked to the beginning of mass popular elementary education in England, and to the different way that popular education developed compared with other social needs. Almost all social reform during the nineteenth century followed a pattern: first identification of the problem, then investigation, and finally legislation. Popular education was different.

John Lancaster in establishing his school on the Borough Road, Southwark, in 1810, deliberately made it non-sectarian. However, the Church insisted on its age-old rights in education and established the National School Society a year later.

But it was not until 1833 that government involvement in education began with a grant of £20,000 towards building new schools--the same year that the Oxford Movement, which moved the Church away from the latitudinarianism of the eighteenth century, began. It was 1839 before the Committee of Council on Education and the Education Department were established to administer the grants, and by then both societies were well-established. In 1840 the quarrel between the Church and the government over inspection of its schools was ended by a Concordat, but the extreme voluntary

position of the older Nonconformist faiths caused them to reject similar arrangements. This nihilism, as Beatrice Webb correctly called it, cut the income of the British Society, brought educational legislation to a standstill for thirty years, and laid the foundation for the internecine dispute which rent the Liberal Party over the 1870 Act. Meanwhile in 1847 the Roman Catholics, the Wesleyans, and the Jews accepted government grants. When, a few years after the passage of the 1870 Act, the older Nonconformist churches embraced the school boards, the battle lines were drawn, on one side the school boards with rate-support; on the other the voluntary, religious schools with only subscriptions to fall back on. However, the Conservative Party supported the voluntary schools, while Nonconformists formed tha base of the Liberal Party, and their target was an entirely secular system.

After the second Salisbury administration passed the Technical Instruction Acts establishing the newly created counties and county boroughs as educational authorities in their own right, and both school boards and technical instruction committees exceeded their powers, secondary education became even more confused. The chaotic situation caused the Liberals to appoint the Bryce Commission, but it did not report until after the 1895 election; and although secondary and technical legislation based on its recommendations may well have passed on its own, the

Conservative promise to relieve the finances of the voluntary schools made a major political battle inevitable.

After the 1895 general election the Liberal Party became badly split over both policy and leadership and the Boer War created even larger fissures. However, education was the one subject on which all the Party agreed, although they would lose the support of the Irish Nationalists. But after the 1900 'Khaki' election, as the *Economist* pointed out, the Liberals were much stronger in the country than their seats in the Commons indicated; and if and when the Party pulled itself together, it would become a force to be reckoned with. Soon demonstrated by the bitter arguments which followed the introduction of the 1901 Bill, the issue gave the Liberals massive Nonconformist support, although whether all the Liberals enjoyed following Nonconformist leadership is an open question.

Administratively, the Government had by far the better case. Both primary and secondary education, needed a major overhaul. In the elementary sector, most rural schools were inefficient, as were many Church schools in the centres of the large towns and most Roman Catholic schools. While many secondary schools were inadequate, and the sector was completely unco-ordinated.

The Liberal Party had no effective alternative policy to the 1902 Education Bill, other than an enlarged school board system. But after encouraging ratepayer support

against the Bill, that would have been an expensive and unpopular solution. The lengthy arguments about the non-provided (voluntary) school managers were largely irrelevant. Except for the upkeep of the fabric and religious instruction, the managers had very little to manage; in everything else they took their instructions from the LEAs. Nevertheless, Balfour and Morant made a serious mistake in causing religious instruction to be paid for by public funds. Without the provision the Act would have been fairer, and its passage through Parliament a good deal easier.

In the larger towns the passage of the Act made little immediate difference to school-board schools, but much work had to be done when an LEA took over voluntary schools.[2] In the counties with numerous small voluntary schools and many small school boards, there was much more to be done, both educationally and with the physical plant.[3] What was new was the LEA responsibility for education other than elementary. Endowed schools had to be fitted into a cohesive programme and new schools built.

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[2]An interesting description of the difficulties encountered will be found in Pamela Silver and Harold Silver, *The Education of the Poor: The History of a National School 1824-1974* (London: Routledge and Kegan Paul, 1974), 134-38.

[3]Malcolm Seaborne sketches in some of the problems in "William Brockington, Director of Education for Leicestershire 1903-1947," in *Education in Leicestershire 1540-1940: A Regional Study*, ed. Brian Simon (Leicester: Leicester University Press, 1968), 196-205.

Secondary education was not defined in the 1902 Act; that was done by the Board of Education in 1904. Initially the Secondary School Regulations were welcomed as they were in line with current thinking, and they were only questioned by a few educationists such as Michael Sadler and Philip Magnus. Morant and the Treasury deliberately planned their secondary school programme to cater to the children of the middle class and to a few elementary school pupils selected by highly competitive examinations;[4] and even though 25 percent of the places were made free in 1907, the changes made did not adequately replace the philosophy which had become embodied in the higher grade schools. By 1911 it was becoming clear that the system did not cater to all the pupils who entered secondary schools and some changes were made, but the principle of universal secondary education was not adopted until the Butler Act in 1944.

Not that the arguments about the Secondary School Regulations are or were altogether clear cut. The initial criticism was not based on class-issues. It was not until the Liberals took office in 1906 with considerable Labour support that criticism based on the needs of the working

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[4]By 1909 Morant had become concerned about the direction of technical education, and if he had not resigned in 1911, there would have been changes of a more positive nature. Peter Gordon and John White, *Philosophers as Educational Reformers: The Influence of Idealism on British Educational Thought and Practice* (London: Routledge and Kegan Paul, 1979),150.

class had any effect. The sole purpose of the 1906 Education Bill was to satisfy the Nonconconformist wing of the Liberal Party. It was opposed by Labour, and it was not until 1907 that McKenna's Secondary School Regulatio provided that 25 percent of places in secondary schools should be free that anything was done to increase the opportunities for the children of the working class.[5]

During the period under discussion the greatest increase in employment was in clerical and similar occupations so that turning schools in a more literary direction made some sense. Girls would have benefited from the increase in office employment, while candidates for both nursing and teaching needed a secondary education, although this has to be balanced against the disappearance of some co-educational higher grade schools which opened up certain industrial opportunities for girls. However, the technical and scientific subjects which had been taught in the higher grade schools were still needed and most pupils entering those schools would have come from the working class.

The Bryce Commission had not recommended abolishing the higher grade schools. It pointed out that they filled a gap in the existing system. The changes made in the Science and Art Directory in 1896 produced a much more balanced

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[5]Simon, Education and the Labour Movement, 259-78 discusses Labour's attitude to the 1906 Education Bill, and to McKenna's 1907 Regulations.

curriculum than earlier, and the higher grade school definite aim in mind which the second and third grade secondary schools did not; while the creation of the Board of Education and the passage of the 1902 Act made the *Cockerton* judgement irrelevant.

The abolition of the higher grade schools was a political act carried out by Gorst and then Morant without properly considering the consequences, and both men were prejudiced against the school boards. Many educationists regretted their demise, including Abney, who became the head of the new secondary branch, and Kekewich who was one of their strongest supporters. If when it returned to office, the Liberal Party had not been entirely devoted to righting religious and Welsh grievances, the higher grade schools might well have been resurrected. The combination of a more cultured approach to the humanities combined with a technical education given in the best higher grade schools was surely something which should not have been lost. However, modern critics should be cautious, the higher grade schools were selective. Secondary education for all did not come until the implementation of the Butler Act, after World War II. That a handful of pupils were able to enter a university college was surely to their credit than otherwise.

Turning to the personalities of the men who put the 1902 Act together. Everybody underestimated Devonshire, and

one is left wondering why he was offered the post of Prime Minister three times. Among modern commentators, Grigg described him as "a dignified figurehead with no serious interest in the subject."[6] His main interest was in technical education, but he was familiar with the problems of the other sectors. Devonshire was the principal advocate of national efficiency in the Cabinet. He told Salisbury: "'Unless Secondary Schools receive some assistance [from the rates], I am afraid that we shall remain permanently behind other countries.'"[7] His judgement was invaribly sounder than that of Balfour or Morant. Later, when Balfour had virtually given up the fight against the 1906 Education Bill, Devonshire pulled the Opposition together and ensured its defeat.

Gorst, who poked fun at the Duke, never had a happy relationship with his superiors. The sub-title of his obituary in the *Times*, "Independence as a Politician," summed up his carreer. He rightly felt betrayed by Balfour in the fiasco of 1896, but his behaviour meant that sooner or later he would lose the confidence of both Cabinet and the back benches. He was not above intrigue to get his way. It is difficult to know why Salisbury appointed him, and then promised him independence, a promise which he could not

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[6]Grigg, 23.

[7]Marsh, 317; quoting, Devonshire to Salisbury, 21 Apr. 1900, Salisbury Papers.

keep. It is unlikely that either Gorst, or Morant later, realized the good work that the large urban school boards were doing.

One man who was a strong supporter of the large urban school boards was Kekewich. He also underestimated Devonshire. He was an educational enthusiast, rather than an administrator, and was completely out of sympathy with Unionist policy which he attacked, root and branch, as soon as he left office.

Only in enthusiasm was Morant similar to Kekewich. H. A. L Fisher, who became President of the Board of Education in 1916, "remarked that Morant's enthusiastic spirit still pervaded the office."[8] Like Gorst a schemer and an exceptional organizer, his ideas lay at the back of much of what was done. Like many other Oxford men of the period Morant he was an idealist,[9] and similar to many others with strong opinions, he had no fear of controversy and he was not always right. Where he was strongest was in his ability to get to the root of any problem which arose and lay out the alternatives available, a pre-requisite for a successful senior civil servant. It made for a powerful combination of mind and practicality. Where he was weakest

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[8]Gordon and White, *Philosophers as Educational Reformers*, 153, citing, H. A. L. Fisher, *An Unfinished Biography* (London: Oxford University Press, 1940),98.

[9]See the section on Morant in Gordon and White, 146-53.

was in not keeping some of his opinions to himself; he should have been more diplomatic. That fault forced him to resign. In one way it was unfortunate, because he had just come to realize that not enough was being done for the younger adolescent, but with his resignation the plans were never carried out.[10]

It is right and proper that the Act should be known as the Balfour Education Act. Balfour's success in conducting such a complicated measure through Parliament was outstanding, and it is the one education bill associated with a prime minister. What had started off as a less radical bill than the bill of 1896, ended up by being almost socialist. Devonshire and Balfour shaped the Cabinet to their design, and Balfour to a degree wore down the Opposition. Dr. Clifford did not realize that he had such a determined foe. Balfour was able to play the Commons off against the Cabinet, most notably in dropping Clause 5, so that all voluntary schools came under the LEAs and administration was standardized; and with the Kenyon-Slaney amendment which ended the problem of ritualism in the schools. It was unfortunate that to get the Bill through he had to accept the smaller authorities as Part III LEAs. Nevertheless, as 1902 ended the Government looked stronger and more effective than it had for years.

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[10]Ibid., 150.

Secondary education problems fell into two groups: class and curriculum. The lower end of the professional classes were, as Morant and the *Chambers* article made clear, not well-served, and it took time before the Board of Education got a handle on the smaller endowed schhools and before the LEAs built new secondary schools, and even longer for the latter to build up a reputation. However, the student who did not aspire to enter a university was neglected; there was no proper provision made to round off the education of working-class pupils; and the shortage of junior scholarships not only imperilled the supply of elementary school teachers, but was unfair to many other talented young people. Furthermore, attempts to denigrate the place of science in the secondary education curriculum threw another block in front of the working-class pupil.[11]

Under the circumstances of the turn of the century it is surprising that the Act was as good as it was. The Opposition's main line of attack was religiously motivated and much of it had little to do with education *per se*. It was only from 1904 that Labour leaders advocated ample financial support for pupils up to the age of sixteen, but it was a theoretical rather than a practical demand.[12] It

[11]The rest of the blame fell on the older universities for not establishing scientific faculties, which had the deleterious effect of socially downgrading the place of science and scientists in English society.

[12]Hee-Chun Kang, 63.

seemed almost as if the mantle had fallen on the Unionists by default.

In judging the Act, it can be fairly said that it was a good act for its time, and that it provided the framework for a cohesive and at the same time diversified educational system. Biased towards excellence, at that time in terms of national education it meant a bias in favour of the middle class. Sometime between 1913 and 1918, H. F. Heath, a senior civil servant in the Board of Education wrote:

> Every grade of education...needs organizing from the standpoint of what lies beyond and above it--from above downwards, not vice versa. Much thought has been given to the selection of the able boy and girl with a view to their further education....The really necessary needs are those of the bulk of the population.[13]

Education should be planned from its objectives backwards. That the secondary system was not adequate was probably inevitable, given the financial constraints, insufficient teachers,[14] and the ideas prevailing at the time. In 1903 the first two could not be immediately rectified. The last, a need for a truly public secondary school system, was only being advocated by advanced thinkers ten to twenty

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[13] Gordon and White, 160; quoting, Board of Education, "Suggestions for a National System of Education," Tawney Papers (1913-1918), Box 23, 22/2. British Library of Political and Economic Science, London.

[14] It was a sellers' market for secondary school teachers. My mother, who lived in Woolwich, graduated from University College, London in 1904, and immediately obtained a position at St. Albans, but the next year she obtained a post in Lewisham, and until she joined the Research Department, Woolwich Arsenal, during World War I, always taught within a a convenient distance from her home.

years later, and even then it was not altogether clear how it should be carried out.[15] The terms of the 1902 Education Act were broad enough for almost any organization. The errors and omissions were human.

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[15] See Gordon and White, 160-63 for a discussion of R. H. Tawney's views on secondary education. Tawney was probably the most advanced thinker on the problems deriving from the 1902 Act at that time.

APPENDIX A

BIOGRAPHICAL SKETCHES

Abney, Sir Willian de W. F.R.S. (1843-1921). Captain, R.E.; assistant director for science, sci. and arts Dept., 1884; director, 1893; principal assistant secretary board of education, 1899-1903; pioneer in advancement of practical photography. *DNB*, s.v.

Acland, Sir Arthur H. D., 13th bart.(1847-1926). M.A. Oxford; M.P. (L.), Rotherham, 1885-99; worked for Welsh Intermediate Act, and was persuaded that counties should control secondary education; vice-president of the committee of council for education, 1892-95. *DNB*. s.v.

Anson, Sir William, 3d bart. (1843-1914). Fellow of All Souls, 1867, warden, 1881-1914; Vinerian reader in English law, Oxford; M.P., Oxford university, 1899-1914; parl. sec. to bd. of education, 1902-5; *DNB*, s.v.

Barnett, Rev. Samuel A. (1844-1913). M.A. Oxford; canon of Bristol, 1893, Westminster, 1906; one of founders and warden of Toynbee Hall, 1884-1906; pres., 1906;

chairman. Whitechapel bd. of guardians. *Who Was Who*, s.v.

Bethell, George R. Capt. R.N. (ret.) (1849-1919). Took part in Bechuanaland expedition, 1884; M.P. (C.), Holderness, Yorks. (1885-1900). *Who Was Who*, s.v.

Bond, Edward (1843-1920). London county councillor, 1895-1901; M.P., Nottingham, E. (C.); asst. charity commr., 1884-91; barr.; chmn. Buss Foundation School for Girls. *Who Was Who*, s.v.

Bruce, Hon. W. N. (1858-1936), C.H., C.B. Asst. charity commr.; second sec. bd. of education; pro-chancellor, Univ. of Wales, 1928-34. *Who Was Who*, s.v.

Bryant, Mrs. Sophie (1850-1922). First woman to be awarded D.Sc. (London) in moral science branch; succeeded Miss Buss, North London Collegiate School for Girls, 1895-1918; member, Bryce commission. *Who Was Who*, s.v.

Bryce, 1st Viscount James, (1838-1922). D.C.L., Oxford, 1870; barr., practised until 1882; Regius professor of civil law ,Oxford, 1870-1893; under-sec. of state, for. aff., 1886; chancellor of duchy of Lancaster, 1892, chmn. royal commission on secondary education, 1893-95;

pres. bd. of trade, 1894; chief secretary for Ireland, 1905-7; ambassador to U.S.A., 1907-13; *D.N.B.*, s.v.

Clifford, John (1836-1923). Baptist divine; Baptist Coll., Nottingham, University Coll., London, Royal School of Mines, M.A., 1864, Ll.B. (Hons.), 1866, B.Sc. (Hons.); Hon. Ll.D., Univ. of Chicago, McMaster Univ; Hon. D.D., Colgate Univ. of New York; pres. baptist union, 1888, 1899; pres., nat. council of free evangelical churches, 1898-99; minister Praed St. and Westbourne Park church, 1858-1915. *Who Was Who*, s.v.

Crooks, Rt. Hon. William (1852-1921). Labour politician; cooper by trade; supported by 'Will Crook's labour fund' from 1892; lectured and taught in Poplar; mayor of Poplar (first Labour mayor); M.P. (Lab.), Woolwich, 1903-18; P.C., 1916. *Concise D.N.B.*, s.v.

Cross, 1st Viscount Richard Assheton (1823-1914). Responsible for social legislation of Cons. Party; home secretary, 1874-80, 1885-86; sec. of state for India, 1886-92. *Who Was Who*, s.v.

Devonshire, Spencer Compton Cavendish 8th Duke of (1833-1908). Marquis of Hartington, before succeeding to dukedom, 1891; . 2d Class. maths. tripos, Cambridge,

and M.A., 1854; sec. of state for war, 1866; postmaster-general, 1868; chief secretary for Ireland, 1870; leader of Liberals, in Opposition 1875; asked to be P.M. by Victoria 1880, and declined again as Lib.-Unionist, 1886, 1887; sec. of state for India, 1880; sec. of state for war, 1882-85; leader with Joseph Chamberlain of Lib.-Unionists; lord president of the council, 1895-1903, pres. bd. of education, 1900-2. *DNB.*, s.v.

Donnelly, Sir John F. D. (1834-1902). Hon. major-general; Dir. of science, sci. and arts Dept., 1874; secretary, Sci. and arts Dept., 1884-99. *DNB.*, s.v.

Fearon, Daniel R. (1835-1919). 1st cl. lit. hum., Balliol coll., Oxford; HMI, 1860; asst.-commr. SIC; asst.-commr. endowed schs. comm, 1870; asst.-commr. charity comm., 1874, sec. 1886-1900, chief. commr., 1900-3. *Who Was Who*, s.v.

Fox, William Johnson (1786-1864). Unitarian minister at Chichester, 1812; London, 1817, where he attained celebrity; South Place chapel built for him, 1824; disowned by Unitarians because of separation from his wife, but continued preaching; bought *Monthly Repository*, 1831, and wrote for newspapers; wrote the

anti-corn law league's address to the nation, 1840; M.P., Oldham, 1847-63; introduced a compulsory education bill, 1850. *DNB*, s.v.

Gladstone, Herbert J. 1st Viscount (1854-1930). Univ. Coll., Oxford, 3rd cl class., 1st cl. history; lecturer, Keble Coll., 1877-80; pvt. sec. to his father, W. E. Gladstone, and M.P., 1880; whip, 1881-85; financial sec. to the war office, 1886; under-sec. of state, home office, 1892-94; 1st commr. of works, 1894-95; ch. Lib. whip, 1899-1906; home sec., 1906-10; first gov.-gen., South Africa, 1910-14. *DNB*, s.v.

Gorst, Sir John Eldon (1835-1916). Third wrangler, Cambridge; barr., Q.C., 1875; civil commr. Waikato, N.Z., 1861-63; solicitor-general, 1885; under-sec. of state for India, 1886-91; financial sec. to the treasury, 1891-92. *DNB*, s.v.

Hanbury, Robert W. (1845-1903). Landowner and holder of coal royalties; M.P. (C.), Tamworth, 1872; N. Staffs., 1878; Conservative organizer, 1880-85; M.P., Preston, 1885-1903, with majority increasing in each election; Financial sec. to treasury, 1895-1900; was largely responsible for the cordite vote which ended

the Rosebery government; president of bd. of agriculture, 1900-3. *Who Was Who*, s.v.

Harcourt, Sir William G. G. V. V. (1827-1904). Descended from the Plantagenets; barr., Q.C., 1866; Whewell professor of international law, Cambridge, 1869-87; M.P., Oxford (L.); 1873, solicitor-general; home secretary, 1880-85; chancellor of the exchequer, 1886, 1892-95; leader of protests against Ritualism in House of Commons. *DNB*, s.v.

Hicks-Beach, Michael E., Viscount St. Aldwyn, 1906, Earl, 1914 (1837-1916). M. A., Oxford. Under-secretary, home office, 1868; leader of the Opposition in 'Home Rule' Parliament, 1886; chief secretary, Ireland, 1874-78; sec. of state for colonies, 1878-80; chancellor of the exchequer, 1885-86, 1895-1902; pres, bd. of trade, 1886-92. *Who Was Who*, s.v.

Hobhouse, Rt. Hon. Henry (1854-1937). Ecclesiastical commissioner; Balliol Coll., Oxford, 1st class lit. hum., 1875, M.A. 1878; barr., 1880; parl. draftsman; member, Bryce commission; M.P. (Lib. U.) Somerset E., 1885-1906; chmn. Somerset county councul, 1904-24. *Who Was Who*, s.v.

Hughes, Hugh Price (1847-1902). Methodist divine; London univ., B.A., 1869, M.A., 1881; leader of "forward movement" in Methodism, 1885, West London Mission; St. James' Hall, 1887-1902; first editor, *Methodist Times*, began to support forward movement; first pres. evangelical free churches, 1898. *D.N.B.*, s.v.

Ilbert, Sir Courtenay P. (1841-1924), G.C.B., K.C.S.I., C.I.E. Fellow, Balliol Coll. Oxford; barr.; legal member, gov.-general's council, India, 1886; asst. parl. counsel to treasury, 1899-1901; clerk to House of Commons, 1902-21. *Who Was Who*, s.v.

Jebb, Sir Richard (1841-1905). Trinity Coll., Cambridge, took all available prizes in classics; classical lecturer, 1863-75; prof. of Greek, Univ. of Glasgow, 1875-1889; Regius prof. of Greek, Cambridge, 1889; M.P., Cambridge university (C.), 1891-1905. *DNB*, s.v.

Kekewich, Sir George W. (1841-1921). Balliol Coll, Oxford, 1st cl. class. mod., 2nd cl. final schools; examiner, education dept., 1867; senior examiner, 1871; sec. education dept., 1890-1900; sec. sci. & arts Dept., 1899-1900; sec. bd. of education, 1900-3. *Who Was Who*, s.v.

Kenyon-Slaney, Colonel William (1847-1908). Entered army after one yr. at Christ College, Oxford; commanded 3rd Bn. Grenadier Guards at Tel-el-Kebir, 1882; M.P. (C.) Newport Div., Shropshire, 1886-1905; Played soccer for England v. Scotland, 1873. DNB, s.v.

Maclure, Rev. Dr. Edward Craig (1833-1906). Dean of Manchester; chmn. Burnley sch. bd., 1877; member, and chmn. Manchester sch. bd., 1891-1903; chmn. sch. bd. association; co-opted Manchester (v.chmn.) and Salford educ. ctees. 1903-6. DNB, s.v.

Long, Rt. Hon. Walter, 1st Viscount (1854-1924). Educ. Univ. of Oxford, hons. student; M.P. (C.) various constituencies, England and Ireland; pres bd. of agric., 1895-1900; pres. LGB., 1900-5, 1915-1916; sec. of state, colonies, 1916-18; 1st lord of admiralty, 1919-21. Who Was Who, s.v.

Macnamara, Rt. Hon. Thomas James (1861-1931). Born in Montreal; educ. Borough Road Training College; hon. doctorate, Univ. of St. Andrews, 1898; M.P. (L.) Camberwell, 1900-18; N.W. Camberwell, 1918-24; pres. NUT, 1896; parl. sec. to LGB, 1906-8; parl. & fin. sec. to admiralty, 1908-20; min. of labour, 1920-22. Who Was Who, s.v.

Morant, Sir Robert Laurie (1863-1920). Asst. director of special inquiries and reports, 1895; private secreatary to Gorst, 1897, and subsequently asst. private Secretary to Devonshire; permanent secretary, board of education, 1903-11; chairman, insurance commission, 1912-19. Who Was Who, s.v.

Robson, William S. Baron Robson (1852-1918).; M.P., South Shields (L), 1895-1910; B.A. Cambridge; barr., Q.C., 1892; M.P., (L.) Bow and Bromley, 1885, South Shields, 1895-1910; solicitor-general, 1905-8; attorney-general, 1908-10; Lord of appeal in ordinary, 1910.

Rogers, James Guinness (1822-1911). Congregational divine; B.A. Trinity College, Dublin, 1843; minister at Newcastle-on-Tyne, 1846-51, Ashton-under-Lyne, 1851-65, and Clapham, 1865-1900; chmn. of congregational union of England, 1874; hon. D.D. Edinburgh, 1895; friend of Gladstone. Concise D.N.B., s.v.

Sandars, Rt. Hon. J. S. (1854-1934). Magdalen College, Oxford, M.A., D.C.L.; barr., 1877; pvt. sec. to sec. of state for home dept. (Rt. Hon. W. Matthews), 1886; pvt. sec. to A. J. Balfour, 1892-1905. Who Was Who, s.v.

Smith, Rt. Hon. Sir Archibald L. (1836-1901). Master of the rolls; B.A. Cambridge, 1858; rowing blue (1857-59); barr., 1860; junior counsel to the treasury, 1879; judge, Queen's Bench, 1883; special commissioner to inquire into Times' allegations re Parnell, 1882; lord justice, 1892; master of the rolls, 1900. Concise DNB, s.v.

Stanley, Lyulph. Baron Sheffield and Baron Stanley of Alderley (1839-1925). Balliol Coll., Oxford, 2nd cl. class. mod., 1st cl. lit. hum.; fellow, 1862-69; barr.; asst. commr. under friendly society act, 1872; member LSB, 1876-1903, except 1885-88; Member, Cross commission., main author of minority report; played active part in 1894 controversy on prayers in LSB; vice-chmn. LSB, 1897; "Stanley put its (LSB's) claims so high," the Ed. Dept. had to get a legal decision. (signed) L. A. Selby-Bigge [Morant's successor as sec. to Bd. of Ed.] Who Was Who, s.v.

Thring, Sir Edward, 1st Baron (1818-1907). Retired parliamentary counsel to the treasury; pres. county councils' assn.; Magdalene Coll., Cambridge; 3d classic in class. tripos; barr., Inner Temple, 1845; conveyancer; studied statute books and suggested better

ways of drafting; Home Office counsel, 1860; 1st parliamentary counsel to the treasury, 1869-86; gov. Holloway College. DNB., s.v.

White, Sir George. (1840-1912). M.P. Norfolk, N.W. (Lib.); shoe manufacturer; pres. Baptist Union. Who Was Who, s.v.

Wills, Rt. Hon. Sir A. (1828-1912). Judge, King's Bench Division; Univ. of London, scholarship in maths., exhibition in classics; B.A., 1849; LL.B., 1851, fellow, Univ. Coll.; scholarship in law; barr., Inner Temple, 1851; judge, 1884-1905. Who Was Who, s.v.

Yoxall, Sir James H. (1857-1925). Student, Westminster Training College, met Matthew Arnold, who said he had an ear for verse; headmaster, Sharrod Lane Board School, Sheffield, 1887; pres. NUT, 1891; gen. sec., 1892; M.P. Nottingham, W. (L.), 1895-1918; knighted 1911; member, 1st. Burnham Ctee., 1919. DNB., s.v.

APPENDIX B

CHRONOLOGY

1810 Founding of John Lancaster's Borough Road, Southwark, school. After reorganization it formed the nucleus for the British and Foreign School Society (nondenominational).

1811 National School Society (Anglican) founded.

1833 First parliamentary allocation of È20,000 towards building schools. Applications must be made through one of the two societies.

Beginning of the Oxford Movement.

1839 The Committee of the Council on Education formed to administer the grants. Education Department formed under it.

The Archbishop of Canterbury objects to the inspection requirements of the Education Department.

1840 Concordat between the Church and the government under which inspectors for Church schools will be approved by one of the archbishops. Most Nonconformists refuse to accede to similar arrangements.

1847 Roman Catholics, Presbyterians, and Jews accept government grants.

1854 Literary and Scientific Institutions Act. Establishes a legal framework for adult educational institutions operating under trustees.

1856 The legality and the amount of the grants, which were increasing rapidly, challenged in the House of Commons.

Science and Art Department separated from the Education Department.

1858 Newcastle Commission appointed to investigate elementary education.

1861 Necastle Commission reports.

1862 The Revised Code published which abolishes all previous grants. Henceforth grants will only be paid according to examination results in reading, writing, and arithmetic.

1864 Schools Inquiry (Taunton) Commission established to investigate the endowed schools. Girls schools are investigated for the first time.

1867 The first specific subjects are added to the Code.

1867-68 Schools Inquiry Commission Report.

1869 Endowed Schools Act. Endowments are transferred from original purposes to finance secondary education, and the Endowed Schools Commission is established to administer the Act.

1870 Forster Education Act. School boards are established to fill the gaps.

1874 Endowed Schools Acts (Amendment) Act. The Endowed Schools Commission is abolished and its powers transferred to the Charity Commission.

1876 First higher grade school established in Bradford based on work done earlier in the Borough West (British) school.

Lord Sandon's Act which established school attendance committees in areas where there were not school boards.

1879 First voluntary school association formed.

Birmingham begins higher grade education.

1880..Elementary Education Act which compelled school boards and school attendance committees to make by-laws.

1881 Report of Aberdare Committee on Welsh secondary education.

1882 Standard VII added to the Code.

1883 Cardinal Manning begins campaign for an investigation of elementary education.

1884 and 1885. Samuelson Commission reports on technical education.

1885 Roman Catholics are advised to vote Conservative in order to get an investigation into elementary education.

1886-88 Cross Commission on elementary education reports.

1888 Nonconformists compose their differences on education.

Local Government Act establishes county and county borough councils.

National Association for the Promotion of Technical and Secondary Education founded.

1889 Welsh Intermediate and Technical Education Act. Laid down a framework for secondary education in the Principality.

Technical Instruction Act. Allowed county and county boroughs to establish technical education committees, and smaller local authorities to contribute towards technical education.

1890 Customs and Excise (Local Authorities) Act. Allowed counties and county boroughs to use the surplus (after Police superannuation) for technical education.

Education Department approves the curriculum for the London higher standard schools.

1891 Education (Code) 1890 Act. Supposed to permit school boards to establish Evening Schools for people above the elementary age.

Elementary Education Act. Made education of most children free.

1893 Elementary Education Act. Raised the school leaving age to 11.

Oxford Conference on secondary education.

1894 Bryce Commission on secondary education appointed.

Education Department requires accounts of grants from the Science and Art Department to be separated from those of the Education Department.

1895 Bryce Commission reports.

First school opened in Cardiff under the Welsh Intermediate Education Act.

1896 Introduction and withdrawal of a comprehensive Education Bill.

Science and Art Department establish schools of science with an extra grant.

December, committee established to investigate Science and Art Department grants. It reported in April 1897, and recommended that Clause VII of the Science and Art Directory should place all schools receiving grants under the municipalities where there was a technical education committee.

1897 Committee established of representatives from grammar and higher grade schools to work out a modus vivendi. It reported in December suggesting that the leaving age should differentiate the schools.

Voluntary Schools Act. Provided extra funds to voluntary schools. February-March.

Elementary Education Act. Necessitous school board act. April-May.

1898 Devonshire memorandum recommending that the Clause VII authorities be used to distribute grants for secondary and technical education including those endowed schools which were schools of science.

Elementary Teachers' Superannuation Act.

December-February 1899. Garnett and Black and later Gorst begin planning an appeal to the district auditor against LSB expenditure on art schools.

1899 January. Gorst orders accounts of LSB Evening Schools to show accounts connected with Science and Art grants separately from those of the Education Department.

30 January. Helps Report on the unsatisfactory programme at higher standard schools in Chelsea submitted to the Education Department.

1 February. Hearing on LCC application to be appointed Clause VII authority for London.

6 February. Education Department asks the LSB whether art classes in Evening Schools are paid out of the school fund.

15 February. LSB debate the Helps report.

March-April. Elementary Education (School Attendance) Act (1893) Amendment Act. Ronson Act which raised the school leaving age to 12.

19 June. Kekewich denies knowing that science and art grants were being used by London higher standard schools.

26 June. Art classes in Evening Schools are found to be ultra vires of the LSB. Certain members are surcharged by the District Auditor for London, Mr. Cockerton.

5 December. LSB applies to have Cockerton heard in the Queen's Bench Division.

1900 16 February. 1900 Code replaces most grants to schools with a block grant.

6 April. Minute establishing higher elementary schools with a leaving age of 15 as replacements for the higher grade schools.

May. Devonshire asks why London has applied for so many schools to become higher elementary schools.

19 June. Kekewich denies knowledge of science and art work being done in the London higher standard schools.

18-20 November. Cockerton heard in Queen's Bench Division.

19 December. Mr. Justice Wills denies appeal against Mr. Cockerton's ruling.

1901 31 January. LSB decides to appeal to Court of Appeal.

1 April. Court of Appeal rejects appeal against Mr. Justice Wills' judgement. Master of the Rolls slightly more restrictive.

25 April. LSB decides not to appeal Cockerton to the House of Lords.

2 May. LSB announces that there will be no Evening Classes in the next school year, and that it has asked the Board of Education to sponsor legislation to enable the Evening Schools to open.

7 May. 1901 Education Bill introduced.

6 June. Principal meeting to organize opposition to the Government's educational plans.

27 June. 1901 Education Bill withdrawn.

1 July-August. First 'Cockerton' Act introduced which allowed school boards to operate Evening Schools for one year.

3 July. Board of Education Minute places Evening Schools under the technical education committees.

1 August. First draft of 1902 Bill ready.

1902. 18 March. Cabinet apparently agrees on the form of the 1902 Bill.

24 March. 1902 Bill introduced in the House of Commons.

25 March-2 May. Revision of the Commons' rules.

3 April. Passive resistance suggested in the British Weekly.

5 May. 1902 Bill begins its Second Reading.

2 June. Bill begins its Committee stage.

9 July. Clause 5 deleted. LEAs now have to take over all elementary schools including secular education in voluntary schools.

11 July. Lord Salisbury resigns, and Balfour becomes Prime Minister.

8 August. Parliament adjourns. The Cabinet is now reconstructed. Devonshire resigns as President of the Board of Education, and Gorst as Vice-President of the Committee of Council on Education. The Marquess of Londonderry become President of the Board of Education with Sir William Anson as Parliamentary Secretary.

9 October. Chamberlain meets his chief supporters.

14 October. Balfour addresses his constituents in Manchester.

16 October. Autumn Session begins.

31 October. Kenyon-Slaney amendment moved. Religious instruction in non-provided (voluntary) schools is to be placed under all six managers, where there is not a deed specifying otherwise

20 November. Committee stage ends.

18 December. Royal Assent.

1903 17 January. Lloyd George at Cardiff presses nonco-operation on Welsh LEAs.

8 April. London Bill introduced. House of Commons.

April. Rate-refusal begins.

28 April. London Bill leaves Committee.

22 July. 3d Reading London Bill. H. of C.

5 August..3d Reading London Bill. House of Lords.

1904 28 April. Final meeting of London School Board.

2 May. Elementary school code.

20 June. Secondary School Regulations 1904-5.

APPENDIX C

A SUMMARY OF INSPECTION REPORTS FOR 1894-95[1]

(Source: Times, 8 August 1895, 12)

The inspector's reports give a picture of the school-situation immediately before the Unionists returned to power. The inspectors were seeing the fruits of Circular 321 published in 1893. The consensus was that the requirements were absolutely necessary. They show that somethimg had to be done to get more money into the hands of voluntary-school managers. For instance, The Reverend F. Synge, Chief HMI of the Eastern Division, said that the requirements should have been introduced in 1870. Some schools were beyond repair and would have to be torn down and replaced. In the North-East Division, W. F. Turnbull reported "a cheerful readiness to make up deficiencies, but a shortage of money." In the South-West the position was similar; in Winchester all the voluntary schools, ten Church, one Roman Catholic and one Wesleyan, joined together for non-educational purposes. But voluntary schools in

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[1]Times, 8 August 1895, 12, which commented that whatever may be thought of Mr. Acland's methods in trying to improve lighting, heating, and sanitary arrangements, it was evident that in many cases improvements were absolutely necessary.

Portsmouth and Southampton, both rapidly growing communities, were experiencing difficulties. In the North-Central Division, Cheshire, Nottinghamshire, Derbyshire and Staffordshire, The Reverend C. H. Pares reported that the reception to the Circular had been splendid; in Derby a collection of È10,000 had raised all the Church schools far above the requirements.

In urban areas only a few board schools were below standard, but in rural areas, the inspectors were highly critical of school management which was virtually non-existent. There was only a nominal quarterly check made of school registers, if they were checked at all. The managers offered no help and encouragement to the teachers. In general, "there [was] no pride in progress--nay, the very reverse." Extra subjects meant more teachers, and at all costs the rates had to be kept down:

> The school starved, the teacher underpaid; and sometimes if the inspector does not sternly forbid it, some young, untrained, and even stupid relative of one of the members of the school board is foisted on to the teaching staff, to produce, forsooth, such rotten fruit as may be expected when a sickly graft is added to an already unhealthy tree.

The supply of teachers in rural schools was unsatisfactory, and if not brought up to standard the country will end up with failures in the towns. However, despite the criticisms there were improvements in all the towns and in the larger villages and children were staying at school longer.

APPENDIX D

A SUMMARY OF THE 1902 ACT AS INTRODUCED

Part I. Local Education Authorities

Section 1. Every county and county borough to be an LEA. Every borough with over 20,000 population, and every urban district over 10,000 to be an LEA for the purposes of Part III (elementary education).

Part II. Higher Education

s. 2. An LEA may supply or aid education other than elementary. It may spend the residue of the Local Taxation (Customs and Excise) Act, 1890, including the unexpended balance, plus such sums as it sees fit up to 2d. in the pound or such other rate as approved by the LGB.

s. 3. Part III LEAs may spend up to 1d. in the pound.

s. 4. (1) Under this part of the Act no council will require any religion to be taught or not taught.

(2) In any school or college receiving a grant or maintained by a council under this part of the Act: (a) a scholar will not be required to attend any kind of religious observance or instruction; (b) the times for religious worship or instruction will be conveniently arranged for the withdrawal of any scholar.

Part III. Elementary Education

s. 5. The following sections only apply where the LEA adopts this section. The procedures for adoption are laid out in the First Schedule.

s. 6. An LEA will have all the powers of a School Board and a School Attendance Committee under the Elementary Education Acts 1870-1900, and control of secular education. School Boards and Attendance Committees in that area are abolished.

s. 7. All public elementary schools provided by the LEA to be managed by managers appointed by the LEA, under s. 15 of the 1870 Act, and in the case of schools not so provided by managers who are managers under the Acts of 1870-1900 and this Act.

s. 8 (1). The LEA shall maintain all public elementary schools in that area "subject in the case of schools not provided" by the LEA to the following conditions: (a) The managers are under the direction of the LEA regarding secular education; (b) the LEA may inspect the school and audit the books; (c) the LEA must consent to the appointment of teachers but that consent can only be withheld on educational grounds; (d) school managers are responsible for repairs, improvements and alterations with their own funds; (e) the LEA may appoint one-third of the managers.

(2) Any questions arising from this section will be determined by the Board of Education and compliance will be one of the conditions of receiving a grant.

(3) Grants under the Voluntary Schools Act, 1897, will be paid to the LEA and distributed by them.

s. 9. Where anyone proposes to establish a new school, they will give public notice, and managers at any existing school, or an LEA, or any ten ratepayers may appeal to the

Board of Education. Any school built contrary to the Board of Education's decision will be considered unnecessary.

s. 10. The Board of Education will take all representations into account, but a school actually in existence will not be designated as unnecessary unless the number of scholars is less that thirty.

s. 11. If an LEA fails in its duties the Board of Education may make such orders as it thinks proper, which can be enforced by mandamus.

Part IV. General Clauses

s. 12 (1). Councils will act through a committee except for raising money. The Education Committee will be established under a scheme acceptable to the Board of Education.

(2) (a). Council appointees will be in a majority. (b) Appointments by co-opting will be made of experienced people.

(3) An LEA may have a separate education committee for any area of a county, or a joint committee with borough councils or urban districts, but the majority must be appointed by councils.

s. 13. Expenses will be defrayed out of a county/ or borough fund/ or expenses incurred for general puposes in the case of an urban district under the Public Health Acts.

s. 14. Lists borrowing powers.

s. 15 (a). An LEA may delegate authority to manage a school to any other local authority including urban or rural district or parish councils. (b). A Part III authority may relinquish its powers to the county.

s. 16. Provides for the application of a certificate under the Public Health Acts. 1875.

s. 17. Deals with overlapping school board boundaries.

s. 18. Gives definitions.

s. 19. Provides for the transfer of property, officers, etc.

s. 20. The Act does not apply to Scotland, Ireland or London. The Act will come into force on 26 March 1903 or such day as ordered within the next twelve months.

Schedule 1 See s. 5. Sch. 2. Transfer of property etc. Sch. 3. Modifications to the Elementary Education and other acts 1870-1900. Sch. 4. Acts repealed.

APPENDIX E

RITUALISM

The Kenyon-Slaney amendment finally put in place the means by which Church schools could be separated from the ritualist controversy that had swept through the Church since the mid-1870s.[1]

Ritualism, in brief, involved the adoption of Roman Catholic practices by Anglo-Catholic clergy who inserted them into the celebration of Holy Communion and other services.[2] It was based on a wish to revert to the pre-Reformation Church, obtain papal recognition of Anglican orders, and at some future time rejoin Rome. The Economist described Ritualism as a "Revolt of the High Church" by those "who wished to place themselves and their practices completely outside the control of the bishops, Parliament, and the Courts."[3]

If England had listened to call of the group inside the Church for disestablishment--Salisbury called it "'anarchy'"

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[1]J. E. B. Munson, "The Oxford Movement at the end of the Nineteenth Century: The Anglo-Catholic Clergy," Church History 44(1975): 383.

[2]Ritualism was the most common name used in the newspapers and Parliament. Others were Sacerdotalism, Sacramentalism, and Romanism. Munson, ibid.

[3]Economist, 4 March 1899, 306.

and Balfour "'unprofitable clamour,'"[4] and if at the same time the Liberal Party, driven by its strong Nonconformist support, had agreed, and disestablishment reached the level of practical politics, it would have put the Church in its relationship to education very much on the defensive, and made its position in the Commons uncertain.[5]

In Parliament evangelical MPs regularly accused Anglo-Catholic clergy of illegal ritualistic practices within the Church schools, and Liberals were quick to jump in when they could embarass the Government. Sir William Harcourt, the leader of Protestantism in the Commons, got a resolution against ritualism carried by 200 votes to 14; and Lloyd George instigated a debate on the state of elementary education in which he and his fellow-Welshmen made much of "Romanizing" tendencies in the Church. But the Liberals could not attack it officially, since it would only worsen their already strained relations with Redmond and the Irish Nationalists.[6]

Many Churchmen considered that if ritualism was not curbed, the Church would split leading to disestablishment.

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[4]"Mr Balfour at Manchester," Economist, 4 February 1899, 155. Machin, 244.

[5]Machin, 251, who adds that the delays in the creation of the sees of Coventry and Southwark were caused by MPs demanding that Church discipline should be assured first; Economist, 4 February, 4 March 1899.

[6]Times, 9, 10 February 1899; Munson, Oxford Movement, 383.

That it did not was due to the numerical weakness of the Anglo-Catholics within the Church, the Government's policy of leaving the bishops to deal with Church discipline, of not taking any parliamentary action unless forced, and the inefficiency of the anti-ritualists.[7]

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[7]Balfour at Manchester, 155; Salisbury told the Queen that the Government would not legislate "'on the ritual questions which are in agitation.'" Munson, Oxford Movement, 394, quoting, Salisbury to Queen Victoria, 5 Dec. 1898, CAB 41/24/47; Machin, 246.

APPENDIX F

EDUCATION ACT (2 Edw. 7, c. 42.)

A Summary

(Source: Montague Barlow and H. Macan, The Education Act, 1902, 96-164.)

Part I Local Education Authority (LEA)

Section 1 Counties and county boroughs to be the LEA; and boroughs of over 10,000 population and urban districts of over 20,000 to be LEAs for the purposes of Pt. III (elementary education).

Part II Higher Education

Section 2(1) The LEA in co-oordination with the Board of Education will supply education other than elementary. They may use the 'whiskey money' and levy a rate for a county of not more than 2d. in the pound. (There is no restriction on the rate for a county borough).

(2) The LEA will take account of existing efficient institutions and the previous work done by the technical education committees.

Section 3 Non-county boroughs and urban districts may aid Section 2-LEAs (secondary education) which is not to exceed a rate of 2d. in the pound.[1]

Section 4 Virtually the Cowper-Temple section of the 1870-Act. No definite religion could be taught in provided secondary schools, and in particular in teacher-training institutions established by the LEAs.

Part III Elementary Education

Section 5 An LEA shall have all the powers of a school board or an attendance committee, both of which are abolished; and have full control of secular education in non-provided schools.

Section 6 All schools shall have managers. Provided schools shall have four appointed by the LEAs and not more than two appointed by the minor local authorities in the

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[1] Some of the smaller local authorities were already assisting the technical education committees.

area (This refers to where a county is operating elementary schools).[2] In non-provided schools, the LEAs may appoint two managers to sit with four foundation managers. Schools may be grouped, and if necessay the number of managers increased, but always in proportion to the above.

Section 7(1) The LEA shall keep efficient all public elementary schools. (a) Managers of non-provided schools will follow the instructions of the LEA respecting the teachers, except for religious instruction. (b) The LEA shall have the power to inspect the school. (d)Provision is to be made for fair wear ant tear; and (1)(e) and (2) how the school can be used for other purposes. (5) Pupil-teachers and assistant teachers to be appointed regardless of their religion. (6) That religious instruction "shall be in accordance with the provisions of the trust deed..., and under the control of the managers." Any disputes will be settled by the bishop (This is the Kenyon-Slaney amendment). (7) The managers may appoint or dimiss teachers subject to the powers of the LEA.

[Sec. 7(e) presents some difficulties. A Part III authority could not use a provided school for evening school, although it may be legal to use a non-provided school, but the county could.]

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[2] Minor local authorities refers to non-county boroughs, urban and rural districts, and parishes.

Section 8 Public notice must be given of where a new school is to be built or a major enlargement of an existing school is to take place. Ten ratepayers may appeal to the Board of Education claiming that the new school or the enlargement is not required. A transfer to or from an LEA of a school is treated as a new school.

Section 9 The Board of Education shall determine whether the new school or transfer is necessary forthwith.

Section 10 A grant of 4s. per scholar in lieu of grants under the Voluntary Schools Act, 1987, and under s. 97 of the 1870-Act as amended by the 1897 Education Act (Necessitous School Boards Act); and 3§d. per scholar for every 2d. per scholar "by which the amount which would be produced by a penny rate...falls short of" 10s. per scholar.

Section 11 Provides for the appointment of foundation managers, and the making of the necessary orders by the Board of Education (The section implies that that the orders will go before Parliament).

Section 12 Allows non-provided schools to be grouped.

Section 13 Deals with endowments. (2) provides that endowments shall be credited against the rate of the parish

concerned, or if the council directs applied by the overseers against the poor rate of the parish. [The editors note ends: "It cannot be called the proper intention of an endowment to relieve persons or communities of their obligations to the State."] The LEAs share of an endowment in relief of the rates, and the manager's share relieves them of their duty to keep up the fabric by subscription.

Section 14 A proportion of fees charged by a non-provided school shall be paid to the LEA. In the case of a dispute, the Board of Education shall decide.

Section 15 Marine or other boarding schools may receive a grant even if not maintained by an LEA.

Section 16 In the case of failure by an LEA to carry out its duties, the Board of Education must hold an a public inquiry, and proceed , if necessary by mandamus.

Part IV General

Section 17 Provides for the establishment of an education committee of the local authority. Council may delegate any power except that of raising a rate or borrowing money. Members of the council must form a majority. The remainder

of the committee must be educationists, women, and intially it may be members of local school boards. The scheme must be advertised, and approved by the Board of Education. Authorities acting under the Welsh Intermediate Education Act, 1889, shall transfer their authority to the appropriate LEAs.

Section 18 Deals with financial matters.

Section 19 Gives Borrowing powers. [Early in the 1903 session an additional Bill was enacted, the Education (Provision of Working Balances) Act, (3 Edw. c. 10.) of two clauses to allow LEAs to borrow money immediately.]

Section 20 Lays down relations between LEAs, particularly Part II and Part III authorities.

Section 22 Defines an elementary school following Cockerton.

Section 23 Gives authority to LEAs to: Under 23(1) to pay for the transportation of teachers and pupils. (2) To pay for scholarships etc. outside the LEAs area. (3) Voting limitations on county councillors representing areas which are Part III LEAs. (4) How to compute a rate under the regulations ofthe LGB. (5) The Mortmain and Charitable Uses

Act, 1881, and 1891, shall not apply to any land used for the purpose of a school house. (6) A woman is not to be disqualified from acting under this Act either by sex or by marriage. (7) Teachers of all schools under an LEA are disqualified from holding office. (8) Population is as the census of 1901. (9) The Local Government Act, 1888, s.87(1) and 87(5) shall apply to local inquiries under this Act. (10) Board of Education inquiries shall be under the authority of s.75 of the 1870-Act.

Section 24 Interpretations.

Section 25 Gives authority for the repeal of parts of the Education Acts, 1870-1900, as specified in Schedule 3.

Section 26 The Scilly Isles Council will be the LEA for the islands.

Section 27 27(1) The Act shall not apply to Scotland, Ireland or London. (2) The Act shall come into force on 26 March 1903 or such other day as appointed, but not later than 18 months after the passage of the Act. (3) Renews the Cockerton Acts up to the day appointed. (4) Citations.

First Schedule Education Committees and Managers.

Second Schedule References in previous acts were aligned with the Act.

Third Schedule Modification &c. of other Acts.

Fourth Schedule Repeal of other Acts, etc.

APPENDIX G

EDUCATION (LONDON) ACT, 1903

(3 Edw. 7, c. 24)

(Source: M. Barlow and H. Macan, The Education Act, 1902, 241-47.)

Section 1 "The Education Act, 1902 (in the Act referred to as the principal Act), shall so far as applicable, and subject to the provisions of this Act, apply to London."

Section 2 2(1) Every public elementary school shall have a body of managers. How many, and where desirable, how schools will be grouped, shall be determined by the borough council after consultation with the LEA (LCC) and the Board of Education.

Two-thirds of the managers shall be appointed by the borough council and one-third by the LCC. In selecting managers, due regard will be given to include women to not less than one-third of the whole body of managers, and to include the original managers in the first body appointed. The LCC and

the borough councils will carry out any directions of the Board of Education.

(2) The site of a new school will not be determined without consultation with the borough, and the Board of Education shall not make an order unless it is satisfied that their concurrence can be dispensed with. Except where compulsory purchase is necessary this section does not apply to an enlargement of an existing school.

Section 3 Deals with schools on the boundary of the county or outside it.

Section 4 4(1) Authorizes changes to the principal Act stipulated in Schedule 1. (2) Defines the City of London as a metropolitan borough for the purposes of this Act.[1]

Section 5 5(1) The Act shall come into force on 1 May 1904 or such other date as appointed not being 12 months later, and parts of the Act to come into force on different days. (2) Allows certain acts and parts of acts listed in Scheduale 2 to be repealed. (3) Citations.

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[1] [1]This subsection looks like an afterthought because borough councils are mentioned in 2(2) and that would surely be the place to mention the City regarding school managers. [London was the first 'regional government' and Toronto was modelled on it in 1954.]

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