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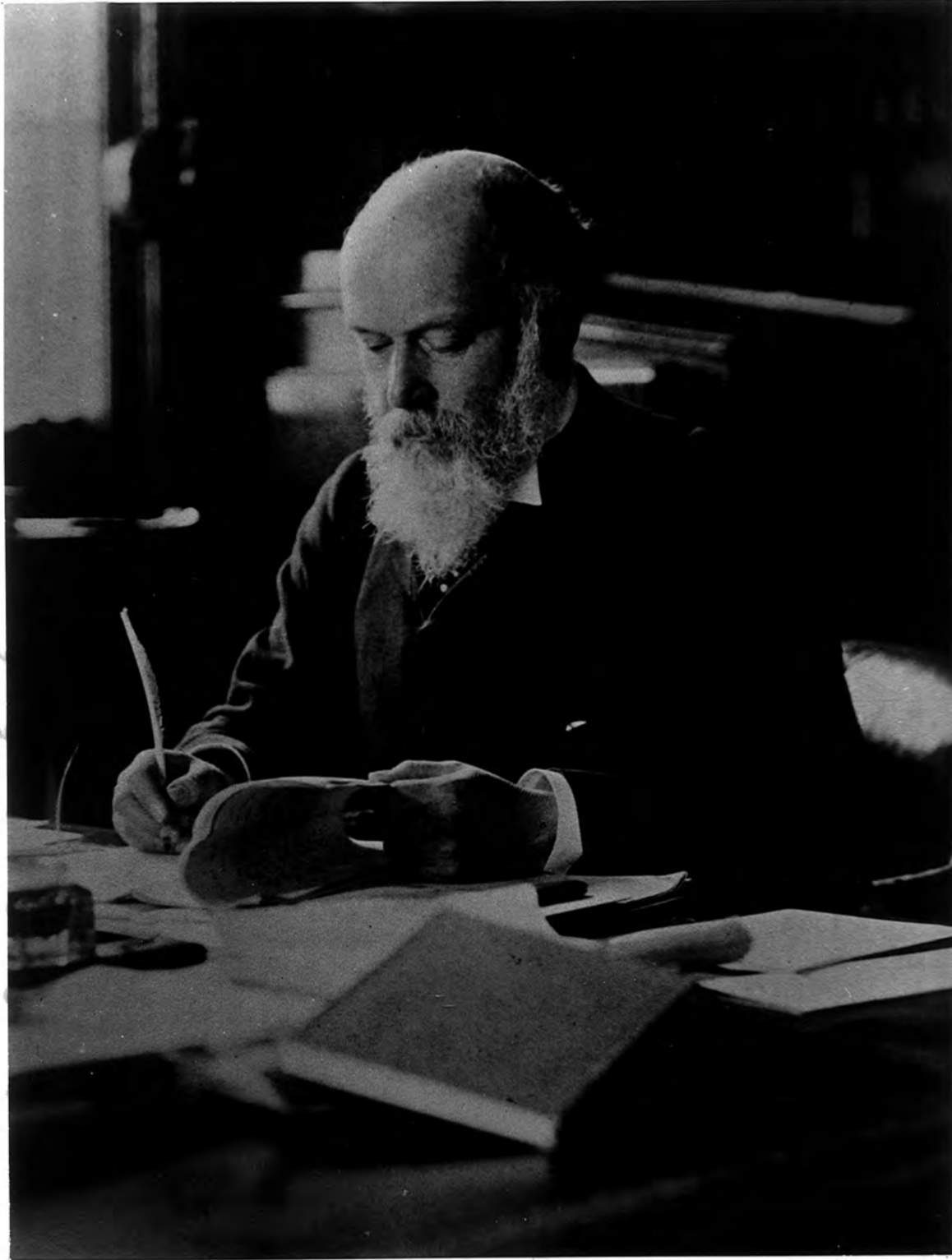
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THE EDUCATIONAL WORK OF SIR JOHN GORST

VOLUME 2

A thesis submitted for the degree of Doctor of Philosophy
of the University of Durham by N.D. DGLISH, B.Sc.,
October, 1974.

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Sir John Gorst

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CHAPTER TWELVE

Some of the side reactions of T.B. Cockerton's decision, as a local government auditor, to surcharge the London School Board for their illegal expenditure of rate money on education, began to appear soon after his pronouncement in June, 1899. The first occasion was in a debate in the House about the salaries and expenses of the Science and Art Department on August 4.

James Lowther, following the speech made by F.A. Channing criticising the activities of the Science and Art Department generally as obstructionist in their attitude towards School Boards, brought the House's attention to bear on Gorst's role in the Department. He was dissatisfied with the diversification of subjects that had been developed under the Department's aegis, and indicated that this was one of Gorst's responsibilities. He went on:

"It is evidently clear that money intended by Parliament to be devoted to technical education has been improperly used by school boards, and notably the London School Board, for other purposes, and I did hope that when this practice of breaking the law was brought under his notice, the right hon. Gentleman would have given us some assurance that it would be put a stop to ... The school boards of this country have undoubtedly made themselves extremely unpopular in various ways, but that they should deliberately break the law, and that the official representative of the Department in Parliament should confess his inability to make them observe the law is, I think, a public scandal".¹

Replying to the reprimands issued by both Channing and Lowther, Gorst indicated his view of the problems which had

¹4 Hansard, 75, c. 1501 (August 4, 1899).

been raised. He stated his pleasure at the way Clause VII of the Directory was being implemented, and also mentioned the fact that there would be little chance of this policy being altered. In dealing with the Cockerton issue, Gorst disclaimed any responsibility on his part for the matter:

"I explained to the House on a previous occasion that it has pleased Parliament to entrust the control of school board expenditure, not to the Education Department, but to the Local Government Board. The Science and Art Department cannot interfere with the London School Board, and has no right to say whether a particular item of expenditure is right or wrong. As to the legality of the expenditure, the decision is with the Local Government Board. I have no power to make school boards observe the law, but while on this particular case, I am very glad of the opportunity of stating how the matter stands. No doubt the auditor of the School Board for London has decided that its expenditure upon science and art teaching is illegal, and his general decision is expressed in every case in these words:

"School boards have no legal authority to use, expend, or apply any portion of the school funds in or about the instruction or examination of day schools or classes in science and art".

"The decision of the auditor has not been appealed against".¹

Gorst then went on to state what the Science and Art Department's reaction was likely to be, but in somewhat vague terms:

"It is quite clear that it [Science and Art Department] cannot abruptly withdraw all its grants, and it must assume that the School Board will now bring itself within the law. But we could hardly expect a change of that kind to be made in a week or a fortnight, especially if the School Board are appealing against the decision".²

It is evident from these statements that Gorst had, as far as his own role in the affair was concerned, adopted a

¹ Ibid., c. 1504.

² Ibid., c. 1505.

Pontius Pilate-like stance, whilst still providing the Science and Art Department with the freedom it required to carry out any necessary adjustments, in the Directory, and by other means at its disposal, to ensure success in the affair.

A member of the London School Board, in the House, assured Gorst that that body would obey the law, but:

"... we wish to ascertain what the law really is. That is a very important matter, and one which affects not London only, but all interested in education throughout the country, and I am bound to say that I think if the School Board for London appeals, as I believe they intend to, they will take the right course in the matter".¹

It was obvious, therefore, that this appeal by the London School Board would be seen as a challenge not only to Cockerton's decision but also to the Government's policy in this area of education. It was not surprising that the attitudes of the permanent officials in the Education Department underwent a change during this period, and conformed more to the ones expressed by Gorst. A closing of ranks had begun. Thus Kekewich, in considering a proposal from the London School Board, in November, for another conference between the Board and Inspectorate about the proposed higher grade school in Chelsea, wrote in a Minute:

"The objections to these conferences of Inspectors and the School Board for London on the curricular of their Higher Grade Schools seems to be that they look as if the Department has given sanction to the scheme of the Board.

"I think that we ought to have the scheme of the Board before us in detail, and to consider whether we can recognise such schools as they propose, and whether they satisfy the criterions of the Act of

¹Ibid., c. 1506.

1870.

"I should very much doubt whether the principal part of the instruction is in the elementary subjects, and I should ask the Board how they propose to show that.

"... They doubtless intend to run Secondary Schools as Elementary Schools and we shall have to decide by and by whether we will allow borrowing for the erection of such schools. The Board apparently want to put us in their end of the (?) court".¹

Receipt of the School Board's time tables for all their higher grade schools in January 1900, and the one for the Fleet Road school especially, tended to confirm the doubts of the Education Department, as a note from H.M.I. King revealed:

"... This [Fleet Road School] makes no pretence of standards, but substitutes schemes of work for

- "(1) Intermediate class
- "(2) Junior Commercial class
- "(3) Senior Commercial class
- "(4) Candidate's class
- "(5) Scholarship class

"The connexion of all these with an elementary school is not quite clear.

"Should not the Secy be asked whether he thinks that any opinion should be expressed on the merits of these timetables. The first paragraph of his minute 12 5 13 Y and indeed the whole minute seems to suggest that caution is necessary".²

The attitude which the Department's officials were having to adopt over such schools was revealed a few days later:

¹P.R.O. Ed. 14/41, Minute 12 5 13 Y, G.W. Kekewich to Corrie, December 11, 1899.

²P.R.O. Ed. 14/41, Minute 90/7344, H.M.I. King to Milne, February 1, 1900.

"I understand that what we have now to consider is not the intrinsic merits of these T.T.s. for Higher grade schools, but whether the Schools conducted on these lines satisfy the conditions of the Act of 1870, and can therefore be recognised by us. After looking through the T.T.s. submitted, and reading Mr. King's min., it appears clear to me that all the ex. vii classes, under their various names, are really outside the Code, and that it is our duty to have nothing to do with them. It seems a pity to interfere with their work, which is, I think, very valuable, and supplies a real want in some parts of London: but I have no doubt that the Board is exceeding the powers conferred on it - and, though it is not in our province to forbid them, we cannot do anything to encourage them or to suggest that we sanction this branch of their work".¹

If the Departmental officials adopted this change in attitude with some degree of reluctance, they were not so reticent in apportioning the blame for the necessity of this change. This was revealed in a memorandum stating the Education Department's position, with regard to accusations made by the Association of School Boards in a letter to the Duke of Devonshire with respect to the question of higher elementary education. The Science and Art Department prepared a similar memorandum. Both memoranda revealed that whilst there may have been a closing of ranks within the departments themselves, there still existed a chasm between the two departments.

The Association's letter, sent under the signature of the Dean of Manchester, was a lengthy document setting forth views and claims with regard to the provision of post-elementary education. The general tone adopted was very similar to the one contained in the letter intended by the

¹Ibid., OO/7347. Milne to Dasent, February 5, 1900.

London School Board for the Duke, in February, 1899.¹ The arguments presented were, also, basically the same i.e. that prior to 1896 the School Boards had received every encouragement from the Government departments in their provision of post-elementary education; and that it was only recently that the Science and Art Department had entertained doubts about the legality of the application of the School Fund for science and art instruction. Gorst was singled out for his behaviour over the implementation of Clause VII:

"... when this Clause was first introduced School Boards were told by the Vice President of the Council that they would be represented on the local authorities created by the Clause ... It is unfortunately within the knowledge of the Executive Committee, who have watched the proceedings of the Science and Art Department in this connection with keen interest, not unnatural in the circumstances, that these early assurances have not been fulfilled. On the contrary the Technical Instruction Committees of County Councils have invariably been appointed the authority on the actual initiative of the Science and Art Department, and these new authorities have been established in some cases, notably at Brighton, in the very face of opposition on the part of the School Board".²

(Gorst made a comment, in the margin, about this accusation: "Provision for the representation of School Boards has always been insisted on: but at Brighton and other places the School Boards refused to accept it".)³

The Association also maintained that prior to the Cockerton decision the very expenditures which had been dis-

¹See above, p. 346-7.

²P.R.O. Ed. 12/91. E.C. Maclure to Duke of Devonshire, March 14, 1900, p. 3-4.

³Ibid., p. 3.

allowed by him had been allowed, not only in London but throughout the country. They, therefore, asked Devonshire to ensure that the School Boards were allowed to "carry on their operations in the legitimate development of elementary education without let or hindrance".¹

The Education Department's memorandum upon this letter was essentially a refutation of the Department's role in the past in encouraging the growth of the higher grade schools, and put the blame for this phenomenon upon the Science and Art Department. Gorst's comments in the margin of the memorandum indicated that he had not been fooled by the arguments propounded in defence of the Department's actions. Thus when the problem of science "tops"² arose, and the writer of the memorandum claimed: "Whenever the Department has been aware that it was proposed to erect anything other than a public elementary school out of a loan, the Department has refused its sanction ...",³ Gorst noted, "The Edⁿ. Dept has sometimes I think shut its eyes so as not to see".⁴ And again, over the question of provision of laboratories in elementary schools, the writer claimed:

"Consequently a School Board could erect rooms and provide Laboratories ostensibly for that purpose [i.e. science teaching under the Code's provisions], and borrow money to build them, and subsequently use that provision for a School of Science. The Education Department had no power to prevent this being done ...".⁵

¹ Ibid., p. 6.

² The advanced department of a public elementary school which received grants from the Science and Art Department whilst the elementary part of the school received its grants from the Education Department. But, as Kekewich noted, "... both are practically part of the same organisation". P.R.O. Ed. 12/91. There were some 70 such schools run by School Boards.

³ & ⁴ P.R.O. Ed. 12/91.

⁵ P.R.O. Ed. 12/91.

Gorst, however, thought otherwise:

"It is however quite possible to discern that the laboratory provision made is more than sufficient for the purposes recognized in the E.E. Code and is really designed for a S. of S. This diagnosis has been actually made in several recent cases".¹

The memorandum continued in a similar, evasive manner claiming that the Department regarded the organised science schools, "... as lying beyond the limits of its jurisdiction", and concluded that the, "... change in the attitude of the Science and Art Department, and the action of the Department under Clause VII of the Directory, ... have caused the present difficulties and agitation among the School Boards which have for many years past been conducting these Higher Grade Schools".²

Gorst disagreed strongly: "This is quite erroneous. Cl. VII has had nothing to do with the difficulties or with the agitation". Kekewich concurred: "I agree - that it had nothing to do with either the conducting of Schools of Science by the Sc. Bds or with Higher Elementary Schools - But there is no doubt that Clause VII was distasteful to a number of School Boards".³

The Science and Art Department's memorandum, written by Donnelly's successor, Captain Abney, was also a refutation of that Department's role in the affair. Abney thought that the blame for the problem lay with the School Boards:

¹Ibid.

²Ibid.

³Ibid.

"... by aiding out of the School funds what has really been secondary education and by not complying with the regulations in the Science and Art Directory which require the payment of fees by the students in order to meet, at all events to a considerable extent, such expenses of maintaining the classes as are not met by the grants obtained from the Department".¹

The Department had all along felt: "... there was nothing to lead the Department to believe that the School Board classes were other than self-supporting"; an attitude which Gorst found somewhat hard to believe: "I think the S. & A. Dept might easily have discovered it", which seemed to be in slight contradiction with his comments, on the same matter, on the following page: "I was always told that these S's [Schools of Science] were self supporting and I believed it till a few years ago and have stated it in public speeches".²

Abney thought that the Department's responsibility, as far as Schools of Science were concerned, had, until recently, been only with: "... the question of the fitness of the proposed accommodation for the purposes of such Schools and not that it should investigate the means by which the buildings had been obtained".³ It was only since the two central Departments had worked together more in such matters that, "... enquiries have been reciprocally made in regard to the buildings to be erected and the purposes to which they were to be put". Had such a liaison occurred earlier, then, Abney postulated, "... many of the difficulties which have arisen would have been avoided".⁴

¹ & ² Ibid. Gorst's speeches in 1897 included references to the self-supporting nature of these classes.

³ & ⁴ P.R.O. Ed. 12/91.

Unlike the writer of the Education Department memorandum - who appears to have been Kekewich - Abney was not afraid to voice his opinions about the suitability of the School Boards continuing with their higher grade schools. He was in favour of the science content being retained, regarding it as a course:

"... which will, probably, prove in after years much more useful to the artisan class than merely literary work ... If this side of the Higher Grade Schools should be closed through inanition, due to the fact that support cannot legally be given them out of the rates, I believe it would be a national calamity. The scholars in these Schools are those who become our artisans".¹

Abney did not, however, have the same confidence in the evening classes organised by the School Boards:

"I believe it was the growth of evening continuation schools which made the Boards annex these classes and that their action was due more for the sake of the better grants which could be earned under the Science and Art Department than for any other reason. My opinion is that the School Boards should be restricted to the evening continuation schools and that the Science and Art evening classes should be under the local authority whose proper function it is to develop them and make them useful adjuncts to technological instruction".²

These concluding remarks earned the approval of Gorst:

"I agree: but this can only be carried out if the Eve. Cont. S.s. and the Sci & Art evening classes are looked after by the same branch of the B. of E.".³

The contents of these two memoranda revealed the past as well as some of the current attitudes of the two departments. It was also clear that by the beginning of 1900 the officials knew exactly what Gorst's attitudes and policies were, and

1, 2 & 3 Ibid.

what was expected from them in the future, with regard to the activities of the School Boards. The memoranda had, also, undoubtedly, provided Gorst with a useful insight into the thoughts of his chief civil servants.

In March the new Education Code was laid before the House, and it contained some striking proposals with regard to the education provided in elementary schools, plus the means of financing it. The latter proposals involved the abolition of the variable grants received by elementary schools, and the substitution for them of a fixed, block grant of 22s. per child.¹ Coupled with this stabilisation of schools' finances was to be a liberalisation of the curriculum. There was to be a core of essential subjects taken by all children, and a host of peripheral, selected subjects.²

¹The normal grant was to be 22s., but in the case of defective school it would be reduced to 21s. This was to serve as a warning to the school, whilst providing enough financial aid for the school to be able to regain a satisfactory level; the previous system, by withdrawal of the grants completely, inevitably made it very difficult for a school to return to a satisfactory level.

²"The course of instruction in schools for older scholars will ... be required to include English (by which is to be understood reading, recitation, writing, composition, and grammar in so far as it bears upon the correct use of language), arithmetic, drawing for boys, needlework for girls, lessons (including object lessons) on geography, history and common things, singing, and physical exercises". The peripheral subjects included algebra, Euclid, mensuration, mechanics, chemistry, physics ... animal physiology, hygiene, botany, principles of agriculture, horticulture, navigation, Latin, French, Welsh (in Wales), German, book-keeping, shorthand, domestic economy or domestic science, drawing (for girls) and needlework (for boys). There were also technical subjects, earning an additional grant of 2 to 7s., which included, cookery, laundry work, dairy work, and household management (for girls); manual instruction, gardening, and, in seaport towns, cookery (for boys). Report of the Board of Education, 1899-1900, P.P. 1900, XIX. [Cd. 328], p. 10.

"The general object of these alterations has been to secure for schools greater financial stability, to allow more freedom in the classification of scholars, and to provide for the varying needs of different types of schools. The present changes are intended to operate in the same direction, and in particular to make the course of instruction in all schools more comprehensive, while enabling the details of the instruction to be adapted to the special circumstances of the school ... It is our desire to allow to managers and teachers the greatest freedom possible in planning and carrying out courses of instruction comprising the subjects specified, and to encourage them to adapt the teaching given in their schools to local requirements".¹

This rationalisation of schools' finances and curricula had been one of Gorst's initial goals, and the concept had been incorporated in the 1896 Bill. Its achievement, four years later, was greeted with scepticism by certain sections of the community:

"The new Education Code ... affords another example of the persistent and shameless audacity with which the present Government continues to pay its political supporters for past and prospective services at the poll-booths out of the common purse of the nation at large. It goes even further than this, for it comes down with a vigorous blow upon all the best School Boards - that section of the community for whom their open and active hostility has only been restrained by ominous warnings from the country at large. We have in this Code the most revolutionary step in educational affairs which the country has witnessed for forty years ...".²

Hollowell's biographer was more succinct in his criticism of the Code:

"... the actual effect was another dole to Clerical Schools by the levelling down of good schools to 22s. and giving the plunder to the

¹Ibid., p. 11.

²National Education Association. 'Save the Higher Grade Schools.' Special leaflets, Higher Grade Schools, Number 5, 1900, p. 1.

inefficient, and in so doing dealing a blow at the same time to all Higher Grade Schools, so greatly hated by the Denominationalists".¹

This partisan attitude did reflect some of the truth about the effects of the Code i.e. that it would hinder the efforts of the more progressive School Boards. On the other hand, a greater number of schools, both Board and voluntary, would benefit from the increased (for them) grant, and they, it was argued: "... will now be enabled ... to attain a better level. The general standard of efficiency in our primary system, as a whole, will unquestionably be raised by the block grant".² Partisan feelings about the merits of the Code were the result of a limited outlook on the whole educational issue and, in many cases, precluded the observation of the merits in national terms. One antagonist of Gorst's in the House, however, put aside party rivalry in discussing the matter, and gave credit where it was due:

"The measure and the test were - so many subjects taught, so many grants. All that is swept away, and I rejoice at and approve of it. I congratulate the Vice-President that it has come to his turn to effect this reform ... I congratulate him, and I venture to offer my humble approval of the block grant, as it is laid down in the Code".³

¹Evans, W., James Hirst Hollowell, p. 68. Hollowell was general secretary of the Northern Counties Education League, founded in 1896 to defend the School Board system, 'against the attacks of Ecclesiastical parties'.

²4 Hansard, 82, c. 599 (May 3, 1900). The speaker was Jebb. The annual, average grant (replaced by the 22s. block grant) for Board schools in 1898 was £1.0.4 in England (£1.0.1 in Wales) compared with £0.19.8½ (in England) and £0.19.8¾ (in Wales) for voluntary schools. These figures, therefore, substantiated Jebb's basic premise. Report of the Committee of Council on Education, 1898-9, P.P. 1899, XX [c. 9401], p. xli.

³4 Hansard, 82, c. 610-1 (May 3, 1900).

a veritable eulogy from the General Secretary of the National Union of Teachers, J.H. Yoxall.

The controversy about this basically progressive measure had hardly developed when an even more controversial matter was presented to both the House and the public. This was the Higher Elementary Schools Minute of April 6.¹ Just before its appearance, however, the Duke of Devonshire expressed his doubts about the Code, and the proposals to be embodied in the Minute, to Balfour:

"We could withdraw the New Articles in the Code and lay on the Table as was done in 1881 'Proposals for Revision of Code'. If these were embodied in the next Code they might come into operation as soon as that Code becomes law, and grants would become payable at the same time as now proposed.

"But I do not know that much would be gained by this procedure.

"What the Schools want to know is under which set of Rules they are to work in the coming year. But the postponement of the operation of the New Code ... gives Parliament another opportunity of considering the proposed change.

"If our proposals as to Higher Grade Schools and a rearrangement of Grants was not satisfactory to Parliament, the next Code which will be laid on the Table in February or March could modify the provisions of the Code of 1900 and no payments could be made under its provisions.

"In fact by assenting to the Code Parliament will only be approving the principle of the Block Grants to which nobody objects, without committing itself to the details, and I believe that a promise to reconsider the position of the Higher Grade Schools will remove all serious opposition".²

¹Minute of the Board of Education, April 6th, 1900, establishing Higher Elementary Schools, P.P. 1900, LXIV [Cd. 127], p. 959-63.

²B.M. Add. M.S. 49769, f. 177-8. Duke of Devonshire to A.J. Balfour, March 30, 1900.

Not only was the Duke worried about the objections which had been raised about the Code, but he obviously foresaw the possible storm that would be unleashed if the Minute on the higher grade schools was published.

The principles of the Minute first appeared in a paper by Gorst, circulated to the Cabinet after it had been scrutinised by the Treasury, published on April 2. Gorst's presentation of the paper revealed utilisation of his vast political experience. The controversial matters presented were clothed in an ingenious financial scheme, all with regard to the higher grade schools. These controversial items were so presented that they appeared to be necessary if the (theoretically) main aim of the paper i.e. financial savings, was to be achieved. This stratagem of a reduction in educational expenditure would have appealed to a Cabinet engrossed in the vicissitudes of the war, and an increasingly costly one, in South Africa.¹ Gorst also employed the implementation of the Board of Education Act, on the previous day, as the basic excuse for presenting the paper, which was entitled; Scheme for New Grants under the Code to Higher Elementary Schools: To take the Place of the Present Grants from South Kensington and Whitehall.²

¹Public expenditure reached a total of £281 million in 1900, compared with £131 million in 1890 (and £305 million in 1910). The Boer War was undoubtedly a major contributory factor in the increase in central government defence expenditure from 33% in 1880 to 41% in 1905. Read, D., Edwardian England, p. 81-2; Ashworth, E., An Economic History of England, 1870-1939, p. 229-230.

²P.R.O. Ed. 24/39, April 2, 1900.

Gorst's examination of the finances of the 70 Higher Grade Schools which possessed a "Science Top" revealed that some 23,114 children were earning for these establishments a total, annual income of £92,901 from Whitehall (£39,058) and South Kensington (£53, 843) alone. If, however, the financial principles embodied in the New Code of the Board of Education were employed in a new type of school derived from a welding of the two components of Higher Grade Schools (i.e. public elementary and school of science), then, Gorst calculated a saving of some £6,872 on the previous year's expenditure by the Treasury could be achieved.¹ But, he maintained, such a saving could only be achieved by the strict observation of certain conditions and restrictions. And it was by the introduction of these conditions that Gorst aimed to achieve his real objective i.e. a restriction of the activities of the School Boards in non-elementary education. This was not, as the conditions revealed, a light trimming of higher grade schools' curricula but a drastic pruning - so drastic, in fact, that all their future activities would be confined to the elementary field alone.

The new type of establishment which Gorst envisaged was the Higher Elementary School, and it was to be:

"... definitely organised and staffed for a complete four years' course. It would correspond practically to the present Standard V. and Standard VI., and the two years of the Elementary Course of the 'School of Science' under the directory of the Science and Art Department".²

¹P.R.O. Ed. 24/39, p. 4, section 13.

²Ibid., section 14.

There was, of course, the problem that the advanced courses of the schools of science would be terminated by this proposal. As this would only affect some 1,250 students (out of some 12,579), Gorst felt sure that, "The managers would willingly suffer this curtailment in order to obtain the advantages of the new system".¹ A neat side-stepping of the issue, but a view that was not shared by Sir Francis Mowatt of the Treasury, in his note accompanying Gorst's paper: "There is a danger that the managers of the Higher Schools ... will cry out against their curriculum being curtailed".²

The "various important requirements" with regard to these schools which he then proposed, Gorst saw as necessary, "to insure the efficiency of the ... school, to secure that it be allowed to exist only where strictly needed, and to determine effectually the limits of its scope".³ Within these requirements was the essence of the "legislative bed of Procrustes", as Eaglesham described the subsequent Minute:⁴

"(a) The school must be recognised by the Board of Education as 'necessary' i.e. actually required by the circumstances of the district. The sanctioning of new 'Higher Elementary Schools' would have to be very carefully considered in every case in view of all the circumstances. Their increase will be very slow as the supply is already fairly complete, and the initial expense of buildings will always deter the localities considerably.

¹ Ibid., section 14.

² Ibid., p. 9.

³ Ibid., p. 4, section 16.

⁴ Eaglesham, E.J.R., The Foundations of 20th Century Education in England, p. 33.

"(b) It must from the outset have a staff qualified to teach the higher work of the third and fourth years of the course; no school would be recognised which provided for anything short of the full four years' curriculum ...

"(c) Its work would be of a higher character ... than that of the ordinary elementary school which earns the new Block Grant of 22s. under the Code ...

"(d) Every child, in order to be admitted, would have to prove to the satisfaction of the Inspector of the Board of Education that he or she had reached the requisite standard of attainment to be able to profit by the school course ...

"(e) Every child must have been attending an ordinary public elementary school for at least 12 months before seeking admission to the Higher Elementary School. This is to ensure that this form of State-aided education is secured to the class which needs it, and that the school shall not become a cheap resort for middle class children; it also tends to prevent competition between the Higher Elementary School and the Secondary School. This latter point is still further guarded against by the distinctly non-secondary character of the proposed curriculum, as also by the strict top limit of its scope.

"(f) No child should be allowed to remain in the Higher Elementary School after he (or she) has completed (bona fide) the fourth year's course, and is upwards of 15 years old.

"[?Alternative regulation - No child over 15 may stay in the school].

"(g) The teachers must be certificated, and possess such other qualifications as may be laid down by the Board of Education in the Code as requisite in the case of Higher Elementary Schools, and there must be a fully qualified teacher for every 40 (or less) scholars on the register.

"(h) The Higher Elementary School must be quite distinct from the ordinary Elementary School; it must have a separate head master, separate staff, separate registers, separate accounts, etc., etc. During the present transition it may be held, under the approval of the Board of Education in the same buildings as an ordinary Elementary School, where circumstances require it; but the rule in the first sentence of paragraph (h) must still be rigidly adhered to".¹

¹P.R.O. Ed. 24/39, p. 4-5, section 16.

These drastic measures reflected Gorst's desire to effectively stop the School Boards' activities and excursions into the field of secondary education; a point which he reiterated in his paper:

"... it is well, on every ground, that this type of school should be distinctly marked as an Elementary School, and so prevented from posing as a Secondary School. The education it is to give, the class of boy and girl for whom it is to be suited, the character of its staff, and the limits of its scope, alike, make this point very important".¹

There was, also, inherent in his plan, a desire to achieve some sort of rationalisation in the schemes of education offered at the higher end of elementary schools. Gorst envisaged the new schools serving as central institutions within a locality for picked students, when they had completed standards IV. or V.: "This systematisation will enable the work to be done much more efficiently, yet with far less waste of teaching power and of funds".² This rationalisation must not, if at all possible, be contended, be deflected from achievement due to the outcries of either school managers or Members of Parliament. He felt that it would be the voluntary school managers who protested, no doubt at the possible curtailment of some of their income which would result from such a scheme, rather than the School Boards: "The big School Boards will be well satisfied with the Scheme herein offered".³ And in this forecast, Gorst was to be correct - at least in

¹Ibid., p. 5, section 17.

²Ibid., p. 8, section 23.

³Ibid., p. 8, section 24.

the initial period following publication of the Minute.

It appears that the Cabinet did not raise any objections to these proposals, and Gorst therefore proceeded with their implementation. On the same day he asked Kekewich to:

"... direct additional articles of the Code to be drawn which will carry out the scheme of Higher Elementary Schools which has been approved by the Treasury. These will have to be approved by the Treasury and the Lord President and should if possible be laid on the Table before the Easter holidays".¹

Kekewich replied two days later that:

"A Committee is appointed to consider the framing of Articles to be set out in a Minute and subsequently inserted in the Code, to carry out the scheme of Higher Elementary Schools proposed in a paper which will be laid before the Committee.

"The Committee will consist of Sir W. Abney (Chairman), Mr. White, Mr. Cowie, Mr. Sykes and Mr. Morant (Secretary)".²

The Committee worked quickly in the production of the Minute, no doubt aided by Morant's knowledge of the scheme on which it was to be based, for it was produced on the day that Kekewich had informed Gorst that the Committee had been set up. After reading the Minute Gorst wrote to Balfour, letting him know his thoughts about some points which it raised:

"I read the proposed Minute about higher E.S's in a great hurry last night in order that it might go off to the Duke of Devonshire by last night's post.

¹P.R.O. Ed. 24/39. J.E. Gorst to G.W. Kekewich, April 2, 1900.

²Ibid., G.W. Kekewich to J.E. Gorst, April 4, 1900.

"On reading it more carefully today, I perceive two passages which will create an unnecessary opposition in the House of Commons.

"1. para. 1. The sentence from 'such' to the end is not necessary, as we have by para. 9 the power to regulate the curriculum. But the promulgation of our purpose to cut off the 'Advanced Science' is sure to give rise to much discussion. I should suggest its omission.

"2. para. 11 is an addition to the scheme which I think unnecessarily provocative to the great School Boards. It forbids them if they have Higher Elementary Schools to be managers of a School of Science. There are some S.B.'s legitimately managing S's of Science, drawing their maintenance not from School-rates, but from the 'drink-money' in the hands of County and County Borough Councils. They will say with some reason that cl. 11 is vexatious and outside the proper scope of the minute and for the sake of peace I should leave it out".¹

It would appear that in the copy of the Minute that was sent to Balfour, with an accompanying memorandum by Morant, Gorst's wishes were observed and the offending items had been deleted. The interesting point, however, about this Minute - apart from its radical proposals - was the effect that it had on both Gorst and the Duke of Devonshire. Both were obviously aware, from the planning stages, of the possible effect that implementation of the proposals would have upon the School Boards. This did not appear to deter them from proceeding with the drafting of the measure; and yet, when the planning had finished, both seemed to have had second thoughts, and to have drawn back from the brink at which they had arrived. This is seen in their letters to Balfour. It is even more peculiar in view of the fact that their actions, and Gorst's especially, had been moving, albeit slowly and

¹P.R.O. Ed. 24/39. J.E. Gorst to A.J. Balfour, April 5, 1900.

in circuitous ways sometimes, since 1896, to an eventual confrontation with the School Boards. This had to happen if the county and borough councils were to become the effective local education authorities; and it also had to result in a considerable diminution of the powers of the Boards to achieve this. The Cockerton case looked as though it would help in this process, and this measure i.e. the Minute, was more of a back-up one than a spearhead assault on the Boards. True, it attacked the Boards before the Cockerton case was resolved, but the precedent had been established by Cockerton's judgement nearly a year beforehand. A solution to this display of hesitancy on the two men's part may be that they had the ability to visualise the devastating effect the measure, plus an affirmation of Cockerton's decision, would have on the nation's educational system if the government, preoccupied as it was with South Africa, did not take positive steps in the reconstruction of the system along the lines which they desired, and which would be necessary. There was the possibility that Salisbury, Balfour, Hicks-Beach, et al, would be content to preserve a status quo in the system after the pruning of the Boards, and not encourage reform.

Gorst's fears seem to have been allayed by the reception accorded to the Minute in a debate upon it, and the new Code, shortly after the Easter recess. Jebb, in introducing the subjects of the debate, saw the new type of school as, "... the crown of our primary system",¹ and the Minute's proposals

¹4 Hansard, 82, c. 499 (May 3, 1900).

as providing the needed delineation between primary and secondary education. He foresaw, with the introduction in the near future, possibly, of the promised Bill for establishing local authorities for secondary education, the establishment of a coherent system of elementary and secondary education in the nation.¹ A system which would be organised in a unified manner by the new Board of Education, and one which would benefit the nation: "... our national education, in its entirety, will be redeemed from defects which have too long placed us at a disadvantage relatively to the other leading countries of the world".²

Henry Hobhouse, in seconding the Motion, saw the Minute as, "... a distinct step towards the co-ordination recommended by the Royal Commission",³ and although some schools might suffer financially under its proposals he did not think that any school, "... will lose educationally under this new scheme". Thanks, therefore, were due to Gorst, "... for laying the foundation of a new and far-reaching reform in our national education system".⁴

The main Opposition speaker, H.J. Yoxall, congratulated Gorst, "... on the wiser course which he is now pursuing ... If I criticise the higher elementary school minute it is on details only, and not on its principle".⁵ Yoxall went so

¹ Ibid., c. 500-1.

² Ibid., c. 605.

³ Ibid., c. 608.

⁴ Ibid., c. 609.

⁵ Ibid., c. 611.

far as to state his belief that it would be the voluntary schools which would suffer, financially, under the Minute rather than the Board ones, which he believed would benefit. Another Opposition Member, Alfred Hutton, however, thought that the inflexibility of the Minute with regard to staffing of the new schools, "... will do more harm and more to prevent the natural development from elementary education to higher or secondary education than by any other step ... taken for a long time".¹ Albert Rollit, whilst in favour, basically, of the Minute as a means to the provision of a State system of education, was, like Hutton, worried about the inelasticity of the measure:

"I would like to urge upon the right hon. Gentleman that while the principle of his proposal is good, there is in all education a need of elasticity and variety. Even Mr. Squeers might claim that his plans were various and his instruments elastic, and I hope the right hon. Gentleman will make some few concessions which I think would be a considerable improvement".²

Gorst was determined in the working of the Minute not to emulate the proprietor of Dotheboys Hall, and in his reply to the questions he defended the Minute vigorously. He had been greatly astonished by the accusation, from Hutton, "... of being a violent enemy of higher grade schools. I always thought I was one of their warmest friends".³ Proof of his friendliness, and that of the Government, to these schools, he claimed, lay in the Minute, for:

¹Ibid., c. 626.

²Ibid., c. 660.

³Ibid., c. 688.

"The higher grade schools are at the present time in very great jeopardy. They have extended their operations into giving secondary education, and the school rate has been applied to paying the expenses of what is undoubtedly secondary education. I do not know whether this constitutes me an enemy of the higher grade schools, but since I have been Vice-President ... I have never ceased to say that, in my opinion and in the opinion of the old Committee of the Council and of the present Board of Education, that proceeding is illegal. That is no new thing. The hon. Member for Morley talked of it as if it were a new discovery made by the auditor last year. It is a statement which has been made over and over again by the official representatives of the Education Department that no School Board has any legal right to expend the school funds upon secondary education. You have, consequently, this state of things. You have School Boards who have established excellent higher grade schools, whose work I have always spoken of in terms of the highest eulogy; and the School Boards are now supporting these schools in an illegal manner out of the school funds. What, then, is to be done? This minute affords the opportunity of placing these schools on a legal and legitimate footing ... I believe the great majority of these schools have hailed with satisfaction the publication of this minute, and ... they will convert themselves into higher elementary schools so as to place their proceedings on a proper and legitimate footing".¹

Gorst also went so far as to state that the measure was essentially an experiment which would be conducted in an intelligent and flexible manner by the Board of Education, and that if it needed altering, alterations would be made. When asked when that would be, Gorst gave a very non-committal answer, "... when experience has told us that the present minute requires amendment". He did hope that the House would believe, "... that this Code and this minute, which are so heartily approved of by the Opposition, have been conceived with a desire to advance the elementary education of

¹Ibid., c. 690-691.

this country; ...".¹

James Bryce, concluding for the Opposition, was not deceived by Gorst's protestations of friendliness and thought that the form of the minute was not, "... by any means that which will make the higher grade Board schools a success".

Furthermore:

"The future constitution and working of higher grade schools must depend upon the provision you make for secondary education, and until you have a Secondary Education Bill you cannot consider any plan for these schools as being more than provisional and temporary".²

Bryce foresaw the restricting effects that the new schools would have in their formation by the simultaneous abolition of higher grade classes, "where more sound good work is done ... than is done even by these great higher grade schools in big towns".³ But, no doubt with his belief that the minute could only be a temporary measure, Bryce felt, "... that we are on the eve of still larger changes in our system of elementary education".⁴ A prediction that was in seven months time to become true - but not on the lines that Bryce hoped for.

If Gorst's fears about the possible outcome of the Minute had been allayed by the basically favourable reception which it had received in the House, there was still the problem of its implementaton. A problem in so far as the

¹Ibid., c. 693.

²Ibid., c. 696-7.

³Ibid., c. 698.

⁴Ibid., c. 700.

applications for recognition under the Minute would be received by Kekewich, who had made no secret in the past of his pro-Board schools attitude. But for the Minute to achieve the goals desired by Gorst, it would have to be strictly adhered to - something which Kekewich might not do. Gorst accordingly wrote to Devonshire the day after the debate:

"The discussion in the House of Commons took place last night in virtue of Mr. Balfour's promise and the Code for 1900 will now be acted upon.

"The Minute on Higher Elementary Schools comes into force on Monday May 4. Many applications for recognition under the Minute have been already received, which raise important questions of administration.

"In view of the pledges which we have given to the Chancellor of the Exchequer, on the strength of which the sanction of the Treasury was obtained,¹ I propose that a general directive shall be given that no school shall be for the present be recognised as a Higher Elementary School under the Minute, until its application has been referred to and approved by the President and Vice President".²

Devonshire approved this proposal of Gorst's. To remove any chance of interference by Kekewich at other stages in the processing of the applications, Gorst wrote a tactful note to Kekewich after he had been notified of Devonshire's approval:

"Will you please give the requisite directions to the officials of the Board of Education and please caution them not by answers to general questions to prejudice the ultimate decisions.

"The conditions stated in the minute must not be relaxed so as:-

"1. To allow Managers under the colour (sic) of establishing higher Elementary Schools to obtain

¹Gorst was presumably referring to the savings that would accrue from his scheme.

²P.R.O. Ed. 24/39. J.E. Gorst to the Duke of Devonshire, May 4, 1900.

additions to the ordinary Block grant from the Treasury, or

- "2. To allow Higher Elementary Schools to become the base for a fresh inroad by Elementary Education Authorities into the domain of Secondary Education.

"I don't know what arrangements you contemplate for the correspondence on these Higher Elementary Schools with the Board of Education. But it is evident that the Secondary Branch must be consulted at every step, as they have hitherto dealt with the Schools of Science under School Boards which these new schools are to replace. Perhaps it would be the shortest and simplest plan to entrust the conduct of the negotiations between the Board of Education and the managers of 'Higher Grade Schools' to that Branch".¹

Kekewich went on the defensive, as his reply to Gorst indicated:

"I note the decision of the President, which is of course in accord with the usual practice of the office in such cases. The main principles of administration are always submitted to, and approved by, the Ministerial Heads of the Office; as was the case in both the Act of 1891, and the Act of 1897.

"As regards the mode of dealing with applications for the recognition of Higher Elementary Schools, I will consult Sir W. Abney and Mr. White.

"The schools are on the borderland between the two Branches and concern both.

"They will be Public Elementary Schools, and as such, they must, I think, be aided (that is, the grants must actually be paid by) the Elementary Branch.

"At the same time the more important part of the instruction will be in subjects which the Inspectors of the South Kensington Branch are best competent to inspect and judge.

"The Inspection must, therefore, be dual.

"Perhaps the correspondence had better come to Whitehall in the first instance. And, subject to what Sir W. Abney and Mr. White may advise, I should think it desirable to attach (at any rate to some

¹P.R.O. Ed. 24/39. J.E. Gorst to G.W. Kekewich, May 6, 1900.

extent) one of the best of the South Kensington Inspectors (temporarily at any rate) to Whitehall to advise and deal with the correspondence. His place might be supplied at South Kensington.

"However, after I have seen Mr. White and Sir W. Abney, I will arrange, so that both Branches are conversant with the work they have to do".¹

Gorst was not to be deterred from his goal:

"I take note of your minute. It seems to me that there will be no financial difficulty, as the administration of Parliamentary grants is made by the Board of Education, and not by either of its branches. I think some arrangement must be made by which the Inspectors of one branch will be responsible for the Higher Elementary Schools. Double inspection would be bad for the Schools and bad for us, as it would be said that the supposed unity of the Department was a delusion. I do not wish to interfere with the arrangement of the secretarial work, but no papers should be submitted for decision, until the views of the officials who have hitherto supervised the School of Science's which the new Schools are to replace have been obtained".²

The next day Gorst visited the Barnetts, apparently pleased with the way things were beginning to go:

"Gorst came up on Wednesday, he is happy with his success in moving on education and has a sort of promise from the Great Joseph that the Secondary Bill shall be brought on. Gorst has really done well considering that the Government is against Education and that the Liberal party is jealous of Conservative success or at any rate suspicious. He had no special news of Government plans".³

The secondary education Bill to which Barnett referred had been in the hands of the Duke of Devonshire since the beginning of the year, and whilst Gorst was engaged in the

¹P.R.O. Ed. 24/84. G.W. Kekewich to J.E. Gorst, May 7, 1900.

²Ibid. J.E. Gorst to G.W. Kekewich, May 8, 1900.

³Barnett Papers, F/BAR/218. Canon Barnett to Frank Barnett, May 12, 1900.

affairs of the Higher Elementary Schools Minute he had been negotiating with Salisbury over its contents.¹ This was to remain the case, for Gorst was still involved with the Minute.

Two days after the debate in the House on the Code and the Minute, a deputation from the London School Board presented themselves to Kekewich. The main point of their meeting him was to press for an increase in the elasticity of the terms of the Minute, "... so that in particular cases exceptions may be made to the rules which limit the age of the

¹The basic proposal of the Bill was, "... to make County Education authorities to establish or aid Secondary Schools for all purposes, not as now for Technical Instruction only", with safeguards against the use of public funds for denominational teaching. Salisbury Papers. Duke of Devonshire to Lord Salisbury, January 21, 1900. The denominational question seems to have worried Salisbury more than the main proposal, but Devonshire saw little in the way of a problem: "... I have endeavoured to show that these provisions of the Technical Instruction Acts have worked without friction of any kind for 10 years, that they have not prevented strictly denominational institutions from receiving aid from the County Authorities, and that there is every reason to believe that they will work equally smoothly in the case of Secondary Schools generally, especially under the limitation of the definition of aid contained in Clause 4". What he was more concerned with was provision for the future: "No form of education, primary, secondary, or higher, has ever been self supporting in this country ... we can scarcely rely on fresh endowments meeting the educational wants of the future, and unless secondary schools can receive some assistance, either from the taxes or the rates, I am afraid that we shall remain permanently behind other countries. I do not suppose that the Chancellor of the Exchequer would care about increasing the State subvention for this purpose, and if he did, I should think it a much more doubtful policy than that of allowing County authority (Councils - not Education Committees) to spend such sums out of their own funds as they though necessary in the circumstances of their own districts". Devonshire to Salisbury, April 21, 1900: Salisbury Papers. The Bill was introduced into the House of Lords on June 26, 1900, by Devonshire.

children". Kekewich was inclined to agree with them, and wrote to Gorst and Devonshire a week later: "I am inclined to agree that hereafter more elasticity might be introduced, in some respects, into the rules laid down in Minute".¹

Gorst wrote to the Duke indicating his opposition to such a move:

"I have little doubt that experience will induce us hereafter to introduce modifications into the scheme of Higher Elementary Schools set forth in our minute. But it would be a fatal weakness to begin our attempt to organise these schools by promising any concessions to a body like the London School Board which is avowedly trying to get the Secondary Education of London into its hands. Here you see the urgent necessity for a Secondary Education Authority for London".²

Devonshire sided with Gorst in the manner in which the Minute should be administered in the initial stages. Having thus achieved his aims, which also indicated that his previous qualms about its effects had disappeared, Gorst repaired to the Tyrol for a brief holiday during the Whitsuntide recess. The recuperative effects of the alpine environment were to be demonstrated in the major parliamentary task awaiting his return, the debate on Supply.

Gorst's long, and yet lucid, introduction to the debate on Supply covered a wide range of interrelated topics, with the quality of education as the central theme to his survey. It was a speech in which Gorst laid aside, temporarily, the struggles of the day and looked to the future; indeed one

¹P.R.O. Ed. 14/102. G.W. Kekewich to J.E. Gorst and Duke of Devonshire, May 12, 1900.

²P.R.O. Ed. 14/102. J.E. Gorst to Duke of Devonshire, May 14, 1900.

critic remarked, "... he has been addressing a letter to posterity in the vague hope that that letter some day or other may reach its destination".¹

As the base for his survey, Gorst utilised the recently introduced Code. Within the proposals of this lay the reforms of the system, but the Code alone could not achieve what was desired:

"The provisions of the Code will remove the obstacles which prevent the establishment of a better system of instruction, but of themselves they do not accomplish that result. Progress is now possible, but the effect of the provisions of the Code is rather to permit it and not to ensure it".²

To ensure success, the managers of schools would have to cooperate, and in a manner that was active and intelligent as well as willing. This was something which had not always been done in the past. There was also the whole question of the supply of teachers that had to be considered, as well as the attitude of the managers. In this area, Gorst felt, reform rather than hasty change was the key word, since the bulk of the supply was dependent on the pupil teacher system.³ A system, which he pointed out, he was not enamoured of:

"The pupil teachers under the most favourable circumstances are taught: they are not educated to teach: they are simply prepared for examination. I should be glad to send to any Member who cares to see it a set of pupil-teachers' examination papers. He will see how ridiculous is the information which these children are expected to acquire; and, secondly, how ignorant they are on all the subjects on which they are taught".⁴

¹4 Hansard, 84, c. 38 (June 14, 1900).

²Ibid., c. 21.

³Ibid., c. 22-23.

⁴Ibid., c. 24.

There was, however, a solution to the problem:

"... if Parliament really intend to have teachers properly trained and properly fitted for the work they have to do, they must pick the children out of the elementary or higher elementary schools when they are of a proper age; they must send them with scholarships to the secondary schools as they are trying to do in Wales, and they must have a sufficient supply of training colleges in which to train these young teachers as soon as they are fit to be trained".¹

This solution was dependent on a different attitude being adopted by the relevant authorities towards day training colleges, especially when the present lack of accommodation had resulted in 223 men and 1,369 women qualified to enter the colleges being turned away.² Gorst could not understand the discrimination which existed against day colleges, and provided examples from Cardiff, Cheltenham, Oxford and Cambridge to substantiate his view that the products of such colleges could be the equivalent of those of the residential ones. He went on:

"One would think that in these circumstances the Government had better leave the matter free, and had better leave students to adopt whichever kind of training they themselves or their friends or parents think to be for the best. But for some reason or other the State now pays, and always has paid, more for a teacher being trained in a residential college, and as it is the day training college which is most easily expanded, and which can be most easily made to accommodate more students, I think a very easy reform would be to even the thing all round - that the State should give a definite sum for the training of a teacher, and leave it to the young teacher and his friends to decide in what particular establishment he should prepare himself".³

¹ Ibid.

² Ibid., c. 24-25.

³ Ibid., c. 26.

In addition to the need for more places in the training colleges there should also be a reform of the curricula in such places:

"I cannot understand why teachers should all be educated and trained upon one single model ... if you are going to have rural teachers ... teaching children more by observation and by a kind of elementary science than by mere reading, writing, and grammar, you no doubt require a special kind of training".¹

Since there were three basic types of teacher, the kindergarten, the rural and, "... the present teacher, who, in his place and with the kind of children to whom his teaching is suitable, is extremely good", Gorst failed to see, "... why an arrangement should not be made by which all these kinds of teachers should be produced for our children and be properly trained in proper institutions so as to be able to carry out the instruction which is best".²

He turned his attention to the recipients of this instruction i.e. the children. And in so doing he launched into an attack upon infants' schools, the logicity of which must have made an impression upon the House:

"Infants ought not to be at school, but at play. In our country we begin our attempts at education a great deal too soon, just as we leave off a great deal too soon ... the ordinary English country boy ... is cooped up in school as soon as he is three years old, when he had much better be playing in the lanes or fields. He has a quantity of information crammed into him which his little brain is quite incapable of assimilating - often by the insistence of the cane - and he is taken out of school at eleven or twelve years to labour for the rest of his life. The fact really is that infants' schools are ... storage places for babies ... (so) as to enable the mothers of the children to have leisure to go to work".³

¹Ibid., c. 27.

²Ibid., c. 28.

³Ibid., c. 28-29.

This being the case, Gorst argued:

"... we should make them nurseries, and we should assimilate the teachers of the youngest children, at all events, to nurses. When an inspector talks about "the lower babies' mental arithmetic leaves much to be desired", I should certainly like to punish severely any teacher who can be proved to have tried to teach mental arithmetic to babies ... the age of six is quite early enough to attempt to exercise the human brain, and that at six, and from six to eight, the kindergarten system of teaching is the only one which is really suitable for these tender children".¹

After this very humane proposition, Gorst went on to deal with another aspect of children equally deserving of such treatment - their physical welfare:

"... the State having provided free education, school buildings, and teachers, the least we can expect from the parents is that they will send their children to school in a fit state to receive the instruction ... and the children ought not to be sent ... in an unfit state, either through hunger or through fatigue caused by undue labour out of school hours".²

On this point Gorst indicated that his radical proposals, about the feeding of schoolchildren, of the previous year had, "... got (him) into a great scrape". In spite of this, he persisted with his view that there should be laws passed so that negligent parents could be dealt with:

"I am quite willing to agree that children should be fed by charitable agencies if they can be, but it seems to me that if you compel children to go to school and compel them to receive instruction, then you have the obligation thrown upon you to make some provision by which those children shall be sent to school in a fit state. This is not a private duty thrown on the parent, it is a public duty which the State has a right to insist on being fulfilled ...".³

¹Ibid., c. 29.

²Ibid., c. 30.

³Ibid.

In connection with this matter Gorst believed, "... that posterity will view with surprise and wonder the state of affairs in this matter, and will marvel how this generation was so stupid as to tolerate it".¹

After dealing briefly with the recurrent problem of school attendances, and indicating that in a large percentage of the problems the solution lay with the teachers and the managers, Gorst reached the final area of his survey of the educational system - the inspectorate. He felt that whilst there would be no increase in the direct power of the inspectors, the effects of the Code would be to increase their influence and responsibility. In view of these changes, which would bear upon the schools, Gorst decided to enumerate his opinion of the qualities that should be possessed by the inspectorate:

"An inspector ought to be a man of very liberal education, to have his mind and faculties very well developed, and to have considerable knowledge of the history of education, not only in this country, but in other countries; and he ought to have some experience himself of teaching. But, above all, you want an inspector of character - an inspector who has sufficient independence to dare to tell the truth, because all central authorities like to reward people who prophesy smooth things. Since the time of the prophet who announced to Ahab impending death, disagreeable truths have always been punished with affliction rather than welcomed with reward".²

Gorst's admirable choice of inspectoral qualities may not have struck his listeners as ones which he himself possessed, but nonetheless they were. He was enthusiastic

¹Ibid., c. 31.

²Ibid., c. 34.

about the entry of women into the inspectorate; and felt that the educational system would flourish in so far as it was dependent upon the efforts of the inspectorate. The country must not, he warned, be content to rest on the laurels of the Code:

"I wanted to show that we must not rest with the idea that the reform of the present Code is accomplished, but that it only gives the opportunity of really improving our schools. I have sketched out some of the conditions which will have to be fulfilled, some of the difficulties which will have to be faced, and some of the things which will have to be accomplished before the expectations which have been excited by the new departure can be really satisfied as to improvement in the elementary education of the country".¹

In the debate which ensued the majority of the speakers were in accord with Gorst's expressions about the problems existent in the educational system. There was also a marked absence of controversy about the system on religious grounds, except in the speeches of Samuel Smith and Lord Hugh Cecil, and a genuine desire to bring about an amelioration of the conditions mentioned. But, whilst this common bond existed, the principal Opposition speakers were somewhat dubious about Gorst's ability to carry into effect the remedies suggested. This was a point of view which had been expressed before and which was obviously still felt to be something of a barrier to educational reform:

"... many of us cannot help thinking that the cause of education suffers very much from not having in this House of Commons a responsible Cabinet Minister representing the Education Department. We know that the right hon. Gentleman does everything he can in

¹Ibid., c. 35.

this direction, and we have to thank him for many matters in connection with the new Code this year; but we should be very much more satisfied if he were authorised to speak with the authority which attaches to a Cabinet Minister in the position of President or responsible Vice-President of the new Board, and was able to tell us not only what the difficulties are, but also what is the general policy of the new Board for remedying these defects, and give us some assurance that those difficulties would be really remedied".¹

If Henry Hobhouse was polite in his criticism of Gorst's ineffectual position, J.H. Yoxall was a bit more blunt:

"... the speech of the Vice-President, ... was of a most astonishing character, a speech not of a Minister, but of a Front Opposition Bench critic ... The right hon. Gentleman ... has not coupled with his statements of what ought to be done, anything like a plain intimation that he will endeavour to carry out the suggestions he put forward ... in the speech of the right hon. Gentleman there is nothing in the shape of a hint that he intends to prohibit this bad old system from continuing, though he knows very well that he can do so by a stroke of the pen".²

Gorst was aware, however, that life was not as easy as Yoxall depicted with respect to effecting educational reforms. For he not only had to contend with a Government having a definite antipathy towards education but also with a degree of obstruction by senior civil servants, especially Kekewich, in the implementation of his plans. Little wonder, then, that, after his experiences in the previous four years, Gorst was reticent about indicating which reforms would be implemented.

If his speech in the debate had allowed him a brief respite from his labours on existing measures, and a chance to look ahead to what could be accomplished, Gorst was soon to be brought back to reality. The struggle with the London

¹ Ibid., c. 41.

² Ibid., c. 91-92.

School Board over the Higher Elementary Schools Minute was resumed, and consequently the one with Kekewich, shortly after the debate. The Cockerton case had also returned to the scene. This did, however, provide Gorst with the opportunity to move the wheels of the educational system in the direction he desired and, with this, to achieve some of his aims for a reform of the system.

CHAPTER THIRTEEN

Whilst Gorst had been holidaying in the Tyrol the London School Board had applied to the Board of Education for recognition of 79 of their higher grade departments as higher elementary schools, under the Minute of April 6. Kekewich was asked to produce a memorandum on these schools for Devonshire's benefit, which he did by mid-June. Like the memorandum produced by the Education Department in March,¹ this document was, in effect, a defence of that department's handling of affairs in the field since Kekewich had been Secretary, and, as Eaglesham has indicated, it implied, "... a more complete degree of official ignorance and detachment than the facts warranted".²

"The extent of our official knowledge of the 79 higher grade departments which the London School Board now ask to have recognised as Higher Elementary Schools is as follows -

"They are known to us as schools where special attention is paid to the instruction of children in the higher standards, that is to say, the Fifth, Sixth and Seventh standards. Some schools were set apart with our expressed approval for this purpose in 1889; and in 1890 we approved a list of 46 schools which the Board submitted to us as 'schools at which the Board propose that special attention shall be given to the teaching of the higher standards, and to which they propose that children in neighbouring schools of the Board, within a radius of half a mile of such school, should be admitted on the application of their parents, and be charged no higher fee than would be charged in the school from which they have been transferred'.

"This list of 46 schools has now grown to 79, and we have from time to time been informed by the Board of

¹See above, p. 397-8.

²Eaglesham, E.J.R., From School Board to Local Authority, p. 147.

the names of the schools added to the list.

"This is all that we can be said both to know officially and to have officially approved. But it appears of late years considerable extensions have been made to the curriculum of instruction. The schools were, up till about the year 1894, known as Higher Standard Schools, but gradually since that date the term Higher Grade School has been substituted. The word however is merely a name, and carries with it no official connotation.

"In 1899, Mr. Helps H.M. Inspector for Chelsea made a report upon the five Higher Grade Schools in Chelsea. From this report it was evident that the schools gave instruction beyond the limits of the Code, as for instance, in preparing scholars for the examinations of the Science and Art Department. Mr. Helps made certain suggestions for improving the whole curriculum of these schools. Mr. Helps' suggestions were sent by the Education Department to the London School Board, who regarded them as valuable, and asked that a conference might be arranged between the London Inspectors and the School Board, with a view to considering this subject generally through London. This letter of the London School Board so apparently suggested the existence in the Higher Grade Schools, of instructions other than that permitted by the Code, that I directed (in December 1899¹) that inquiries should be made of the Board upon this point. These inquiries have been continued up to the present time, but have not been concluded. The Time Tables, for instance, have been sent for, and reveal the existence of classes termed EX VII a, b, and c. Our last letter on the subject was dated 12th May 1900, and asked the Board certain questions as to classes called intermediate and commercial.

"To sum up:- All that we have officially approved at present, is a system of schools for the instruction of Standards V to VII, but we have strong grounds for thinking that these limits are in fact exceeded by the Board, and we are now making inquiry upon the subject".²

This memorandum would have only helped to confirm Gorst's thoughts on Kekewich's pro-School Board attitude, and widen

¹P.R.O. Ed. 14/41. Minute 12513 Y by G.W. Kekewich, December 11, 1899.

²P.R.O. Ed. 14/41. Memorandum by G.W. Kekewich, June 19, 1900.

the rift between them. For it was apparent that Kekewich had only stirred himself into action in this issue at the last possible moment. Consequently the letter in reply to the School Board's application reflected Gorst's determination that there should not be any relaxation of the terms of the Minute. The Board were informed that such a number of higher elementary schools in London would be inconsistent with the spirit of the Minute, and that only separate applications from the schools in question would be entertained. The School Board were not willing to give up the struggle, as their reply demonstrated:

"The School Board point out that London has a population of about 4,500,000. The School Board is therefore proposing one school for Higher Elementary Education for a unit of more than 100,000 population.

"The School Board await the decision of the Board of Education in other towns, but they will be surprised if towns of much less than 100,000 inhabitants do not obtain such schools, and if large towns like Manchester do not obtain several. They contend that in no case should London be treated worse in proportion to its population than other parts of the country, and further that an allowance of one such school to 100,000 population is, so far from being excessive, much less than is required to bring the opportunities of the most efficient education within the reach of all who desire and deserve it".¹

Gorst disagreed with this argument, contending that:

"The question is not one of population at all. The number of Higher Grade Schools necessary depends on the number of children in the Elementary Schools who are desirous and fit to receive the kind of instruction provided for in the Higher Grade School minute".²

¹P.R.O. Ed. 14/102. London School Board to Secretary, Board of Education, June 29, 1900.

²Ibid. Gorst's note in margin of letter.

He also disagreed with the School Board's argument that they could provide evidence that the pupils in the schools, for which recognition had been made, were of the type demanded in the Minute i.e. highly qualified ones who would continue their education by taking the four year course. Gorst felt that the School Board's pupils, "... are scholars who want four years 'commercial' not 'scientific' education", and he dissented completely from the Board's notion that the School of Science curriculum:

"... is more suitable for a purely manufacturing district than for a city like London, the inhabitants of which are mainly engaged in commerce and distribution. In any case the course of a School of Science is quite unsuited to the Higher Elementary Education of girls".¹

His dissent remained unaltered in spite of the fact that the Board went on to quote Helps' suggestion that, in the case of the proposed Higher Grade School for Chelsea, the curriculum should incorporate modern languages and commercial training in addition to subjects suitable for Science and Art classes.

The Board's continuation of the argument in a similar vein i.e. that development of these schools had been carried out with the knowledge, if not blessing, of the Education Department in the past, only angered Gorst more:

¹Gorst's dissent was based on the fact that this proposal ran counter to the intention of the Minute, that the curriculum of the Higher Elementary Schools should be based in the main on that of the existent Schools of Science.

"The representatives of the Education Department do not appear to have reminded the London School Board that their expenditure of the School rate on these Schools had been pronounced by the Education Department to be irregular".¹

The School Board's letter concluded with an appeal for a relaxation of the Minute's terms:

"It appears that all those who are acquainted at first hand with the educational needs of London ... are agreed that it would be disastrous to accept in London the need for Schools of Science as a measure of the need for Higher Elementary Education.

"The Board therefore rely on a fair opportunity being given them to substantiate the claims of all the schools which they have submitted, both in regard to premises, equipment, and staff, and the existing proficiency of the scholars".²

Kekewich had, on receipt of this letter, tried to allow only the Duke of Devonshire to see it, and had also indicated his basic approval of the arguments put forward by the Board:

"President

"I understand that you desire to have this sent to you direct. I do not think that educationally the letter of the Board admits of controversy. I do not see what we can reply except something like Mr. White's minute as now altered.

"There is no doubt that great pressure will be put upon for Commercial Higher Elementary Schools, and

¹P.R.O. Ed. 14/102. London School Board to Secretary, Board of Education, June 29, 1900. This failure was undoubtedly due to Kekewich's hesitation on the subject and not accepting the illegality of such expenditure as being the correct interpretation, until December 1899 i.e. after the conferences. See P.R.O. Ed. 14/41. Kekewich's attitude towards these schools was revealed in his presidency of the November, 1897 conference of the headmaster of secondary and higher grade schools. The joint memorandum produced, and in agreement with Kekewich, revealed an attitude diametrically opposed to Gorst's on the subject, as indicated in the Minute of April 6 and his subsequent comments. For Kekewich's views see Parliamentary Return, No. 381, August 9, 1898.

²P.R.O. Ed. 14/102, op. cit.

in other places than London".¹

Devonshire, however, sabotaged Kekewich's attempt:

"The President saw this before the debate on the Second Reading of the Education Bill² in House of Lords yesterday.

"He would like to have it now referred to him in the usual way through the VP with any further remarks you may have to make".³

Kekewich replied dejectedly that he had no more comments to make. But Gorst covered his comments on the Board's letter with a note of his appraisal of the situation, and disapproval of Kekewich's attitude:

"The letter of the London School Board is a plea for the establishment of a type of school differing entirely from the type provided in the Higher Elementary School Minute.⁴ Whether such schools should be established by means of Governmental subsidies; whether they should be under the direction of the Primary or Secondary Authorities; and what conditions should be imposed upon them are matters which it would not be convenient now to discuss with the London School Board. I am not myself of the opinion which most of the officials of the Elementary Branch seem to hold that the letter does not admit of controversy, and I have no doubt that if the letter had been referred to the Secondary Education Branch considerable criticism would be forthcoming.

¹Ibid. G.W. Kekewich to Duke of Devonshire, July 21, 1900.

²The Secondary Education Bill, proposing the establishment of County Councils as local authorities for secondary education. See above, p.420.

³P.R.O. Ed. 14/102. Riversdale Walrond to G.W. Kekewich, July 24, 1900.

⁴Eaglesham argued that the Minute did not support Gorst in his interpretation of the type of school to be founded on it. This is not necessarily true, for the schools to be formed under the Minute were to take on a definite scientific bias to their curriculum, especially in the classes of the last two years. This had been postulated by Gorst in his scheme of April 2, and this interpretation was the one he wanted the administration to adhere to. His success in overcoming Kekewich's attempts to negate this during these months, ensured that this would be the interpretation put upon the Minute; and this, after all, was what mattered. See, Eaglesham, op. cit., p. 150 and p. 50-52.

"I should reply much in the terms suggested by Mr. White as follows:-

"that the representation of the London School Board as to the necessity of Higher Elementary Schools of a commercial type have been carefully noted, and if it should be hereafter determined to aid financially in the establishment and maintenance of such schools, due attention will be given to the views expressed by the London School Board. But the provisions of the Higher Elementary Schools minute are not applicable to such schools, and the Board of Education cannot entertain a proposal to attempt to bring such schools under the minute".¹

This polite, but firm, reply rejecting the School Board's application was not sent until August 1, although Devonshire had approved it on July 26. The School Board had, however, learnt what the reply would be when Gorst answered questions about the Board's application, in the House, from the Member for Islington West, Mr. Lough:

"I beg to ask the Vice-President ... whether the London School Board have applied for recognition of certain higher elementary schools with a modern curriculum not scientific in a preponderating degree, such as was recommended officially to the London School Board by reports of Her Majesty's Inspectors forwarded by the Board of Education; whether he is aware that as a result of a conference attended by Her Majesty's Chief Inspectors the London School Board adopted the recommendations as to curriculum; whether the Board of Education recommends schools with a prevailing modern and general education as equally suitable as, and in some towns and districts more suitable than schools of the type of the schools of science; and whether there is anything in the Minute limiting the recognition of higher elementary schools to schools whose curriculum bears a close resemblance to the curriculum of a school of science; and whether the Board of Education will leave local managers free to consult the needs of their localities in framing curricula for acceptance in higher elementary schools".²

¹P.R.O. Ed. 14/102. J.E. Gorst to Duke of Devonshire, July 24, 1900.

²4 Hansard, 86, c. 1516-7 (July 27, 1900).

Gorst's reply, as well as informing the School Board of the Board of Education's thoughts on their application, also revealed some of his annoyance with the Inspectorate's action in the matter:

"The London School Board have applied for the recognition as higher elementary schools of seventy schools with a curriculum not scientific in a preponderating degree. The reports of Her Majesty's Inspectors have, no doubt, expressed the view that a curriculum preparing scholars for the subsequent study of commercial subjects is suitable to public elementary schools in London. I am not aware of the grounds which induced the London School Board to adopt such a curriculum in the seventy schools above mentioned. The answer to the third paragraph of the question is in the affirmative. The scale of grants in the higher elementary schools minute is framed for schools whose curriculum bears a close resemblance to the curriculum of a school of science. It would be much too high for schools of the type described in the earlier paragraphs of the question. The Board of Education desire to leave to managers the greatest possible discretion in framing the curricula for their school; but they cannot pay the high grants of the higher elementary schools minute except to schools whose curriculum bears a close resemblance to the curriculum of a school of science".¹

When questioned further by Lough as to how many of the 70 schools would receive the higher grants, Gorst effectively terminated the interrogation with his answer: "Not one; because the curriculum is of a commercial and not a scientific nature".²

Gorst had ensured that, for the time being at least, his interpretation of the Minute would be the one used by the officials of the Board of Education. This had been achieved in spite of another attempt by Kekewich to alter

¹Ibid., c. 1517.

²Ibid.

the rigidity of Gorst's interpretation of it whilst the consultation over the reply to the School Board had taken place:

"Vice President -
President -

"We have now had some experience of the working of the Minute of April 6th, perhaps sufficient to enable us to judge of its effect during the current School Year.

"Up to the present time some two or three schools only have been accepted. A few more - I think, probably confined to the cases where Schools of Science, though educationally necessary, have been refused recognition on account of proposals to aid them from the School Board Rate - will doubtless be added. But the number will fall far short of that at one time anticipated.

"The principal causes of this are:-

- "(1) The inelastic character of the Minute in many respects.
- "(2) The limitation of the age of scholars to 15.
- "(3) The ruling out of Commercial Higher Grade Schools by the requirements of Laboratories and of Practical Science work in every case.

"Signs are not wanting that a strong propaganda is about to be started for the modification of the Minute. There will also be demand for a more liberal interpretation of the word 'necessary' and the recognition of Higher Elementary classes, at any rate in places where a Higher Elementary School cannot be maintained.

"I think it probable that, in the near future, these demands will have, in some degree at any rate, to be met.

"... I have never concealed my opinion that, however little the Minute may cost as it stands, if it is to be made educationally effective it will mean a considerably increased cost to the Exchequer. And I do not think that the Minute can be maintained as it stands, though it will to some extent meet the case of the Schools of Science, if the High Court decides that it is illegal for School Boards to maintain

them".¹

In reply to this letter of Kekewich's, Gorst used the opportunity for stating in plain terms to Devonshire his view of the Minute, and the possible effects that would result from a retreat from this. He criticised, again, the fact that the elementary section of the Board (more or less the old Education Department) were still being allowed to have a hand in the matter:

"Lord President,

"It seems to me to be a little premature to discuss alterations in the H.E.S. Minute, while the applications for recognition under it have not yet been completely dealt with, and while no school has yet been even established under it.²

"The minute was intended to meet the case of the Schools of Science, attached to Public Elementary Schools, in the event of the High Court confirming the repeatedly expressed opinion of the Department that it is illegal for S.B's. to maintain them out of the School rate.

"A good deal of inconvenience has arisen from the correspondence respecting these new H.E.S's. being conducted by officers who had no experience of the history and circumstances of the Schools of Science which they are to replace.

¹P.R.O. Ed. 24/40. G.W. Kekewich to J.E. Gorst and the Duke of Devonshire, July 22, 1900.

²In a parliamentary reply on the total number of applications under the Minute received by the end of July, Gorst indicated that about 190 had been made but, "... most ... were accompanied by an intimation that the managers desired various modifications of the Minute, in order to enable them to comply with some of its terms. No higher elementary schools are yet in existence, nor can be until 1st October, the beginning of the school year". 4 Hansard, 87, c. 173 (July 31, 1900). Kekewich's request and claim of the experience gained on the working of the Minute were thus somewhat premature.

"But the 3 causes which the Sec: complains of as restricting the operation of the Minute were expressly insisted on by the Treasury and agreed to by the B. of E. with that very object in view.

- "(1) The minute was made 'inelastic' in order to tie down the administration.
- "(2) The age was fixed at 15 in order to prevent the development of H.E.S's. into Secondary Schools.
- "(3) The Higher Grade Schools, which are of a commercial rather than of a scientific character, were intentionally excluded from the high grants specified in the Minute.

"It is a matter of congratulation that these restrictions have been effected for the purpose for which they were designed.

"Managers have always agitated, and will always agitate, for higher grants from the Exchequer. Those who were accustomed to 'earn' large sums by 'specifics' which they have lost under the 'block grant', will seek the restitution of these subsidies by a demand for Commercial Schools.

"Whether H.E.S's. of a commercial type should hereafter be established, and whether they should be under an Elementary or a Secondary Authority, are questions well deserving consideration, and might possibly be with advantage referred to the Consultative Committee for their advice. There is much to be said in favour of the view that the function of the Elementary Authority is to lay a good foundation by teaching the seven standards thoroughly, and that upon this foundation a knowledge of Foreign Languages, Shorthand, Type-writing, Book-keeping, etc. (which are really of a Technological character) should be built up by a Secondary Authority.

"Commercial schools are an inroad of the Elementary Authority into the domain of Secondary Education in a more inchoate state than the Schools of Science in which the inroad has been complete.

"The S.B's. will no doubt fight for some special recognition of these schools. Whether they will beat us or not depends inter alia upon the length of time we are left without a properly constituted Secondary Authority. But I should not surrender at the first summons.

"Such schools have hitherto subsisted on grants from the Elementary Department: not from the Science and

Art Department. The only revenue which they have lost under the new arrangements has been the grants for the teaching of 'specifics'. But such loss, even if it is to be made up to them, gives them no claim to anything like the scale of grants in the H.E.S. Minute.

"If they should hereafter succeed in forcing the Government to give them a special recognition and special grants, this should be done by a special minute for Commercial H.E.S., not by altering the minute for Scientific Schools so as to make it elastic enough to include them. They would require restrictions and conditions of their own, and would only be entitled to grants on a far lower scale than those necessary for schools of a scientific type which are alone contemplated in the Minute of April 6th".¹

Gorst's arguments won the day as far as the Duke was concerned, and, as well as agreeing to the possibility of referring some questions about the matter to the Consultative Committee, he concurred with Gorst's earlier comment that none but the clearest cases under the Minute should be dealt with without reference to himself or Gorst. To settle the problem as to the actual administration of the Minute, he called a meeting after the holidays of Gorst, Kekewich, the Principal Assistant Secretaries and some of the elementary and secondary secretaries with himself in his room.² Gorst had, however, won his case as far as interpretation of the Minute by the Board was concerned. Kekewich sourly acknowledged this whilst defending his actions over the admin-

¹P.R.O. Ed. 24/40. J.E. Gorst to Duke of Devonshire, July 26, 1900.

²P.R.O. Ed. 24/40. Minute by Duke of Devonshire, August 6, 1900. The meeting, however, was not held until late November, if it was held at all. See Duke of Devonshire to J.E. Gorst, November 25, 1900. P.R.O. Ed. 24/40.

istration, to date, of the Minute.¹

Whilst the wrangling with Kekewich and Devonshire had been taking place, Gorst had also been involved in some discreet communications concerning the impending Cockerton case. In late June one of the Governors of the Camden School of Art, F.W. Hales, wrote to Gorst when that school was allowed to take part in the case. Hales wrote in his professional role as a solicitor, and his letter revealed that there had been some previous connivance between him and the Education Department:

"... In the settlement of the special case directed by the Court the following questions have arisen.

"1. Whether grants paid by the Department of Science and Art out of moneys provided by Parliament are Parliamentary Grants within the meaning of the Elementary Education Acts.

"I am told that the opinion of the Law Officers of the Crown on this point was obtained some time ago by the Education Department and we should be grateful to be supplied with a copy of that opinion.

"2. I gather that there has been correspondence bearing date late 1892 and early 1893 between the Department and 'Alderman Newtons Higher Grade School' Leicester regarding the non-registration of the principal teachers for teaching in science classes. We shall feel obliged if you will permit a copy of this correspondence to be made for us.

"3. The point is uncertain and we shall be glad to know what is the exact status of the London School Board as acting under the Science and Art Department, South Kensington".²

¹P.R.O. Ed. 24/40. G.W. Kekewich to Duke of Devonshire, August 16, 1900.

²P.R.O. Ed. 24/83. F.W. Hales to J.E. Gorst, June 26, 1900.

Gorst obviously felt that the issues raised by Hales' requests should be brought to Devonshire's attention, for he wrote to him on the day he received Hales' letter:

"Please see the enclosed letter addressed to me by the solicitor to one of the parties in R.v. Cockerton (the London School Board case). We have so far supplied all parties with any information in our possession.

"The actual opinion of the Law Officers is never communicated but I propose with your sanction to send the letter written (after receiving their advice) by the Department, and the other correspondence asked for".¹

Devonshire sanctioned this proposed action, and Morant duly forwarded the information to Hales on June 28.²

An opportunity arose during question time in the House a few weeks later for Gorst to make a statement about the Cockerton case, as the result of a question put by Evelyn Cecil. Gorst chose, however, to deny all knowledge about the proceedings:

"I am not aware of any cause which prevents the London School Board audit case being now submitted to the Queen's Bench Division. The Board of Education is not a party to the record, and has no right to interfere in the case. I do not know what step it is possible for the Board of Education to take to expedite the proceedings, but an immediate decision of the question is of the most urgent importance in the interests of education, both to the school boards and the Government Department".³

Two days later, however, a request for further information arrived from Hales:

¹P.R.O. Ed. 24/83. J.E. Gorst to Duke of Devonshire, June 27, 1900.

²Ibid. R.L. Morant to F.W. Hales, June 28, 1900.

³4 Hansard, 86, c. 870 (July 23, 1900).

"... I shall be glad if you will kindly permit Mr. Black to collect and bring away the three folios containing 'registers, timetables, forms of claims, etc.' which through your courtesy Mr. Black has been able to collect for the purposes of the case ... I shall feel obliged, if at the same time you will give Mr. Black a copy of the Department letter to the Camden School Board respecting illegal use of rates dated January 29 1888 and also the Brighton School Board correspondence on the same subject immediately preceding that date. Also a letter from the department to the Southampton School Board dated 1895 forbidding buildings for Science and Art purposes. Mr. Black will call for these papers on Thursday next.

"One of the folios is at South Kensington in Mr. Medgrave's room and marked 'special case' the other two are in charge of Mr. Bray marked 'special case'".¹

Not only did Gorst comply with Hales' requests, but he also indicated where the information not belonging to the Education Department could be found. This was carried on through the intermediary person of Morant who had, no doubt, informed Hales about the presence of the information in the first place:

"I am desired by Sir John Gorst to say in reply to your letter of July 24th, that he is making arrangements to place at your disposal the three folios containing Registers, Time Tables, Forms of Claims, etc., which he gathers from your letter you find to be necessary for the purpose of the Case in the High Court. Sir John notes that you hold yourself responsible for the safe custody of these papers, and that Mr. Black knows exactly the three folios which you require.

"In further response to your letter, I am desired by Sir John Gorst to enclose a copy of the letter from the Science and Art Department to the London School Board of January 20th, 1888, and of the Education Department to the Southampton School Board of 29th November, 1886.

¹P.R.O. Ed. 24/83. F.W. Hales to J.E. Gorst, July 24, 1900.

"Your reference to similar correspondence between this Department and the Brighton School Board on the same points has not yet been traced. It is possible that you may be referring to a correspondence on these matters between the Brighton School Board and the Local Government Board, in which case it will be necessary for you to apply for a copy of the correspondence to the Local Government Board and not to this Office".¹

Gorst thus ensured through this supply of material to Hales, as well as some additional information just before the case was heard,² that the Camden School's case was one well founded on fact. By doing so, Gorst's actions helped in the successful prosecution of their case, and the achievement of his own aims in the curtailment of the activities of the School Board. Thus by October 1900 Gorst would have felt sure of success in this as a result of, firstly, his activities concerning the Higher Elementary Schools Minute and, secondly, his liaison with Hales over the Cockerton Case. There was, however, the possibility that he would not be in a position to continue to direct events connected with them for Salisbury decided to go to the country in what became known as the "Khaki Election".³ The Unionists were, however, returned to power - albeit with a reduced majority⁴ - and, despite a government reshuffle

¹Ibid. R.L. Morant to F.W. Hales, July 25, 1900.

²P.R.O. Ed. 24/83. F.W. Hales to J.E. Gorst, October 19, 1900. Also note by Morant on Hales' letter.

³"... the dissolution was quite frankly an attempt to capitalise the emotions of military victory in terms of votes for the government. High-minded students of politics, irrespective of party, were inclined at the time to regret it, as derogating from the best traditions of fair play in the English political game". Ensor, R.K., op. cit., p. 267.

⁴Ibid. From 152 to 128.

during November, Gorst remained Vice-President. The fact that he was not given a new post was not altogether unexpected by Gorst:

"... It is of course mortifying to be passed over, but I did not take any step to bring myself to Lord S's notice, partly because I knew it would be useless, and partly because I persuaded myself, like the fox in the fable, that a seat in the Cabinet was not an object to be desired.

"Some offence I gave to Lord S. in or before 1885, I know no more than you what it was, but he has never forgiven me and never will ...".¹

His continued presence in the Board of Education earned the approbation of the Review of Reviews:

"Sir John Gorst still remains at the Education Department... This is ... very satisfactory, not only to Sir John Gorst, but also to those who recognise him as almost the only Conservative who has any interest in education other than that of securing the maximum of public money for the denominational schools".²

The handling of the Higher Elementary Schools Minute provisions by Board of Education officials during his electioneering absence, however, did not receive Gorst's approval, as he indicated to one of them:

"... the Vice President called attention to the official replies which had been sent in many cases to inquiries whether scholars over 15 would be allowed to remain in the Higher Elementary Schools.

"The official reply has been that no relaxation of the terms of the Minute was to be expected.

"The Vice President thinks that before such a reply was sanctioned the question should have been referred

¹Lucy, Sir H., Nearing Jordan, p. 250-251.

²Review of Reviews, 22, December, 1900, p. 529.

to him, and he informed me that the reply was at variance with the reply that he himself has given to similar inquiries to deputations and elsewhere, to the effect that the Minute would not be applied to exclude children already in the school:-

"The Vice President said that it seemed to him that there had been undue delay in dealing with the London applications,¹ and this had arisen because the directions which he understood had been given as to the procedure in these cases had not been followed. He understood that directions had been given by the President, and himself and the Secretary that all applications should be referred to South Kensington in the first instance for a full report, and that no preliminary inquiries should, as a rule, be made, or answers given, by this Branch.

"In the present case he notes that the examiner has apparently taken considerable time and trouble over the question of the necessity of the schools. This is a question which should be dealt with by the Secondary Branch, as it requires knowledge of the existing Secondary Schools in the localities, a subject on which this Branch has no information. He desires that the Examiners dealing with these cases should be instructed accordingly".²

Kekewich tried to combat the effect that Gorst's assertion of power would have, but only mildly:

"Vice President,

"The question here is what, if any, reply should be given to the request of the School Board that a 'representative' of the Board of Education should meet representatives of the School Board in order to discuss the matters referred to ...:

"viz. that the Technical Education Board desire an adequate provision of Higher Elementary Schools in London: do not wish to see the existing Higher Elementary schools under the School Board interfered with: and desire to see commercial and technological instruction given in some of these schools.

¹The London School Board had reduced their original application for 79 schools to be recognised under the Minute to 11. This reduced application was submitted to the Board of Education on October 19, 1900. See P.R.O. Ed. 14/102.

²P.R.O. Ed. 14/102. Mr. Cowie to Mr. White, November 1, 1900.

"viz. a request twice previously made that the Board of Education will appoint a representative to meet representatives of the School Board for the purpose of discussing any change of organisation in any school which the Board of Education may think desirable, or any other details in connection with the School Board's application for the recognition of Higher Elementary Schools.

x | "The London School Board have submitted proposals
| for 11 Higher Elementary Schools which are now
| under (? examination).

"Shall we reply that we do not think that under existing circumstances and (? in view of) 'x' above, such a conference as they desire would be necessary or desirable at the present time?"¹

Although Kekewich's letter ended satisfactorily according to Gorst, the fact that he had reiterated the liberal interpretation of the Minute was cause for concern. He attempted, accordingly, to establish his point of view with Kekewich a week later:

"I agree to the letter you propose. I understood from Mr. Graham Wallas² when he saw me some time ago, that the 11 schools which the London School Board now propose are to comply with our interpretation of the Higher Elementary School Minute, so that the attempt of the London School Board to bring their Higher Grade Schools under the Higher Elementary School Minute is for the moment in abeyance.

"But this attempt will probably be renewed and will require very careful handling. I have read all the papers on the subject which have been sent with this reference, some of which were new to me. I fear that our position is rendered more difficult by the fact that we have in former days sanctioned the retention of these ex-standard 7 children in the Higher Grade Schools, when we were informed that they were not being instructed in the Standards, and have allowed them to be counted in the average attendance ...

¹Ibid. G.W. Kekewich to J.E. Gorst, November 8, 1900.

²Chairman of the London School Board School Management Committee.

"As regards procedure in applications for Higher Elementary Schools I told Mr. Cowie in your absence and that of the Principal Assistant Secretary that the first step in dealing with such an application was to refer to the Secondary Education Branch as to necessity for such a school.

"In most cases there is, and in all cases there ought to be information already recorded in that branch which would enable the Board of Education to decide this question. Where enquiry is necessary the officers of that branch have experience in holding such enquiries ...

"In the case of applications in places which have a Committee under Clause VII of the Directory we are under an obligation to consult the Committee on the subject before sanctioning the establishment of such a school. For it might obviously compete with, and draw scholars away from, schools already under the jurisdiction of such Committee.

"In the present case the Technical Instruction Committee of the London County Council (which is our Clause VII Authority for London) should be asked for any observations they have to make on the necessity for these 11 schools".¹

The fact that different opinions existed within the Board on interpretation of the Minute, in spite of Gorst's attempts to achieve uniformity, had resulted in confusion amongst the School Boards applying for recognition of their schools under the Minute. This had led to correspondence on the problem being published in the School Board Gazette. After reading this, the Duke of Devonshire asked for an explanation of the confusion, but was not satisfied with the answers he received, as he indicated to Gorst:

"I now send you the explanations which have been given me. They are very far from satisfactory and I cannot make out by whose authority either Sir Wm. Abney's Minute on the Croydon case, or Messrs. King

¹P.R.O. Ed. 14/102. J.E. Gorst to G.W. Kekewich, November 16, 1900.

and Redgrave's suggested Time Tables have been made use of as indicating the settled views of the Department in our correspondence with School Boards. I do not know, however, that much harm has been done, except that those views have been presented to the School Boards in a rather crude and unsympathetic form.

"Perhaps you will now consider whether you will make further observations on this correspondence as it stands, or whether we shall defer any action upon it until we have the meeting which I suggested in my Minute of 6th August. I could arrange to have this early next week".¹

Gorst did not waste this opportunity to forcefully express his opinions about the Minute, and Kekewich's mis-handling of matters connected with it:

"I have read carefully through the papers relating to the issue of the Higher Elementary Schools Minute. The policy of the Board of Education in issuing that Minute is quite clear, viz: to provide for those Higher Grade Schools which have School of Science tops and for the establishment of new Schools of the same type where required.

"The Memorandum of April 2nd, 1900, makes the matter perfectly clear; it relates to such Schools and to such Schools only. This Memorandum was sent to the Chancellor of the Exchequer and it was to the Scheme as explained therein that his assent was given. It is treated as an 'official document' in the formal letter to the Treasury of May 29th, 1900, upon which formal Treasury sanction was given. It was before the Departmental Committee which drew up the Higher Elementary Schools Minute.

"But it also appears that from the very beginning the Secretary desired to put a different construction on the Minute. He assumed the design of the Minute to be to make up to all Higher Grade Schools, (not only those which had School of Science tops but also those which 'earned' high grants by a judicious use of the Specific Subjects in the Code), any financial loss which the Block Grant System brought upon them. These views account for many of the mistakes that have been made in the administration of the Higher Elementary

¹P.R.O. Ed. 24/40. Duke of Devonshire to J.E. Gorst, November 25, 1900.

Schools Minute. If they have been communicated to the School Boards, it accounts for their attitude towards the Higher Elementary Schools Minute being so different from that which the Chairman and Secretary of the Association of School Boards led us to expect, and for their continued agitation for the removal of nearly every safe-guard which was put into the Minute.

"To the modification of the Minute there are objections of two kinds:-

- (1) financial
- (2) educational

"(1) The financial objections may safely be left to the Treasury, whose sanction will be necessary before any modification is made.

"(2) The educational objections I am ready to go into in detail when our meeting takes place, but they are in a word that Government subsidies to what are called Commercial Higher Elementary Schools tend to supersede existing Secondary Schools by Schools of a very inferior type, having a pretentious name, a poor curriculum, and a very inadequate staff".¹

Gorst's forceful reiteration of the premises concerning the Minute, by which Governmental assent had been received, made an impact upon Devonshire. This resulted in adherence by the Board in the next few years, to the inflexible interpretation of the Minute as Gorst wanted. The degree of inflexibility was revealed in Gorst's answer to a question put to him by J.H. Yoxall in February, 1901:

Yoxall: "I beg to ask the Vice-President ... if he will state how many applications for recognition of schools, or departments of schools, as higher elementary schools have been made to the Board since the date of the Higher Elementary School Minute: how many schools or departments have been recognised under that minute ...".

¹P.R.O. Ed. 24/40. J.E. Gorst to Duke of Devonshire, November, 1900 (no date).

Gorst: "I am told that some 190 applications have been made to the Board of Education, but many of these are general and vague and not for the recognition of any specific school. The answer to the second paragraph of the question is, two ...".¹

If, however, a school did manage to fit the Procrustean requirements of the Minute, then Gorst was prepared to allow for a certain degree of latitude in the curriculum to exist. This was indicated in his comments added to a circular drawn up by T. King [Senior Chief Inspector] and G.R. Redgrave on the possible time tables and provisions of the higher elementary schools.² Gorst repeated these sentiments, in a more general connotation, to Kekewich two months later:

"I see no objection to our drawing up a model of this kind [i.e. time table for higher elementary schools] if it is to be kept in the Office for our own guidance and not communicated to the Managers of Schools.

"The only conditions as to the Course of Study in Higher Elementary Schools upon which we should insist are:-

"(1) An adequate amount of Science is to be taught, and we are now all agreed that the minimum is that specified in the Croydon letter and the model now under consideration.³

"(2) Technological subjects, such as shorthand and Type-writing, are not to be taught. We are not to convert the children at the expense of the State into more valuable wage-earners for the benefit of their parents.

"Subject to these two conditions, which might be at once communicated to all applicants, the utmost pos-

¹4 Hansard, 89, c. 481-2 (February 19, 1901).

²P.R.O. Ed. 24/40. Circular - suggestions respecting Higher Elementary Schools, by T. King and G.R. Redgrave, December 14, 1900.

³Not less than 4 hours/week in the first two years, and not less than 6 hours/week in the third and fourth years. T. King & G.R. Redgrave, op. cit.

sible latitude should be allowed to Managers in their choice of a course of study.

"Modern languages and physical training, the kind of science to be taught, should be left in the first instance to local discretion. Of course in any glaring case, in which we think there will be a waste of public money, we retain our right to disapprove".¹

Gorst was still opposed to commercial education making an entry into these schools, as this note indicated. His basically humane motive in opposing this aspect of the curriculum was again revealed in his comments upon a memorandum submitted by Dr. W. Garnett, making out a case for relaxation of the Minute's terms in favour of commercial education. Garnett's memorandum was based on a comparison of the curricula of higher elementary schools and secondary schools. He, consequently, saw the main difference between the two resting in the roles for which the pupils were to be trained. Nothing would be lost, he maintained, if the age limit for the higher elementary schools was fixed at 15. Gorst saw these schools in a somewhat different light:

"A H.E.S. is a Secondary School which the Government is compelled to recognise because the School Board has usurped the ground in the absence of any legally established Secondary Education Authority".²

¹P.R.O. Ed. 24/40. J.E. Gorst to G.W. Kekewich, February 3, 1901.

²P.R.O. Ed. 24/40. Curricula of Higher Elementary Schools distinct from Secondary Schools, by William Garnett. February 1901.

They also differed in their views of the basic purpose of the new schools. Garnett saw them involved in:

"... the training of non-commissioned officers of the Industrial and Commercial Army and the more intelligent members of the rank and file, who will rise to become non-commissioned officers; and the work of the school should therefore bear the same relation to that of the Secondary School as battalion drill bears to strategy ...".

Gorst's comment, albeit a brief one, revealed a more enlightened outlook: "The object of a School should be Education (the development of faculties) not Training (the acquisition of tricks)".¹ This difference was repeated in the discussion of the curriculum and its contents e.g. Garnett visualised drawing be taught in terms of draftsmanship: "... in order that the work may be constructed from his drawings and the accurate form and dimensions determined by scale: the employment of instrumental accessories as aids to hand and eye is as a rule the reverse of objectionable ...". Gorst felt that this was, however, "... technological instruction of children of 11 or 12 years old which their faculties are not yet sufficiently developed by general education for them to receive".²

Garnett's view that elementary mathematics should be made "... subservient to workshop interests" Gorst described as a, "pernicious error"; and to Garnett's amplification of the point, that, "... more attention should be

¹ & ² Ibid. Garnett's views about the functioning of the higher elementary schools were very similar to those expressed in the joint memorandum of the 1897 Headmasters' Conference. This would, undoubtedly, have been the basis of Gorst's general objection to Garnett's memorandum.

devoted to mensuration, to decimal fractions and the decimal system, and to the application of arithmetic and geometry and the everyday problems of the workshop ..."

Gorst commented, "Tricks, tricks, tricks".¹ They were, however, agreed on the method in which science should be taught:

"... not so much for the specific information which is conveyed as for the training which is afforded in careful manipulation accurate observation complete description and logical inference. When this subject is well taught the training afforded is as valuable from the moral as from the intellectual point of view ...".

But whilst Gorst was in complete agreement with this philosophy he found it to be, "... inconsistent with the general drift of the Memo".²

Gorst foresaw the emergence of a new type of "sweated industry" if Garnett's proposals with regard to the introduction of commercial education into the curriculum were realised. Garnett felt that:

"The limit of age ... will be practically fixed by the requirements of commercial houses which as a rule much prefer to take a boy between fourteen and fifteen than when he has reached a more advanced age. Shorthand and typewriting should of course be treated as subjects of primary importance".

Gorst countered with the view that, "if you carry on this system long enough, the wages of Shorthand and type-writers will be so lowered, that they will be sweated like needlewomen, who are victims of a similar system".³

¹Ibid.

²Ibid.

³Ibid.

Garnett's advocacy of, in some respects, a more liberal curriculum in the higher elementary schools fell on to stony ground, as Gorst's summary indicated:

"The plan here advocated would be destructive of Secondary Schools as far as the mass of the people are concerned. The ignorant parent is already impatient of useless learning, and desires to have his child taught 'something useful', i.e. something that will enable his child to earn better wages at an earlier age. The School Boards, which care more for capturing the children than for educating them when captured, would eagerly open these quasi-technological schools. The parents would eagerly send their children to learn, gratis, tricks which would for some time to come increase their money value - the secondary schools would be deserted by all except those children who were sent on social grounds".¹

These comments of Gorst's upon Garnett's memorandum confirm the view² that the restriction of the activities of the School Boards by the Government was in reality achieved with the Higher Elementary School Minute i.e. before the first judgement had been given in the Cockerton case. Gorst had imposed his will upon the Board's actions over the Minute more or less successfully by mid-1900, and completely by November of that year. Discussion about the matter had ceased as far as he was concerned, as his comments on Garnett's memorandum indicated. The usefulness of the Cockerton case, as far as Gorst was concerned, lay in its provision - if all went well - of legal confirmation of his action in the whole issue.

¹Ibid.

²Eaglesham, E.J.R., From School Board to Local Authority, p. 151.

This action, culminating in the implementation of the Minute, does, however, seem to have been at variance with Gorst's general views on education i.e. that the system should be modernised and expanded for the welfare of the children and the nation: that is in so far as he had definitely achieved a curtailment of the activities of the School Boards - activities which he had welcomed a few years earlier. His action was even more drastic when it is remembered that no alternative solution for the increased demand for secondary education had been provided. Thus, on the surface at least, Gorst must have appeared to his contemporaries to have been becoming more reactionary as the years passed.

It is argued, however, that far from being reactionary, Gorst was in his actions, and especially those concerned with the Minute, being progressive. It has been seen that Gorst was committed to the concept of a rationalised educational system, based at the local level on the county and county borough councils as the local education authorities for elementary and secondary education. When the needs of the nation as a whole were surveyed in terms of educational administration, at the end of the nineteenth century, then these bodies appeared to Gorst, and to the Bryce Commission (with qualifications), as the logical choice. The inefficiency of the large number of small school boards in rural areas negated their choice as the basis for a new authority. The county council was much better structured to cope efficiently with the educational needs of such areas. In the urban areas,

however, the School Boards had in many cases proved themselves to be both efficient and progressive in their treatment of the educational needs of their areas. But then, so too had some of the county borough councils in their provision of technical/secondary education. It appears that Gorst had realised early on in his term of office that the School Boards could be allowed to continue, in which case the problem of the existent administrative chaos would not be solved. Or, if the county and county borough councils were allowed to expand and consolidate their position in secondary education, at the same time as the activities of the School Boards were restricted, then it would be easier to transfer the power and status of the new authority to the councils. Gorst realised that the School Boards would protest, but their reduced status would effectively hinder their protestations. And in time the School Boards could be completely replaced by the councils, and the rationalisation scheme would be achieved, as well as providing a solution to the administrative problem which had been growing ever since 1870.

The failure of the 1896 Bill was undoubtedly a serious setback to the realisation of these plans, but in his subsequent and somewhat slower achievement of these aims Gorst was aided by two other factors. One was the establishment of a centralised education authority, by the Board of Education Act in the first part of 1900; although the two, combined departments did tend still to act in a somewhat independent manner of each other. The second was the emergence of Sidney

Webb's Fabian tract, The Education Muddle and the Way Out, in May, 1899. This was written shortly after the return of the Webbs from their world tour, and as a result of Sidney's conviction that there should be county council control of education.¹ The fact that this prominent Fabian should have reached a similar conclusion as his own about the future structure of the educational system must have bolstered Gorst's resolution to achieve his aims, even if it meant incurring the wrath of the School Boards. Hence his determination to impose his will upon the implementation of the Minute by the officials of the Board of Education.

Gorst's convictions about this whole issue were indicated in some memoranda and letters which he wrote in the last two months of 1900, and they were also the most explicit expression of his thoughts on the matter since he had taken office. The items were written in connection with the forthcoming measure on secondary education; the Bill introduced by the Duke of Devonshire on July 23 had failed to pass owing to the short period of the parliamentary session which remained.

In his first memorandum Gorst indicated that:

"... if we were beginning de novo and had nothing to think of but the interests of education we might devise better areas than the Counties and County Boroughs",

¹McBriar indicates a belief that Morant had a hand in the drafting of the tract, but does not, unfortunately, indicate evidence for this. It would not have been inconceivable, in view of the Webbs' contact with Morant, that this did occur. The proposals were not welcomed by all Fabians, Headlam and Wallas opposing them. See, McBriar, A.M., op. cit., p. 212-213. Also, Brennan, E.J.T., 'Educational Engineering with the Webbs', History of Education, 1, 2. June, 1972, p. 191.

which was, for him, an interesting revelation. He appears to have been thinking along the lines of, "... special areas governed by special bodies for special purposes", but felt that any attempt to divorce education from, "... single areas with single governing bodies which exercise all the functions of local government within their district", would not only be opposed but would also "... only further complicate the confusion which is already too great".¹

His solution to the local authority problem was, therefore:

"... to take Counties and County Boroughs as educational areas for all purposes and confer upon the Councils of the Counties and County Boroughs the full powers of rating and management which are now exercised by the School Boards. I should at the same time give to these Authorities the most extensive powers of combination and of contribution".

Having established these authorities, Gorst then proposed that the provision of Section 10 of the 1896 Bill should be involved i.e. the authorities would be compelled to delegate their authority to bodies of local managers. This would, he felt, overcome the problem of non-county boroughs and urban districts by making them the agents, in their area, for the management of the County's schools. He was also in favour of the powers of the School Boards being assimilated by these authorities, especially as:

¹P.R.O. Ed. 24/29/11. Memorandum by J.E. Gorst (?November 1900). Gorst was perhaps reflecting on one of Webbs' proposals, in his pamphlet The Education Muddle and the Way Out, concerning the case for a new educational authority: "... to divide England up afresh into suitable districts; and to make each district elect an educational council, to which should be entrusted all the education within its area". But Webb, like Gorst, rejected such a proposal, on the basis of the tremendous upheaval that it would cause: "No House of Commons would look twice at such a Bill; and no Cabinet would propose it".

"... people are now asking what is the good of having two educational authorities in one district. I feel sure that if the Government took a bold line and proposed such a measure they would meet with very general support in the Country and only a few School Board enthusiasts like Mr. Stanley would be likely to oppose them very strongly".¹

Having gone so far - although greatly underestimating the opposition that such a move would arouse - Gorst decided that these bodies should also have the power to aid voluntary schools out of the rates. His implied reasoning behind this was that this would be cheaper for rate payers than the cost involved in replacing or subsidising from the Exchequer such schools in the future.

Having outlined his views on the question of the possible future local authorities in this memorandum, Gorst then wrote a second and more detailed one.² The style was terse and forceful, and the content devoted mainly to an attack upon the School Boards. Consisting of nine short paragraphs, the memorandum revealed, in four of them, Gorst's main fear about the expansionist programmes of the Boards and their effect upon the administrative system:

"2. This new Authority will find itself in nearly every County Borough confronted by an Elementary Authority, possessed of unlimited resources, which has already successfully invaded the sphere of higher Education, and which in the meanwhile will have made every effort it can to extend its operations.

"4. The Elementary Authority possesses such statutory powers as can be deduced from the Elementary Education Acts.

¹P.R.O. Ed. 24/29/11, op. cit.

²P.R.O. Ed. 24/29/11. Further Memorandum by J.E. Gorst on the present situation (?November, 1900).

"These are interpreted by the Elementary Authority as including the power to defray out of the rates the cost of School Education of every kind up to the Universities. Upon this the School Boards in most of the great Boroughs are now acting and its resources consist of: The power of laying an unlimited rate".¹

In his next paragraph, some of Gorst's frustrations with the Boards' attempts to obstruct his schemes for rationalisation of the educational system emerged:

"5. All attempts to restrain the Elementary Authority from making inroads into Secondary Education have hitherto proved futile.

- (1) The idea of maintaining a definite line between Elementary and Secondary Education has proved to be impracticable.
- (ii) Concordats between the rival Authorities are temporary and unstable, and do not entirely prevent overlapping. In most boroughs there is open and active competition.
- (iii) The financial control by the Auditor of the Local Government Board is insufficient, even if his power to disallow expenditure out of the School Rate on Secondary Education is upheld by the Courts.
- (iv) The Board of Education has not sufficient power to stop School Boards providing Secondary Education. It can only refuse its sanction to loans for building. Yet a great number of costly Schools of Science of the most improved modern pattern have been built in recent years out of loans, secured on the Elementary School Rate and sanctioned by the Education Department.
- (v) The refusal of Exchequer Grants fails to check the expenditure of an Authority which has an unlimited power to rate.

"Many School Boards (for example that of Bradford) are actually establishing a system of free Secondary Education irrespective of Government Grants".²

¹ Ibid.

² Ibid.

The existence of these conditions, Gorst pointed out, would render the position of the new authority as:

"... little more than a feeble competitor with the School Board, unless some method is adopted for putting a stop to rivalry, overlapping, and consequent waste of public resources.

"The position grows worse every year".¹

The solution to the problem was simple, and had already received some substantiation:

"7. This can be effected by transferring to the new Authority the powers of the School Board, and to the Municipal Council the power of laying School Rates.

"8. In Nottingham the Municipal Council and the School Board have agreed together to such a transfer. There is no opposition. A private Bill to give effect to the agreement will be brought before Parliament in 1901.

"9. There is reason to believe that a measure of this kind applicable to England and Wales would be received with considerable enthusiasm by the Unionist Party in the House of Commons".²

This second memorandum of Gorst's clarified the concepts embodied in the first one, and with the preparation of it Gorst was obviously convinced of the viability of his propositions, for he proceeded to incorporate them into a draft Education Bill. This he sent to the Duke of Devonshire, with an accompanying letter - the latter containing a reiteration of the views expressed in the two memoranda. Gorst's Bill not only represented an advance on the general principle incorporated into his 1896 Bill, but it was obviously the forerunner to his draft of the 1902 Bill - produced some nine

¹Ibid.

²Ibid.

months later. Not only were the counties and county boroughs to be the areas utilised, and their councils, "... to have vested in them all the powers and obligations of School Boards, and of Local Authorities under the Technical Instruction Acts", but they were also, "... to administer their powers by means of a Statutory Committee appointed under the Scheme recommended by the Council and approved by the Board of Education. To this Committee they are to delegate all their powers, except those of rating".¹ Gorst also felt that there was a solution to the problem of the non-county boroughs and urban districts:

"4. In Non-County Boroughs and Urban Districts the powers and obligations of School Boards to vest in the Municipal and Urban Councils, and not in the County Council, and these Bodies to retain also the powers conferred upon them by the Technical Instruction Act.

"5. The Councils of Non-County Boroughs and Urban Districts to administer their powers by means of a Statutory Committee ...".²

These bodies were also to be allowed to levy a rate for technical education [1d.], and elementary education [unlimited]. The rating for secondary education remained the preserve of the County, but all the councils were to have the power, "... to contribute out of the general rate to the support of any Elementary Day Schools within their districts ...".³ Thus the voluntary schools were to be provided for.

¹P.R.O. Ed. 24/29/11. Definite Proposals by J.E. Gorst for a Bill (?November, 1900).

2 & 3 Ibid.

Examination of this proposed Bill also reveals in its proposals a close similarity to those propounded by Webb in his Education Muddle and the Way Out. It has been recorded that shortly before or shortly after its publication in January 1901, Gorst requested that galley-pulls/copies of Webb's pamphlet be sent to him for distribution within the Board of Education.¹ There can, therefore, be little doubt that Gorst supported Webb's views on this matter. The reason for this either rested in the fact that they reflected (and, therefore, supported) his own, or that they were complementary to his. Webb's proposals, of course, differed, in certain areas - especially with regard to the abolition of the School Boards, which Gorst wanted to be total whereas Webb preferred a more selective approach. Nonetheless it would appear that Webb may have had some influence upon Gorst's views about the future educational system of the country; and even if it was minimal,² Gorst may have been relieved to find that:

"... on the eve of what was to be a crucial struggle over educational policy, the Fabian Society, engaged though it was with the Labour Representation Com-

¹ McBriar, Brennan, and Simon appear to favour Gorst's distribution of proof copies, whereas Halevy states that he only obtained them after publication. See, McBriar, A.M., op. cit., p. 216; Brennan, E.J.T., op. cit., p. 191; Simon, B., op. cit., p. 208; Halevy, E., op. cit., p. 200.

² Most of the above authorities agree that Webb's influence was restricted to assistance in this matter, rather than the provision of original concepts. It is also possible that Webb developed his ideas as a result of discussions with Gorst, when they had met at the Barnetts, etc., and Morant. The latter would have been aware of the general trend of Gorst's thinking on the matter long before he became his private secretary. Unfortunately there is no evidence for this in the papers of the Webbs.

mittee, took up a position fully in accord with the policy advocated by Gorst and Morant, the Church of England and the Tory party".¹

In the letter accompanying his Bill,² Gorst postulated that there would continue to be conflict in local administration, "... which may be suspended at times by such a truce as that which now prevails in Manchester, but which will break out again until such time as there is but one local Authority for Education of all kinds".³ And if the Government failed to establish such authorities, Gorst envisaged the School Boards continuing their hydra-like activities:

"... I see no prospect of successfully resisting the design of the School Boards in the large towns (i) to give a free secondary education at the expense of the rates, (ii) to treat existing educational endowments as mere provision for the relief of rates, and (iii) to exonerate all parents who choose to avail themselves of the public institutions from making any pecuniary contribution for the higher education of their children".⁴

Gorst did also comment on the state of the voluntary schools, arguing that they were in the same difficulties as had beset them in 1895. In the case of the rural ones, and also the rural Board schools, there was the need for organisation as well as financial help - factors which he felt could be provided by the county authority under the new scheme. The urban voluntary schools presented a more alarming situation, being, "... not only in danger of extinction, but ... being extinguished at a rapid and accelerating rate.

¹Simon, B., op. cit., p. 207.

²P.R.O. Ed. 24/29/11. J.E. Gorst to Duke of Devonshire. The letter is dated December 13, 1900, but Devonshire's letter of December 6, 1900, clearly indicates that the typist had made a mistake - it should have been November 8.

³ & ⁴Ibid.

Soon there will be few left to save".¹ His solution to the problem was to ensure the provision of a secure income for these schools similar to that of the Board schools.

In his concluding remarks, Gorst pressed again for the abolition of the School Boards: "I have never regarded it as possible that School Boards could be a permanent institution. Like Boards of Guardians they are a modern anomaly in Local Government".² This abolition was to be accompanied by the establishment of a single, local authority:

"The School Board of a town must ultimately become a Committee appointed by the Municipal Council; and the School Fund, be provided out of the ordinary Town rate with due regard to the requirements of other branches of Municipal Expenditure".³

Devonshire was not sure about the viability of some of Gorst's proposals, especially with regard to the rural ones. He was not convinced that the county councils would be willing to undertake their new duties, and failed to understand Gorst's proposals about the rating powers of the new authorities. He concluded:

"It seems important that these points should be cleared up, as in face of the strong opposition the proposals would meet with from many quarters, they would have little chance of being accepted unless the support of the County Councils could be reckoned on".⁴

¹Ibid.

²Ibid.

³Ibid.

⁴P.R.O. Ed. 24/29/11. Memorandum by Duke of Devonshire, December 6, 1900.

Gorst, in the light of Devonshire's views, wrote to the chairman of Lancashire County Council, Sir John Hibbert, to ascertain the views of the county councils:¹

"We are coming to the conclusion at the Board of Education that there is little use in setting up Secondary Education Authorities in the County Boroughs, unless we transfer to them the power of School Boards ...

"... I do not see how we could establish a single Education Authority in the County Boroughs, while we left multiple Education Authorities in the Counties.

"Do you think the County Councils would consent to administer the powers of School Boards as regards the rural part at least of their areas?"²

Hibbert's reply must have dampened Gorst's spirits somewhat:

"... I am afraid that the difficulties of carrying such a scheme through Parliament will be so great, that I doubt the wisdom of making the Secondary Education Bill in any way dependent upon the suggested transfer".³

Hibbert felt that Gorst's scheme would be bitterly opposed by the majority of the county boroughs, and added - that he did not, "... wish to see another Education Bill wrecked, as in 1896".⁴

During the course of his letter Hibbert referred briefly to the problem which had arisen from the judgement given in the Cockerton case the day previously i.e. December 20. In their judgement Mr. Justice Wills and Mr. Justice Kennedy

¹Hibbert had been President of the County Councils Association.

²P.R.O. Ed. 24/29/11. J.E. Gorst to Sir J. Hibbert, December 14, 1900.

³ & ⁴P.R.O. Ed. 24/29/11. Sir J. Hibbert to J.E. Gorst, December 21, 1900.

found for Cockerton against the London School Board, indicating that the application of rates was only for the provision of elementary education, under the terms of the Elementary Education Acts, in Board schools. Thus, as Mr. Justice Wills pointed out:

"... to argue ... that ... the school board [was] free to teach at the expense of the ratepayers to adults and to children indiscriminately the higher mathematics, advanced chemistry (both theoretical and practical), political economy, art of a kind wholly beyond anything that can be taught to children, French, German, history, I know not what, appears to me to be the ne plus ultra of extravagance. If the Acts of which the primary object was elementary education and the whole object was education for children are to be transformed into Acts for the higher education - education of a kind usual rather in a college of a university than in a school - of grown-up men and women, it must be done by Act of Parliament and not by a stroke of the pen of a Government department. The department has never affected to do anything of the kind, or to do more than lay down the conditions under which a grant of money may be earned".¹

Although the effect of the judgement was to curtail the activities of the School Board severely in its evening school work and, to a much lesser extent, in its higher grade schools, the fateful event was delayed by the School Board's decision to apply to the Court of Appeal. The possibility that the decision of the Queen's Bench would be upheld there, was, thought the Review of Reviews, a possible blessing in disguise,

"... for it will precipitate the reconsideration of our education system, and compel the new Parliament to devote its attention during the next session to the amendment of the law, for in that case amended

¹Quoted in Eaglesham, E.J.R., From School Board to Local Authority, p. 131.

it must be, and that at once".¹

Gorst was ready to carry this out, for it must have appeared that the realisation of his plans was at hand, now that his manoeuverings had started to bear fruit. They also had the effect of compelling the Government to take up the case of education, even if it was against their will:

"Nor shall I ever have permitted any Bill to be introduced had it not been for the Cockerton judgement. It was quite evident, with the war going on in South Africa ... that... a less convenient season for original legislation could not be imagined".²

What Gorst could not have foreseen was that the first year of the twentieth century would also see his virtual removal from power in the Board of Education. The irony of this was that it, too, was the fruit of the seeds he had sown.

¹Review of Reviews, 23, January, 1901, p. 18.

²A.J. Balfour to Bishop of Coventry, June 25, 1901. Quoted in Zebel, S., op. cit., p. 118.

CHAPTER FOURTEEN

If Gorst's outlook on educational matters at the beginning of the twentieth century was somewhat roseate, that of Balfour was more pessimistic:

"I go to Chatsworth on Monday, and Devonshire is sure to talk to me at length upon his educational schemes.

"I confess they alarm me: not because they are defective but because they are too complete. I fear a repetition of our parliamentary experience in '96!".¹

The Spectator, in reviewing the educational problems which confronted the Government, was generally in favour of the solutions advocated by Gorst. The article concluded by urging the Cabinet:

"... to have the courage of their opinions and conclusions in the matter of their educational policy. Let them adopt the wisest and best scheme they can, but when they have adopted it let them insist on its acceptance by their party, and not water it down to a worthless and diluted measure in order to please a series of conflicting groups. The education problem is a nettle which must be grasped boldly, and not stroked and fingered half-heartedly".²

The Cabinet, unfortunately, did not heed this advice and within the first half of the year, as a result of their failure to grasp boldly, Balfour's prediction was verified.

In the meantime, however, Gorst was being subjected to pressures from various quarters to ensure that solutions for educational problems would be produced. Father Jones of

¹Salisbury Papers. A.J. Balfour to Lord Salisbury, January 5, 1901.

²The Spectator. 'The Government and Secondary Education.' 86, January 5, 1901, p. 9.

Cardiff, writing to Gorst about the plight of the voluntary schools, felt that more Government aid or local aid was required:

"... our schools are in imminent danger of having to be closed ... I confess I see no hopes of carrying on our schools without help from the rates. The way to get this help and at the same time secure the Church teaching and the appointment of Church teachers I leave in the hands of the Government ...".¹

In his reply, Gorst indicated that, whilst agreeing with Jones' proposal, the achievement of the solution did not rest solely with the Government:

"I have believed for years that nothing will save the Church Schools in large towns which have School Boards, except a plan by which the secular instruction given should be paid for out of the rates. But in the south of England the Church people themselves, led by the Archbishop of Canterbury, have been the greatest opponents of such a solution of the difficulty. If the heads of the Church were now to put pressure on the Government there would be no difficulty in carrying such a Scheme of Relief as your letter shadows out. But the remedy depends on the action of the Church itself".²

Another source of clerical opposition that might manifest itself was revealed to Gorst by Lord Edmond Fitzmaurice:

"I have been trying ... to feel my way a little in the august circles of the higher clericalism as to what degree of opposition you would be likely to meet, if in your coming Education Bill you were to attempt to tackle the small endowments excepted from the general operation of the Endowed Schools Act ... As far as I can make out, the clerical apprehensions relate mainly - if not exclusively - to the small endowments connected with public elementary schools ...".³

¹P.R.O. Ed. 24/15. G.A. Jones to J.E. Gorst, January 4, 1901.

²Ibid. J.E. Gorst to G.A. Jones, January 10, 1901.

³P.R.O. Ed. 24/15. Lord Edmond Fitzmaurice to J.E. Gorst, February 5, 1901.

Receipt of a copy of the Minutes of the Association of Municipal Corporations' meeting of January 31, would have also reminded Gorst of the awkward existence of non-county borough authorities with regard to his plan for new local education authorities. The Association was, not unnaturally, in favour of retention of non-county borough areas within any new administration system, and also wanted such areas to have the right to the equivalent levying of rates with the county councils.¹

The death of Queen Victoria on January 22 stunned the nation. Not only did her death occur when it had been discovered that the Boer War was by no means over, but it also focussed attention on the changes which had been taking place towards the end of the era:

"... the collapse of the country-side, the new-born social unrest in the towns, the waning of religious faith, and above all the sense of an uncontrollable transition to the unknown - the feeling that the keys of power were blindly but swiftly transferring themselves to new classes, new types of men, new nations".²

Thus, even the normally detached Balfour was moved, as his funeral oration in the House revealed: "No one who heard that speech could have thought him hard and unemotional".³

It was, therefore, with the feeling of being not only in a new century but also in a new era, the Edwardian, that Gorst outlined the Government's plans for education in the debate on Supply on March 5.

¹P.R.O. Ed. 24/15. Minutes of Association of Municipal Corporations' meeting, Westminster Palace Hotel, January 31, 1901, p. 5-6.

²Ensor, R.C.K., *op. cit.*, p. 268.

³Parry, S., Memories. Quoted in Zebel, S., *op. cit.*, p. 103.

Although Morant had been promoted in August 1900 to a Senior Examinership in the Secondary Schools branch of the Board, and had officially relinquished his secretaryship to Gorst, he appears to have continued to function in the latter role throughout 1901. Thus he was involved in the preparation of material for Gorst's speech on March 5:

"I have been kept tied tight to the office from ten till nearly eight daily, for some weeks past, with rushes down to the House of Commons at intervals ... Let me have anything you can by Monday morning in Whitehall. I shall be coaching Gorst at 12 that day".¹

It is debatable whether Gorst needed coaching for the debate, but he undoubtedly welcomed the chance to discuss the material which his energetic young assistant had collected. For Gorst needed to be certain that he could counter the accusations which were likely to be present in the opening speech of the debate by J.H. Yoxall. Since Yoxall had moved a reduction of the vote on Account for the Board of Education, the speeches had to be confined to education - until his amendment was disposed of. Yoxall's antagonism towards Gorst, plus the recent Cockerton judgement, and the increasing interest in educational matters demonstrated by the House combined to ensure that the debate was a lively one.

Yoxall, in airing his grievances about the policies being pursued by the Board of Education, made Gorst the target for his attack. He quoted part of the latter's speech

¹R.L. Morant to W. Garnett, 1901. Quoted in Allen, B.M., Sir Robert Morant, p. 145.

at Bradford in January, 1899 when Gorst had stated that, "... it would be a most unfortunate thing if the Board schools, the higher elementary schools, and the schools of science in the large cities were in any way interfered with". Since that date, Yoxall contended, "... the operations of the School Boards in the great cities of the country in their higher grade schools and schools of science had been very seriously interefered with by the Board of Education under the administration of the right hon. Gentleman himself".¹ His first example of the ways in which Gorst had done this was the Higher Elementary Schools Minute. Rather than putting the higher grade schools on a legalised basis, as promised, the interpretation of the Minute had resulted in its becoming "an administrative fraud". This hampering of the schools' activities Yoxall viewed as, "... reactionary, foolish, almost criminal ...".²

He saw the Cockerton case as another step in the invidious actions of the Board:

"The policy was first of all to disable the school boards from obtaining Science and Art grants for their schools. That being done by the autocratic procedure of the Board of Education. The next step was to disable the School Boards from making up this loss by preventing them from using the School Board rate for the purposes of higher education".³

The actions of the Board over the Higher Elementary Schools Minute and the Cockerton case were indicative, Yoxall

¹4 Hansard, 90, c. 595 (March 5, 1901).

²Ibid., c. 597.

³Ibid., c. 598.

submitted, of:

"... something like a deliberate policy, engineered by whom, and arising from what sources he would not attempt to discuss. It was something like a deliberate policy to check the higher elementary education, nullify the efforts of the School Boards, and change the whole policy of the country in respect to these schools".¹

Furthermore, nothing had been established to replace these discredited structures and he warned the Committee to beware of Gorst's reply: "There was nobody more eloquent and less operative than the right hon. Gentleman, but eloquent platitudes and amusing epigrams were poor food for the educational needs of the country".²

In his rebuttal of these charges, Gorst carefully pointed out to the Committee that there were, in his view, "... two absolutely different kinds of higher grade schools". One type taught subjects of the elementary day school code, had been inspected and regulated by the Education Department, and was not affected by the Cockerton judgement. The other type, consisting as it did of a lower, elementary school and an upper, school of science, and receiving grants, for the lower section, from the Education Department and grants also from the Science and Art Department, for the upper section, was not, and never had been declared illegal; Gorst stated:

"The illegality is in the application of the school rate to the building or maintenance of the upper division of that school. That is not a new discovery

¹Ibid., c. 600.

²Ibid., c. 601.

of mine or of the Science and Art Department. It has been known ever since schools of this kind were conducted".¹

And to substantiate his view, Gorst cited examples of warnings sent to four different School Boards in the past, by the Education Department.² Yoxall did not accept Gorst's evidence and kept interrupting, so Gorst quoted a further example of illegal application of the rates by the Leeds School Board, as recently as six months ago.³ Yoxall subsided.

Gorst then explained to the Committee the courses that were left to the School Boards with regard to these schools. Firstly they could charge fees and become self-supporting - free places being provided for the offspring of impoverished parents. Or the Boards could come to terms with the local authority empowered to rate in this area of education i.e. the county or borough councils and urban district councils, under the provision of the Technical Instruction Act. Finally, if neither of these options appealed to the Boards then, Gorst indicated, the other way to legalise the schools was under the Higher Elementary Schools Minute. Anyone listening to Gorst enunciating these three courses cannot have failed to have been struck by the neatness with which he had devised ways of bringing the Boards to heel.

¹Ibid., c. 603.

²The Boards were Barrow-in-Furness (1884), London (1885,8), Brighton (1888), and Hanley (1892).

³Ibid., c. 607. Gorst alleged that the Leeds School Board, having obtained sanction from the Education Department in February, 1899 to build science accommodation for primary elementary schools had announced 18 months later that the building would become the new home of a higher grade school.

Turning his attention to the evening schools - which were the establishments most affected by the Cockerton judgement - Gorst thought that they represented, "... the most chaotic part of the whole of our chaotic system". He indicated that the variety of revenue collected by the schools resulted in their being subjected to inspection by four different sets of inspectors. Not only was this unsatisfactory but the competition they had established with other institutions, because of their low or absent fees, was damaging these other establishments. An end to these aspects of education would appear if the Cockerton judgement was upheld, for, "... these evening schools, maintained by the rates, will not be able to teach subjects outside the Evening School Continuation Code, and they will not be able to teach science".¹

Thus having neatly demolished any aspirations the Boards may have retained with regard to these schools, Gorst went on to deal with the Government's plans for education. These were primarily devoted to the introduction of an Education Bill in the near future, "... for the creation of secondary education authorities having power to provide public instruction in those subjects which are not contained in the Elementary and Evening Continuation Schools Codes".² If, however, Parliament decided that there should be one authority for education, then this, Gorst hinted, could be

¹ Ibid., c. 610.

² Ibid.

achieved during the debate on the Bill.¹ Gorst was also willing to leave the decision about higher education for adults to the House, as it would be much more preferable for him than the School Boards being allowed to do so.

As to the problems surrounding the Higher Elementary Schools Minute, Gorst saw them as an attempt by the School Boards to become the new secondary authorities. He objected to the Boards on several grounds, and the Committee saw Gorst's hostility revealed as he enumerated his reasons. The diffuseness of the Boards in rural areas formed his first objection. His second was that, "... the methods of the School Boards have the effect of destroying excellent institutions which already exist and which are doing really good work".² Gorst elaborated on this point, indicating that he was referring to the competition for pupils which existed where higher grade and secondary schools operated in the same area. His argument must have brought a chill to members of the Opposition:

"... whereas formerly a great number of children from elementary schools found their way into ... secondary schools, they are now kept out of these schools because the School Board keep them in the inferior schools, and they are not allowed to enter the higher schools. It will be seen that, so far from giving the children of working men a better education, you are actually preventing them getting the better education which they would otherwise get".³

¹Gorst had received instructions on this point from Devonshire. "The Duke thinks it would do no harm to hint at the possibility of creating one authority for all education: but it would have to be done, more or less, as if it was the V.P.'s. own suggestion, and the Government should not of course be committed in any way". See P.R.O. Ed. 24/15. R. Walrond to R.L. Morant, March 5, 1901.

²4 Hansard, 90, c. 612 (March 5, 1901).

³Ibid.

Compounding these objections was also the fact, Gorst thought, that the School Board type of school was undesirable:

"It is tainted by the defects of our elementary school system - defects which lead to too much of an attempt to drill and too much training of the children, and too little attempt is made to develop their character and give them any originality of their own".¹

The only solution to this, and the majority of the educational ones facing the country, was relatively simple, he felt:

"... we shall never have anything like a proper system of education in this country until we make up our mind what is to be the authority, until we have one authority, and until schools of every kind of every grade are placed under that one authority. Then there will be no more overlapping, no more trouble about the particular kind of school, or the particular course of education to be given in it. ... You would have education carried on in a sensible and business kind of manner, and you would get rid of the chaos which exists at present".²

If the Cabinet did not want to commit itself, and was unsure of the education authority of the future, Gorst represented the complete opposite, and had in no unsure way communicated his views to the House. That the Opposition members did not accept all his points was to be expected, and several took issue with him over the Higher Elementary Schools Minute. There was, however, on both sides of the House, a desire that the Education Bill should establish new local authorities and remove the problems existent within the system. As Sir William Hart Dyke said:

¹ & ² Ibid., c. 613.

"It was high time that, after debate upon debate in this House, measures of the kind which had been shown with almost sickening reiteration to be necessary should be produced before them, and that an Act of Parliament should reduce this matter to a practical shape".¹

Bryce counselled the Government to make the Bill one with reference solely to educational consideration:

"Let there be nothing in the Bill which would arouse those sectarian passions which had so much injured the cause of education, which would impede the passage of the measure, and which would make it more difficult to work".²

Some members of the Opposition were not, however, willing to restrain their sectarian views whilst looking at the problem. This was made abundantly clear in an article by one of them, F.A. Channing. He was not content to examine only the issue in question, but reviewed the whole history of the Government's educational policy since 1895. His conclusion was that:

"From beginning to end of this intricate series of manoeuvres there is the appearance of a wish to meet the demands of the two great groups of obscurantists to whom Lord Salisbury's Administration owe so much, the clerics who beg for money and machinery to fight the schools of the people, and the old Tories who wish to keep the education of the poor as closely as they can to the three R's. What guarantee have we of any really constructive and expansive policy, except in the platitudes and now rather faded epigrams with which Sir John Gorst has smilingly tried to screen from sight in turn each successive betrayal ... The only reality throughout has been the determination to kill off the School Boards, and the motive has been that the School Boards - of the great towns at any rate - have shown a real capacity to get abreast of the most practical and urgent problems of the hour. Wire entanglements have been tried long enough. Now we are to have the stone wall built round all forms of higher education".³

¹Ibid., c. 625.

²Ibid., c. 629.

³Channing, F.A., The Liberal Solution of the Education Problem, Northern Counties Education League, April, 1901, p. 3.

The agitation against the Government's measures was continued in other quarters. A memorial from the National Union of Teachers was sent to Kekewich, a day after the debate in the House, requesting that the law be amended to allow the continuance of the teaching of adults in evening schools.¹ And at the Union's annual conference, a considerable degree of militancy was demonstrated in the speeches of the members. One member felt that, "They had to do with a conspiracy against the advanced instruction of the working classes, and it was largely the conspiracy of one family in this country".²

Gorst, aware of these external forces forming up against the Government's policy, had directed his attention to one of the problems he had mentioned in his speech - that of the evening schools.

There can be little doubt that Gorst's interest in the evening schools resulted from the stimulus provided by a penetrating memorandum on the subject written by Morant at the end of 1900.³ Morant had examined the position of these

¹P.R.O. Ed. 10/13. J.H. Yoxall to the Secretary, Board of Education, March 6, 1901. As one Board official noted on Yoxall's letter, the request was rather premature since the Board was maintaining the status quo in these schools until the decision of the Court of Appeal had been made.

²The Schoolmaster, April 13, 1901. Quoted in Simon, B., op. cit., p. 209-210.

³P.R.O. Ed. 24/39. The Organisation of Evening Schools. The evidence of the title page and the first page of the memorandum indicate that it was written towards the end of December, 1900: not March, 1901, as stated by Eaglesham, op. cit., p. 158.

schools from two points, the historical aspect and, secondly, the problems confronting them. It is clear that the motivation for the writing of the article came from the judgement of the Queen's Bench in the Cockerton case, which, if confirmed by the Court of Appeal, threatened the future existence of a large number of these schools.¹

In his analysis of the historical factors involved in the evolution of the problem confronting the Board of Education, as a result of the Cockerton case, Morant did not hesitate to put the major part of the blame at the feet of the Education Department, and, by implication therefore, of Kekewich:

"... the Department ..., deliberately kept these schools and classes within the Elementary System and labelled them (even to this day) as Elementary Schools. So obviously inaccurate, however, was this classification, that in order to make the Department fiction legally possible, they were obliged to pass an Act called the Code Act of 1890 ...

"Thus the Evening Schools came to have a frankly Secondary character, although by what has since turned out to be questionably wise policy they were still by a fiction called Elementary Schools ...".²

Not only was this development of the schools the fault of the Department's but it was to blame for the way in which Higher Grade Schools had developed. This Morant made forcefully clear in a footnote:

¹In 1900 there were 5,263 evening continuation schools with a total of 509,251 scholars on their registers. Of this number, 68.5% i.e. 348,570, were over the age of 15, and 51.4% i.e. 263,460, were over the age of 16. Affirmation of the decision of the Queen's Bench Division by the Court of Appeal in the Cockerton case would effectively prevent either 51.4% or 68.5% of the evening school students from receiving further education. The percentage involved would be dependent upon the age range decided upon as that of a child. Report of the Board of Education, 1900-1901, P.P. 1901, XIX [Cd.756], p. 46-7.

²P.R.O. Ed. 24/39, p. 2-3.

"Possibly at the time this policy seemed the line of least resistance and a process of natural development which it was easy for the Department to yield. But the policy of drift thus adopted and the confusion of issues thereby initiated have in the long run been the direct cause of the Higher Grade difficulty and educational muddle in England - alone of civilised countries - as also of the Evening Schools chaos. And the thorough solution of the organisation difficulties was after all really only postponed, to be settled now by us at a later date under conditions which the delay has made much more difficult".¹

In addition to the Department's negative attitude in the affair, Morant believed that the dual system of grants available to such schools, under the Evening School Code and the Science and Art Department Directory, plus the use of the School Board rate and the funds from the Technical Instruction Act, had contributed to the overlapping and chaos that now existed. He neatly demonstrated the disastrous effect such a system of organisation was providing:

"... while the Exchequer Grant (Whitehall) for the Goethe's Faust is subject to the 17s.6d. limit, and the Local Rate (School Board) that goes to help it is unlimited, yet in a similar School across the street maintained by the Borough Council the Exchequer Grant (South Kensington) is not subject to the 17s.6d. limit, while the Local Rate (Technical Instruction Act) is limited to a penny. Moreover the two Schools may be competing with each other, underbidding each other, by means of the same state subsidies, one gradually killing the other in the struggle to get the pupils of the area, of whom there are probably barely enough to fill one good School - and this process is impartially aided by the State".²

As a result of the Cockerton judgement, many evening schools would cease to exist - due to the arrangement of

¹Ibid., p. 3.

²Ibid., p. 8.

their financial support from the School Board rate - in the near future especially in urban areas, unless:

"... Parliament within the next four months finds time and determination to inaugurate an organised and legal system, on a rational basis, into which the present complications can be transformed and by which they can be coordinated and properly developed".¹

Morant's solution was simple and, more important, fell into line with Gorst's general views. He wanted a department of the Board of Education to be responsible for all evening schools and classes, and all the classes and Schools to come under one set of regulations. This rationalisation was to be extended to include the financial arrangements, so that only one system of grants would be utilised in the future. Morant then considered three possible sources of objection to his scheme - Treasury, Cabinet and Political - and effectively demonstrated the viability of it in spite of them. He also indicated that at the local level the authority should be the one proposed in the forthcoming Bill i.e. the county and county borough councils. If political objection to the scheme was serious, then, he suggested, use could be made of the School Boards as agents for the local authority.²

¹Ibid., p. 8-9. In rural areas, these schools were mainly aided from the funds resultant from the Technical Instruction Acts, administered by the counties. This was a legal application of rate aid, and therefore unaffected by the Cockerton decision. The urban evening schools were mainly run by the School Boards and financed from the school funds i.e. rates - an illegal expenditure according to the courts.

²Ibid., p. 10-16.

As has been stated, Morant's paper was a penetrating one. It was also, naturally enough, biassed to present Kekewich's activities in an unfavourable light. And it was, in presentation of the solution desired by Morant, geared to Gorst's views - to gain the necessary acceptance at the political level. The memorandum revealed Morant as a forceful and politically-aware animal, and this may have aided acceptance of his ideas by Gorst.

In his brief exposition on the evening schools situation, in his speech of March 5, Gorst had revealed his acceptance of the ideas propounded by Morant. This was repeated when he wrote to Devonshire ten days later, on the same topic.

"There is a very important matter to which I think our attention should be soon directed.

"It is probable that about November next, when Parliament is no longer in session, the final judgement in the Cockerton case will be given by the House of Lords. If this judgement follows, as is probable, that of the Queen's Bench Division, the School Boards will be at once disabled from any longer carrying on a good deal of their Evening School work. They can no more apply the School Rate to

- (1) The instruction of students above 16
- (2) Any instruction which is outside the Evening Continuation Schools Code.

"We have by the Higher Elementary Minute provided for the disastrous effect which the Cockerton judgement would otherwise have in the case of Day Schools of Science; but we have made no provision yet for the corresponding catastrophe which will occur in the Evening Schools.

"I think that this matter should be considered by the Government while legislation is still possible, otherwise we may find ourselves in November on the horns of a dilemma. We may have either

- (1) To let a number of Evening Schools be closed, or

- (2) To beg the School Boards to carry them on illegally, with a promise of indemnity when Parliament meets.

"The plan I should suggest is something of this kind.

- "(1) To frame a new Code for Evening Schools, by which they would cease to be Public Elementary Schools and become frankly what they really are Secondary Schools. The State subsidy would be given in the shape of a block grant for attendance at an approved course of study. This is what the Treasury are now pressing us to bring about.
- "(2) To introduce a Clause into our Bill, giving power to the new Secondary Authority to constitute School Boards their agents for the management of Evening Schools upon such conditions as they may prescribe, and enacting that in such case the School Boards may apply the School Rate to the maintenance of such Schools. This is necessary because the Secondary Authority is limited to a 2d. rate and might not have funds to run the Evening Schools.

"I will get this scheme put into more definite shape, so that you can show it, if you generally approve it, to the Government (especially the Chancellor of the Exchequer). I think it could be arranged so that no additional expenditure out of either the Rates or the Consolidated Fund was necessary".¹

Devonshire signified his assent to such a scheme being drawn up. He was, however, worried about the proposal to make the School Boards agents of the new local authority. The application of the rates to secondary education seemed to run counter to the recent trends of the Board of Education:

"This seems to break down all check upon the expenditure of Rates on Secondary Education.

"If the School Board (the inferior Authority) may expend an unlimited rate on one kind of Secondary

¹P.R.O. Ed. 24/83. J.E. Gorst to Duke of Devonshire, March 15, 1901. The last sentence of Gorst's letter was a necessary addition, because of the growing antagonism towards education, and expenditure by the Board of Education, on the part of the Chancellor of the Exchequer, Sir Michael Hicks-Beach. The extravagances of the Boer War were no doubt an important factor in his adoption of this attitude.

School, why not allow the County (the superior Authority) to spend an unlimited rate on other kinds of secondary schools?"¹

Nine days later Devonshire forwarded some papers concerning proposals regarding evening schools in Scotland to Gorst for him to examine. Devonshire was uneasy about the implications these proposals might have for Gorst's proposed scheme, as there had already been some friction on Kekewich's part with regard to them.² Gorst, however, was not so perturbed:

"The Scotch Scheme for Evening Schools will affect us very considerably. Our critics will say, here is an admirable provision for Evening Schools in Scotland: why cannot the Board of Education invent as good a one for England?"

"The Scotch Office is fortunate in having the opportunity of establishing a very simple system of Evening Schools. The Code they have drawn up and submitted to the Treasury is overlaid with minute and harassing regulations, and a quite needless amount of red tape; but the basis of the plan is simple and free from all difficulty and complication.

"Why cannot we do likewise? Because instead of one Local Authority with power to establish and maintain Evening Schools, as they have in Scotland, we have two lame and important public Bodies, each of which can do something to aid Evening Schools, but neither is competent to do that which the Scotch School Boards can do.

"The English School Board has unlimited power to rate, but in Evening Schools it can only teach scholars under 16, and in the subjects of the Code. The English Technical Instruction Committee can teach scholars of any age in practically any subject, but its rating power is limited to 1d. and the rate is in many cases already appropriated to other objects.

¹Ibid., Duke of Devonshire to J.E. Gorst, March 16, 1901.

²P.R.O. Ed. 24/83. Duke of Devonshire to J.E. Gorst, March 26, 1901.

"The scheme I sent you the sketch of, is clumsy and complicated by the side of the simple plan proposed by the Scotch Office, but it is the only way of getting over the English difficulties that I have been able to invent".¹

The need for something positive to be achieved, with regard to the future of the evening schools, was emphasised by the decision of the Court of Appeal on April 1st. to uphold the judgement of the Queen's Bench Court. The Master of the Rolls, in his summing up, was emphatic that the provisions of the Elementary Education Acts of 1870, and succeeding ones, were confined to children:

"Having now gone through the [1870] Act ..., can it be said with any regard to truth, that this Act deals with any education other than that of the elementary education of children? I think certainly not. In addition to what is set forth above, it should not be lost sight of that the Act of 1870 over and over again refers to the Education Department (that is Whitehall), which for the purpose of this case is admitted to be the authority as to elementary education and to elementary education alone, and it is admitted that from first to last the Act of 1870 makes no reference whatever to the Department of Science and Art at South Kensington with its high and advanced system of education. That the recipients of the education mentioned in the Act are children and children only cannot be denied ...".²

The Master of the Rolls also quoted Section 48 of the 1876 Elementary Education Act which defined a child as one between the ages of five and fourteen years.³ The con-

¹Ibid., J.E. Gorst to Duke of Devonshire, March 26, 1901. Gorst, of course, neglected to add that the impotency of the School Boards to act in this field had largely been the result of his activities in the past years: activities which had received the blessing of the Government.

²P.R.O. Ed. 114/26. Judgement of Court of Appeal, April 1, 1901. *The King v T.B. Cockerton*, p. 4-5.

³Ibid., p. 6.

clusions, together with his view that:

"... it was not within the powers of the Board ... to provide Science and Art Schools or classes of the kind referred to in this case, either in the day-schools or in evening continuation schools out of the School Board rate or school fund",¹

were devastating for the evening schools and their organisers.

It was generally thought that the London School Board would fight to the bitter end, and take the case to the House of Lords. Gorst echoed this sentiment the day after the deliverance of the Court's findings, in answering a question in the House about the future of the schools:

"The Board of Education have no power to authorise an illegal appropriation of rates, but so far as their own action is concerned they will, as I have several times already stated, continue to pay grants to evening schools as heretofore, pending the final decision of the House of Lords".²

He was not, however, willing to be drawn about changes being made in the Evening Schools Continuation Code, when questioned on this by J.H. Yoxall. A few hours later, and just before the House rose for the Easter Recess, Yoxall returned to the attack. Speaking briefly about his own views of the judgement of the Court of Appeal, Yoxall claimed that the need for legislation had been acute before the judgement. In the light of the judgement it was now doubly acute and, "... I trust we shall get a satisfactory assurance from the Government that they will take steps to legalise the position of the School Boards".³ Gorst

¹Ibid., p. 7-8.

²4 Hansard, 92, c. 483 (April 2, 1901).

³Ibid., c. 551, (April 2, 1901.)

would not be rushed:

"It is rather a happy thing, I think, that we have the Easter recess in which to digest this very important judgement. I have not been so rapidly able as the hon. Member to grasp the whole effect of that judgement and I shall be very glad to have a fortnight's holiday to think it over. Of one thing I would remind him - that the Education Bill which the Government has announced its intention of bringing before the House this session will give Parliament the opportunity of dealing with the whole of this matter, and I have no doubt that when the time comes the Government will be prepared to make recommendations to Parliament. But it must be for the wisdom of Parliament itself to find a solution of these difficulties ...".¹

As well as digesting the judgement and its possible effects during the recess, Gorst started work with Abney and Morant on drafting the new regulations for the evening schools. Their task was completed by the end of April. Abney requested Morant to have the scheme typed as a memorandum for Kekewich to see, on the orders of Gorst.² Kekewich was hurt by the way in which procedural formalities were being ignored in this matter:

"I have read the scheme which has been submitted to the Vice President by Abney relating to Evening Schools. I don't understand that it has been formally referred to me, and clearly it is not a matter for reference, but for full discussion both as to policy and details.

"I welcome anything which relegates School Boards especially the School Board for London to their proper duties.

"But whether we should make this change before the Bill of next year passes is questionable".³

¹Ibid.

²P.R.O. Ed. 24/83/29. W. Abney to R.L. Morant, May 3, 1901.

³Ibid. G.W. Kekewich to R.L. Morant, May 7, 1901.

Morant brushed aside Kekewich's remarks, and informed him that Gorst had already sent the scheme to the Duke of Devonshire.¹ Gorst's covering note to the Duke not only referred to the need for urgency in dealing with the matter, but also to the possibility of transferring responsibility for these schools to the South Kensington branch:

"It is necessary that the regulations under which the Board of Education proposes to make grants to Evening Schools in 1901-2 should be published without delay.

"... It seems to me impossible for the Board of Education to issue the 'Evening Continuation School Code' in anything like its previous form without an appearance of flying in the face of the judgement of the Supreme Court; and the alternative seems to lie between an evisceration of that Document so as to bring it into harmony with the judgement, and into a form which will provoke rather than conciliate the School Boards, and the issue of a document such as that which I now submit to you, which will not exclude the School Boards from giving such instruction in Evening Schools as the present law, or an agreement with the new authority created under our Bill, allows.

"The usual date for the production of the Evening School Code is May 1st and we ought as soon as possible to announce the policy in reference to future grants that we intend to pursue.

"I may add that the scheme goes as far in the direction of that which has been promulgated for Scotland as the laws of this country allow.

"P.S. I have re-read a copy of my letter to you of March 15th.² The only fresh observation I wish to make is that the judgement of the Court of Appeal not then delivered, went beyond that of the King's Bench Division. The School Boards cannot instruct children above 15, nor can they give an instruction other than 'elementary'. The Evening Continuation School Code does not protect them against surcharge for illegal expenditure.

¹Ibid. R.L. Morant to G.W. Kekewich, May 8, 1901.

²See above, p. 486-7.

"It seems to me that it is quite impossible to divide Evening Schools into two classes - primary and secondary. We have tried to do this with Day Schools, and as Mr. Bruce¹ confesses, have failed.

"The real grounds for transferring Evening Schools to the Secondary Branch are

- "1. That that Branch administers already the Evening Schools which work under the Directory. That these are the schools with which Evening Schools under the Code compete and overlap.
- "2. That the Secondary Branch is in communication with the County Authorities to whose administration we look for an extension of Evening Schools in rural places".²

The scheme proposed in the memorandum which accompanied Gorst's letter was written in a way which reflected its aims - clarity combined with simplicity. Referring to the Cockerton judgement, it was felt that:

"... the opportunity seems to have come for recognising all Evening School work ... as being definitely - to use a term suggested by Sir G.W. Kekewich - 'the means of Secondary Education for the Masses', and as therefore needing a definite organisation of its own, on as simple a plan as possible, but not under the guise of an Elementary School".³

Not only could rationalisation be achieved now, with regard to evening schools, by the Board, but it could be extended to all its areas of interests. All the Board had to do was to issue annually three sets of regulations. The

¹Hon. W.N. Bruce - head of the Secondary Department in the Board of Education.

²P.R.O. Ed. 24/83/B18. J.E. Gorst to Duke of Devonshire, May 8, 1901.

³P.R.O. Ed. 24/83. Memorandum on the new Scheme of Regulations for Evening Schools and Classes under the Board of Education, para. 6.

first, Set A, would cover all public elementary (day) schools and their staff, plus the training colleges. Set B would regulate all secondary schools, including endowed ones, inspected by the Board, whilst Set C would be concerned with the governance of technological classes, continuation schools and classes. Anything that was not part of an organised day-school curriculum would be included in these regulations: "In fact it would include all post-school work, done mostly in the evenings, and tending towards specialisation in the majority of cases".¹

Due to the fact that it was too late to alter the South Kensington Directory for the coming year, a special set of regulations would have to be issued to cover the evening schools and classes. These would, it was proposed, include a lower age limit of 12, "... and requires that no student shall be attending a Day School, whether Elementary or Secondary, under the Board of Education".² This stipulation ensured that the School Boards would have to agree to become agents of the secondary education authority for their area in order that such instruction might be given, since the Cockerton judgement forbade them to do so of their own accord. This control of the School Boards was, however, dependent upon the successful passage of the Education Bill, for within it was a clause enabling the Boards to become agents for the local authorities.

¹Ibid., para. 7c.

²Ibid., para. 9.

Contained within the Bill also was a repeal of part of the Technical Instruction Act, restricting the activities of the counties in the elementary areas of evening school work. Thus, "... there will be nothing to prevent County Councils in future from aiding all the work done in Evening Schools ... Hence County Councils will be able to finance all the Evening Schools in their area".¹ Thus Gorst, Abney and Morant envisaged not only the continuation of evening school work on more rationalised lines, but also the accomplishment of the subjugation of the School Boards to the county and county borough councils in this area, so long the pride of the Boards. This was, as has been stated, dependent on the passage of the Education Bill - the introduction of which had occurred the day before Gorst had sent the scheme to the Duke.

Devonshire sanctioned the proposals contained in the scheme, and a draft of the regulations was consequently drawn up. This was submitted by Gorst to Devonshire on May 17, and in his accompanying note Gorst reiterated the history of the evening schools in colourful terms.² Why this should have been necessary is not clear, for the same ground had been covered in the scheme submitted nine days previously. In spite of this, and Gorst's explanation of the basic concepts involved in the draft, Devonshire felt that some of the regulations could do with clarification:

¹Ibid., para. 11.

²P.R.O. Ed. 24/88/32. J.E. Gorst to Duke of Devonshire, May 1901.

"The Duke does not think that No. 2 of the Regulations makes it clear enough that School Boards can, under the Bill, continue to carry on (not only 'manage') existing Evening Schools, and pay for them out of the School Board Rate.

"He therefore suggests - and Kekewich concurs - that it would be well, in laying the Regulations, to lay a short explanatory Memorandum pointing out their genesis, and showing how Regulation 2 would work with reference to Clause 8 of the Bill.

"It might give the Bill a leg-up, if it were shown that throughout the Regulations it is assumed that the Bill will pass.

"If the V.P. agrees, would he draft the Memorandum or would he instruct Kekewich to do so?

"Of course, No. 2 might be explained by a foot-note: but reference would then have to be made, in a document intended to be permanent, to a temporary state of things, viz.: the present state of the Bill - which would not be very convenient".¹

Morant provided the required memorandum, and, in addition an extra article to the twenty already listed.² This, article 21, purported to allow the School Boards a degree of independence in the maintenance of elementary evening schools - the previous 20 articles referred to non-elementary ones. The restrictions incorporated into the article, however, ensured that the Boards' activities would be financially limited, and that they could not achieve that which had been accomplished in previous years.

In the letter accompanying the regulations, when they were sent to the Treasury for approval in June, it was pointed out that the various restrictions on hours of

¹P.R.O. Ed. 24/83. Riversdale Walrond to R.L. Morant, May 20, 1901.

²P.R.O. Ed. 24/39. Additional article to be added to the New Regulations for Evening Schools.

instruction, numbers of subjects to be studied, would ensure that the grants involved under the new scheme would be less than those previously given.¹ This fact ensured that there would be no financial objections by the Treasury - the main ground on which the scheme would fail there. Approval was given and the Minute was published on July 8. The way was open for overcoming the Cockerton problems, and at the same time ensuring control over the schools by the Board of Education through the county councils as the new local authorities:

"The main principle of the new proposals is that Local Authorities shall be made responsible for the administration of Evening Schools in their area, and that the grants from this Board shall as a rule be paid to those Authorities, and not, as heretofore, to the Managers of individual Schools.

"... All syllabuses and courses of instruction will be submitted to the Board for approval, and it is proposed as a condition of such approval, to require that an efficient staff shall be provided, and that the subjects of instruction are suited to the circumstances of the locality, and that the courses of the teaching shall be of distinct educational value, and not merely designed for commercial purposes".²

Whilst the regulations had been cast into their final form and dispatched to the Treasury an obstacle had appeared to their implementation. This was the rough passage of the

¹Article 18 stipulated that students could not register for more than four subjects in all, "... of which not more than two may be in Groups V, VI, or VII". Article 19 maintained that, "Not more than 40 hours of instruction may be counted for any student in a year", and that, "Not more than two hours instruction in any subject may be counted for any student in any evening". See P.R.O. Ed. 24/83, Minute Establishing Regulations for Evening Schools and Classes.

²P.R.O. Ed. 24/83. Board of Education to Treasury, June 14, 1901.

Education Bill in the Commons, and the possibility of a repetition of 1896.

Early in April the National Association of Voluntary Teachers forwarded a memorial to the Board of Education, containing resolutions on various educational topics.¹ Amongst these were proposals for the new local education authorities - ones which demonstrated that a certain sector of the teaching profession was more or less in agreement with the general strategy of the Government, unlike their brethren in the N.U.T.:

"Resolved:-

- "(2) That local education authorities, covering large areas, should be created and should be responsible for all public elementary schools in such areas.
- "(3) That the local authority should be empowered to levy a rate over the whole area towards the maintenance of all public elementary schools under its care.
- "(4) That the local authority should be represented on the managing bodies of all schools provided by religious denominations".²

The document was also interesting for it revealed that at least one part of the voluntary sector had become reconciled to state aid with the accompanying necessity of public control. This may have cheered Gorst up a little, knowing

¹P.R.O. Ed. 10/13. Memorial 9440, National Association of Voluntary Teachers to Board of Education, April 2, 1901.

²Ibid. Such a proposal would, of course, have ensured the future of the voluntary schools and thus safeguarded the employment of the proposers.

the opposition that was likely to be aroused when he introduced the Bill. His close friends, however, were not informed of the Bill's contents nor when it would be introduced. Canon Barnett, however, shrewdly estimated that it would produce opposition:

"I expect the Bill will be out soon - In my heart of hearts I doubt if the Government has backbone to push it through against the certain opposition of many (?Liberals) - Gorst too has not got his patient conciliation which is necessary. We shall see. My own forecast is a temporary expedient for carrying on the schools and no principle".¹

Sidney Webb was, surprisingly, completely at a loss as to the contents of the Bill, even on the day that it was to be introduced, "... Gorst is even now introducing his bill about which we know nothing yet ...".²

The House, however, must have soon realised what the general tone of the Bill would be from Gorst's opening remarks. After indicating that the principle of the Bill was:

"... to establish in every part of England and Wales a local education authority, which is intended to supervise education of every kind, and which may ultimately have the control and supervision of all schools, whether elementary, secondary, or technical",³

Gorst went on to consider which body should become the authority. The choice, to all intents and purposes, was limited to the School Boards on one hand and the county and

¹Barnett Papers, F/BAR No. 236. Canon Barnett to Frank Barnett, May 4, 1901.

²Passfield Papers, F. II 3(1), 177. Sydney Webb to Beatrice Webb, May 7, 1901.

³4 Hansard, 93, c. 970 (May 7, 1901).

county borough, plus urban district, councils on the other. Gorst's next words may have chilled the hearts of many School Board supporters on the Opposition benches:

"Now, the choice between the School Board and the county council is one not to be determined by sentiment. You cannot erect School Boards into educational authorities merely to reward them for the excellent work they have been doing for the last thirty years. You must consider which body can be most easily erected into an authority and which body will best serve the purpose when it is so established".¹

The chill would have remained with his survey of the objections to the Boards being made the authority - the fact that they did not cover more than two-thirds of England and Wales; the rural Boards' area was not a practical one for administrative purposes, and the absorption of the powers of the county councils that would result not being acceptable. But having just stated that he would object to the absorption of one authority by another, Gorst, in listing his preferences for the county and borough councils as the authorities, was quite happy to see the total absorption of the School Boards by the councils as a matter of "practical politics".

Gorst, in fact, turned the first part of his speech into an attack upon the Boards. The fact that they, the Boards, were, "really a survival of an ancient form of local government which has been generally discredited and abandoned" and, as such, constituted an "... absolute obstacle to anything in proper local self-government",² must have sent a surge of

¹Ibid., c. 971-2.

²Ibid., c. 973.

anger through the Opposition. Fuel was added to the fire by his following remark that, "... there is a great deal more zeal in certain quarters for the maintenance of the School Board system than there is for the education of the children for which that system was brought into existence. [Cries of 'No, no!' from the Opposition Benches "].¹ Having thus vented his spleen on the School Boards, Gorst turned his attention to the structure of the authority proposed in the Bill.

The basis of the authority was to be a committee of the county and county borough councils, the exact structure of which was to be arranged by consultation between the councils and the Board of Education. There were, however, two provisions prescribed in the Bill. The first was that the majority of the committee should be members of the council and the second was that there should be some representation of non-council members on the committee. Members of either sex were eligible to become committee members. Gorst hoped that in the case of smaller counties, or certain county boroughs and county councils, there would be some degree of amalgamation to provide larger and, hopefully, more efficient administrative units.²

The financial basis of the authorities would be derived from, firstly, the 'whisky money' - but without restriction to technical instruction only - and, secondly, from the rates:

¹Ibid., c. 974.

²Ibid., c. 976-8.

the councils being empowered to levy a 2d. rate under the Bill. It was to be the function of the council, rather than the committee, so far as provision of finances was concerned. When questioned upon this matter by the leader of the Opposition, Sir Henry Campbell-Bannerman, with regard to the application of the funds raised, Gorst had to admit that they were not to be used for elementary education nor for the maintenance of poor law, reformatory or industrial schools. Thus the weakness of the Bill was exposed, for, despite his virulent comments about the School Boards, they were not going to be totally absorbed, and the new authorities would, therefore, have one arm tied behind their backs. The Cabinet had obviously not been prepared to commit themselves totally to the new scheme, no doubt as a result of the opposition they expected it would arouse.

The non-county and urban district councils were not ignored this time - the lesson of 1896 having been assimilated. It was proposed that they should become the agents of the county councils for the schools in their area, and they should also retain the right to raise a 1d. rate which they had been entitled to do previously under the Technical Instruction Act. This arrangement would ensure, Gorst felt:

"... preservation of county control so as to secure unity of purpose, that the schools fit into the general county system, and independence of the borough management so as to give them the right of being managers of all the schools which are planted within their own district".¹

¹Ibid., c. 983.

Two other aspects of the educational situation were incorporated into the proposals of the Bill. One was the insertion of a conscience clause, "... a rather vexed question in these education Bills".¹ Gorst maintained that its insertion was more for the benefit of Parliament than the secondary schools which would be covered by it, owing to the greater amount of religious strife concerning education in rather than outside the House. As he indicated, it was a simple provision - firstly, a grant was to be given irrespective of the religious instruction taught or not taught in the school and, secondly, the parents of children were to have the right to withdraw them from religious instruction, the hours of the teaching to be arranged to facilitate this.²

The second aspect concerned the Cockerton judgement. Dealing with the trial and its effects, Gorst disclaimed any connivance by the Board of Education in it:

"... the Board of Education had nothing to do with either the case, the judgement, or the prosecution of the appeal: the only concern we had with the matter was to place the information in our archives at the disposal of all parties, and everybody had the information wanted so far as it was in the office, the Board remaining quite neutral".³

He was concerned that the schools affected by the judgement should not be destroyed, but, he went on:

"... it would be absurd and foolish to allow such schools to continue to exist and overlap other

¹Ibid., c. 980.

²Ibid., c. 980-1.

³Ibid., c. 984.

secondary schools carried on by technical instruction committees and other public authorities. They ought to form part of one harmonious scheme, presided over by the educational authority, and a part of the regular organisation of education in the country".¹

Harmony was to be achieved by the School Boards carrying on the schools, but as agents of the new education authority. Until the new authorities were constructed, temporary powers would be given to the county councils to authorise these arrangements.

This was the essence of the Bill, and in many respects it represented the final achievement of the main goals set out originally in the Bill of 1896; the others being carried out by the measures passed since 1896. The main concept of this Bill was identical with that of the 1896 Bill - the creation of a paramount local education authority. The difference was that there was now in existence a central authority to help in the coordination necessary for the achievement of such an objective. But, like its predecessor, there was the same vital flaw - the inability to deal completely with the problems of the School Boards, especially as they had been conceded to be a major obstacle in the path of fulfilment of the scheme.

The Opposition pounced on this flaw and held it aloft as an example of the Government's inability to correctly frame a measure. Thus Bryce, whilst acknowledging the scheme proposed as a gigantic one, saw that Gorst, "... has not effected or attained by this Bill ... unity of educational

¹Ibid., c. 985.

control".¹ Macnamara felt that, "The scheme ... breaks down then when you apply to it the touchstone of his ideal in the matter of education", and thought that the Government would have been wiser, "... to give us this session just a short enabling measure to carry us over the next twelve months with regard to those practices ... now ruled to be illegal ...".² Yoxall, in an uncharacteristically short speech, reiterated the sentiments expressed by Bryce and Macnamara and described the Bill as, "A more inept proposal never was made".³

Even the pro-Government journal, The Spectator, when reviewing the Bill and its introduction, was dubious about the possibility of its aims being achieved:

"... the only advance which the Bill itself makes in the direction of unifying the educational authority is the creation of a second authority by the side of the present one ... we can only suppose that the authors of the Bill are so convinced of the superiority of the new education authority to the old, that they think that is only necessary for the country to see them at work side by side to ensure an irresistible demand for the merging of the less in the more desirable variety".⁴

Not only was the writer of the article unsure about the Bill, but he was also uncertain about the Government's choice of time to introduce a measure of such a large nature:

"In Parliament they have the Finance Bill and the Army Bill; how can they hope to make room in a session

¹Ibid., c. 988.

²Ibid., c. 994, and c. 998.

³Ibid., c. 1001.

⁴The Spectator, 86, May 11, 1901, p. 689.

already half over for a third measure, which must necessarily be one of extreme detail and give endless occasion for debate in Committee? In Cabinet they have the war and the settlement of South Africa after the war, neither of them matters that can be postponed to the demands - the unprovoked demands, as many of their supporters would think - of domestic legislation ... It must be admitted that this is not a combination of conditions which favours the introduction of such a measure ...".¹

Even some of Gorst's friends were despondent about his introduction of the Bill: "Jelta [Henrietta Barnett] went on Tuesday to hear the Bill. She was not satisfied with Gorst's opening. He dealt with (? clauses) and difficulties the mass do not understand ...".² Canon Barnett was, however, more optimistic: "On the whole however the signs favour the Bill. There is a curious change in opinion - people are now much more ready for county council management".³ This optimism did not extend to the future handling of the Bill by Gorst. Although Gorst "... is keen about the new Bill and other changes ... I am not sanguine. He is clever, his mind is in the right direction, but somehow it is impossible to have any confidence in his power".⁴

The pressures, mentioned by The Spectator, on the time of the House, and the opposition aroused by the Bill did not bode

¹Ibid., p. 688.

²Barnett Papers, F/BAR, 237. Canon Barnett to Frank Barnett, May 11, 1901.

³Ibid.

⁴Barnett, H., op. cit., p. 182. Canon Barnett to Frank Barnett, 1901.

well for its future. Thus, in spite of his keenness about the Bill, practicalities forced Gorst to draw up a memorandum on how the Cockerton judgement could be dealt with if the Bill was dropped.¹ Of the four possibilities he considered, Gorst was obviously in favour of a single clause Bill granting a dispensing power to the county and county borough councils, to enable the schools affected to carry on for another year, because of its similarity to the main theme of the existing Bill. Plus, of course, the fact that it was an essential part of the new Evening Schools Regulations.

By the end of June it was apparent that the Bill would not pass, due to the pressure of time, and would have to be dropped. It was not even discussed at the Cabinet meeting on June 21,² after Balfour had indicated in the House that the Second Reading would not take place before June 25.³ It was not surprising, therefore, that it was dropped on

¹P.R.O. Ed. 24/138.

²P.R.O. Ed. 24/16. R. Walrond to J.E. Gorst, June 22, 1901.

³4 Hansard, 95, c. 734 (June 18, 1901).

June 27.¹ But the Government had, in so doing, put themselves into the position of having to introduce a one-clause Bill to legalise the activities of the "Cockerton Schools", whilst a new Bill was formulated to replace the one of May 7. A small Cabinet Committee was hurriedly arranged, consisting of the Duke of Devonshire, Balfour, Long,² Gorst and, unusually, Morant.³ As a result of their deliberations, with occasional assistance from the Attorney-General and Parliamentary Council,⁴ a one-clause Bill,

¹The Spectator disapproved of the way in which the Government had apparently dropped the Bill with a light heart, and castigated it for not having utilised the years since 1896 more usefully in the promotion of legislation. The writer of the article still believed that the Bill was the successor of the 1896 one and, on these grounds, argued that it deserved a better fate than the one accorded it. As in 1896, Balfour was not regarded favourably over his poor management of the parliamentary time tables: "... the imperfection of a Bill is not a reason for helping to bring about its withdrawal, unless there is good reason to believe that it will make way for a more complete Bill. Mr. Balfour assures us that this is what will happen in the present case. We find it hard to believe it. When a strong Government has twice essayed to legislate on a big subject, and twice taken its hand from the plough in consequence mainly of the indifference of its followers, its promise to take up the question a third time must be received with some suspicion". The Spectator, 86, June 29, 1901, p. 964.

²President of the Local Government Board.

³P.R.O. Ed. 24/14/14. Successive stages of the Education Bill, 1902.

⁴Sir Courtenay Ilbert.

embodying the principle favoured in Gorst's memorandum,¹ was introduced to the House on July 2.

The clause, in stipulating that:

"Where a School Board has at any time during the twelve months immediately preceding July 31, 1901, maintained out of the school fund any school or class to the maintenance of which the school fund is not lawfully applicable, the council of the county or county borough within which the school or class is held or, with the sanction of the Board of Education, any other local authority under the Technical Instruction Acts 1889 and 1891 for the district within which the school or class is held, may empower the School Board to carry on for the period of one year from that day the work of the school or class to such extent and on such terms as may be agreed on between such council or local authority and the School Board, and to apply to the maintenance of the school or class such sum out of the school fund as the council or local authority may sanction. Where any expenses incurred by a School Board in respect of any such school or class before the said day are sanctioned by the Local Government Board, the legality of those expenses shall not be questioned in any court",

contained the very backbone of the previous Bill.² It demonstrated that Gorst and the Government were determined to have the concept of the School Boards as being subservient to

¹Gorst was against the proposals to either grant a dispensation to the Local Government Board - "unconstitutional because it allows the Local Government Board to sanction an appropriation of the ratepayers' money without the sanction of either Parliament, or the Body which represents the ratepayers" - or, more strangely, to the Board of Education. Arguing against his own department having a dispensing power conferred upon it, Gorst claimed that the power, "... would be exercised under the influence of the School Boards and National Union of Teachers. It would afford no practical check on the School Boards, who would at once occupy the whole field of Secondary Education in the Great Towns". This either reflected a genuine fear of the School Boards on the part of Gorst or, more likely, a fear that through the activities of Kekewich and his clique in the Board - with their pro-School Board views - the power would be mishandled, in favour of the Boards. See, P.R.O. Ed. 24/13B.

²4 Hansard, 96, c. 610 (July 2, 1901).

COOL PARLIAMENTARY LARDER



THE DEVONSHIRE CREAM.

Martha Lufford (house keeper) "There, don't 'ee cry, Dukky dear! I've put 'ee away, and 'ee 'll keep perfectly till next year. And I've given you something to do as well!"

the county and borough councils in secondary education introduced. This was, of course, guaranteed to rouse the opposition of every School Board supporter. The fact that such an important concept should be introduced under the Ten Minute Rule just added fuel to the flames of indignation, as Lucy recorded:

"Opposition fallen on evil times: like Mrs. Gummidge of blessed memory, it is 'a lone, lorn crittur and everythink goes contrairy'. Final blow fell tonight when JOHN O'GORST, brought in Education Bill under Ten Minutes' Rule ...

"This bad enough; worse still, JOHN O'GORST, who might have spoken for ten minutes, occupied only four. True, in that time he said everything that was possible or useful. But insult was added to injury ... BRYCE, ordinarily the mildest-mannered man that ever sat in Opposition, quite in tantrums ...".¹

Bryce, as the only Opposition speaker permitted under the rule, objected to the fact that such a measure should have been introduced, "... in a way which prevents us from having a discussion on the various principles embodied in it ...".² The Government's method, he felt, was pernicious because, "they are seeking ... to effect what amounts to an educational revolution in this country, and they are trying to do it by a mere side wind".³ Bryce believed that the ways proposed to achieve the resolution would cause the maximum amount of friction, due to their being the worst possible course that could be taken. He promised, at the end of his

¹Lucy, H.W., 'The Essence of Parliament', Punch, CXXI, July 10, 1901, p. 31.

²4 Hansard, 96, c. 611. (July 2, 1901).

³Ibid., c. 612.

seven minute speech, a "firm and determined opposition" to the Bill's passage, by the "true friends of education".

Aware that the Bill represented the thin end of the wedge for the eventual, total subjugation of the School Boards, opposition grew both in and out of the House. Thus Hirst-Hollowell relentlessly informed successive meetings that popular control and religious liberty were at stake.

"The attempt is being made",
he claimed,

"to crush popular education in the interests of the classes. Hypocritical homage is paid to popular control with the object of nullifying it in practice ... unless all appearances are deceptive, 1902 will witness a determined attempt to destroy that School Board system which has been the object of continuous attack ever since Mr. Acland, a real educationalist, was succeeded by Sir John Gorst, who has masked his hostility to popular control and the rights of conscience under effusive professions of desire for the advancement of Education".¹

In view of the agitation being promoted against the Bill, Gorst devoted a major part of his introduction to the Bill's Second Reading to throwing water on the flames being fanned by the Opposition: "This is the more necessary because most exaggerated and inaccurate statements have been widely circulated about these schools, about the great danger of their being suppressed, and of a catastrophe arising to national education".² He was able to demonstrate, statistically, that the Cockerton judgement - which had necessitated the Bill before the House - would hardly affect day schools, including higher grade ones, run by the Boards. In the

¹Quoted in Evans, W., op. cit., p. 74.

²4 Hansard, 96, c. 1170 (July 8, 1901).

whole country, the number of students who would be adversely affected would only number 900 to 1,000. In the case of the evening schools, the matter was somewhat different: there being some 228,000 students who would be affected. He did try to minimise this fact by pointing out to the House that not all the registered students were devout attenders; thus there would be considerably fewer students affected than at first sight.¹

After a digression about dancing being offered in many evening schools under the guise of physical exercise,² Gorst made the somewhat startling announcement that the overlapping and competition furnished by evening schools was the result of the competition between the Education Department and the School Boards on the one hand, and the Science and Art Department and Technical Instruction Committees on the other. This problem had only recently been resolved by the Board of Education. If this had been the case, the question must have sprung to many minds, why had Gorst not done something about

¹Ibid., c. 1171-4.

²Gorst had raised this point in his introduction to the Education Bill (No. 1) on May 7, and subsequently had had an acrimonious correspondence with Stewart Headlam, chairman of the London School Board Evening Continuation Schools Committee, about it, since it concerned one of the Board's Schools. Headlam had a letter published in The Times on May 15, referring to Gorst's comments in a letter to him about the school. Gorst was angered by the interpretation Headlam had published, and sent his original letter to The Times for publication. Headlam demanded a public apology from Gorst in respect of his original remarks about the school, which Gorst disdained to do. This storm-in-a-teacup ended with Morant stating Gorst's view. See P.R.O. Ed. 24/83, May 8-16, 1901.

it since he had been the political head of both departments? Gorst had, however, rapidly passed on to a comparison of the education provided in evening schools and in secondary schools. That provided in the former was, he believed, "... cheap and bad. The Education ... is cheap, shoddy education instead of the better and higher education which we wish to promote".¹

Gorst couldn't have aroused more opposition to the Bill, than that which these remarks produced, if he had wanted to. A Tory backbencher noted that, "They lashed Radical 'Educationalists' like Dr. Macnamara, Mr. Bryce, and Mr. George White into fury".² Gorst's subsequent remarks about the Boards only served to maintain that fury at white heat:

"Are we to keep up in this House the farce that School Boards are elected for educational purposes? Everybody knows that educational purposes are the very last ideas in the minds of the members of School Boards. [Opposition cries of 'Oh!'] I have heard that they are elected, some on religious grounds, some on party grounds, but I have never heard of anyone being elected on educational grounds".³

Some of the heat was removed by his references to the Bryce Report as providing support for the scheme proposed in the Bill, for there was substance in them. But it would appear that the impish side of his nature had been allowed free reign, no doubt as a result of the Government's determination to pass the Bill, which virtually ensured its

¹4 Hansard, 96, c. 1178 (July 8, 1901).

²Griffith-Boscawen, A.S.T., op. cit., p. 202.

³4 Hansard, 96, c. 1180 (July 8, 1901).

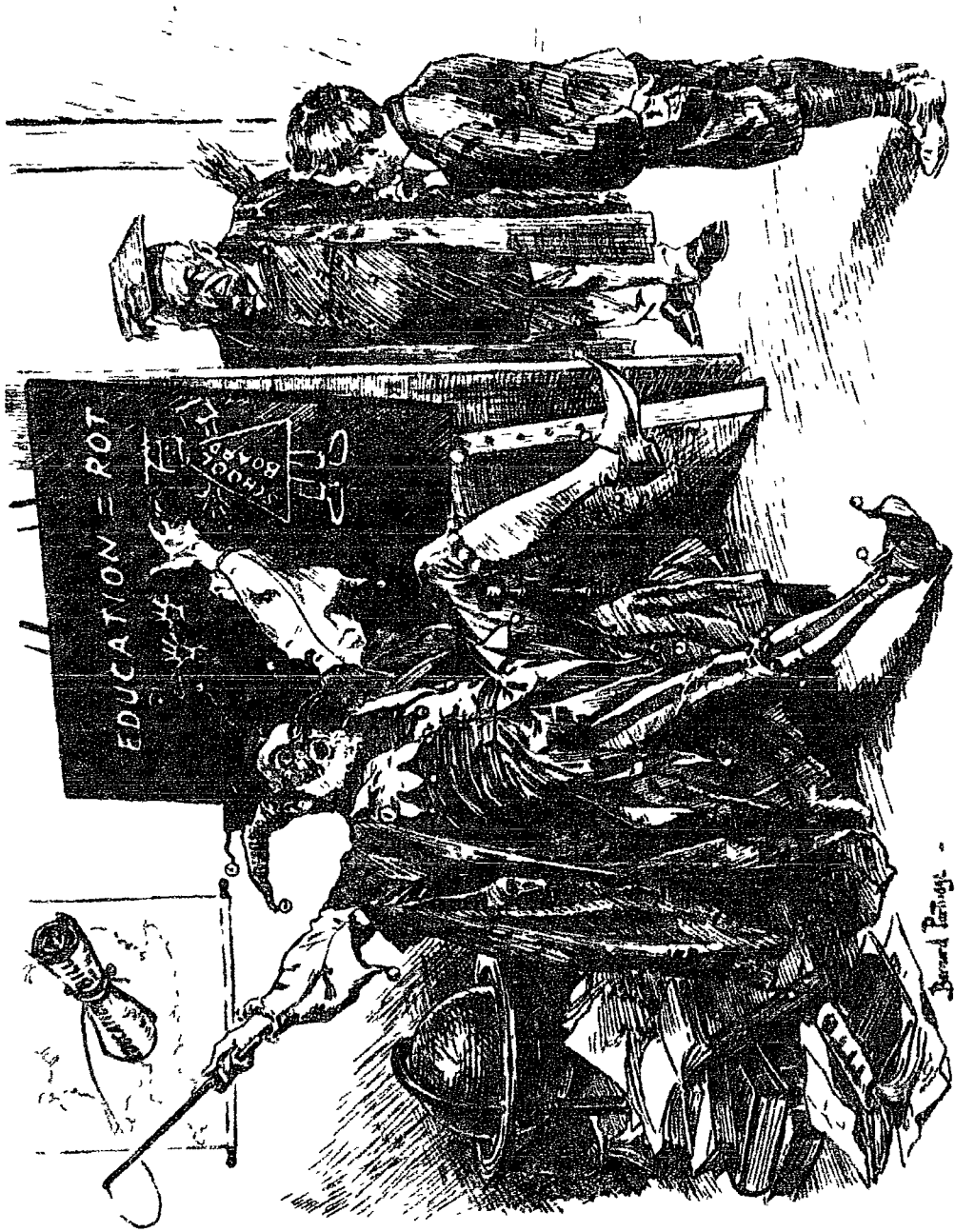
success. Gorst ended his speech on a personal note, which may have helped to put his previous remarks into a somewhat better light:

"We are told that this little attempt at the reform of the chaos in our educational system is to meet with the most vigorous opposition. I am sorry to say it has been my experience since I have held my present office that every attempt to improve the education of the country has met with opposition ... This opposition is carried on by the same methods in which party opposition is usually carried on - exaggeration and misrepresentation. And then they call their opponents the enemies of education because they do not exactly agree with the system which they themselves advocate ... we may be mistaken, but at all events we are honestly mistaken, and I do not know that it much advances the cause of hon. Members opposite to stigmatise us as enemies of education".¹

Gorst's comments had, however, antagonised the Opposition² to the extent that the Debate was continued for a longer time than otherwise might have occurred. The Opposition speakers, although aware of the fact that the Government were determined to pass the Bill were not daunted, and took the opportunity to pronounce upon the whole of the educational scene and, in many cases, at length. Macnamara viewed the Bill adversely: "We have asked for an enabling Bill, and we get in return a terribly disabling Bill. There is not a School Board which looks upon it any other way". The Government's educational policy, "... I want, in the most deliberate manner, to characterise as Little Englandism of

¹Ibid., c. 1184.

²As well as other observers. See cartoon in Punch, CXXI, July 17, 1901, p. 39.



Bernard Partridge.

"THE GIDDY GORST."

Dr. Panch (Head Master, secretly). "BORNOK WANTS THE BIRCH - AND IT'S NOT THE P.O."

the most pernicious and disastrous character".¹ Bryce reiterated his view that he saw the Bill as a piece of opportunism by the Government:

"... of asserting in this small and temporary Bill the large principle which they desire to establish. They refused the status quo to carry them [schools] on, in order to assert their principle, and they have taken a course which is open to nearly every objection that can be urged against a temporary Bill of this kind. It is imperfect, because incomplete in its operation; it is vague and doubtful, leaving many questions open; it is cumbrous, controversial, and practically unworkable. And all this because the Government were determined to do something more than deal with the difficulty which the Cockerton judgement created".²

Bryce's views earned him the approbation of The Spectator - an unusual source of praise as far as Opposition members were concerned. But the praise also carried the implicit understanding that the tactics of the Opposition were doomed from the start, because of the determination of the Treasury Bench occupants:

"If all the opponents of the Education Bill Number 2 played their cards as cleverly as Mr. Bryce, the resistance to it would be more formidable than with their actual tactics it is at all likely to prove".³

The Opposition members, however, persisted in their own, individual ways, and managed to make the Second Reading run the length of two evenings. Their activity in the Committee stage threatened to delay the passage of the Bill, and Balfour intervened, as Lucy recorded:

¹4 Hansard, 96, c. 1199 (July 8, 1901).

²Ibid., c. 1215-6.

³The Spectator, 87, July 13, 1901, p. 47.

"Closure once more possible, Committee on Education Bill brisked up wonderfully ...

"This led up to proposal that PRINCE ARTHUR¹ should accept amendment moved by MATHER from Opposition benches limiting operation of Bill to prolonging status quo for twelve months. Never in his life was PRINCE ARTHUR so amazed, so pained. What! Should a Ministry of which he was a member, of whose views he was authorised exponent, display this weakness in face of enemy? His Majesty's Government had brought in Education Bill embodying a distinct principle, framed on definite lines. To withdraw it, to abandon it, to substitute an alternative, would be to display a weakness that would stamp them as incapable of dealing with so grave a question as national education.

"SQUIRE OF MALWOOD,² who remembers history of Education question under the MARKISS's Government, softly laughed. Crowded Committee looked on in admiration at PRINCE ARTHUR's indignant gestures, his flashing eyes, his anger-crimsoned cheeks.

"Upon my word,"

said JAMES BRYCE, a plain Aberdeen body,

"I do think he believes he has not within the last few years twice stood at that very box and abandoned two Education Bills a few months earlier introduced from the Treasury Bench, with trumpets also and shawms".³

Whether it was the principle of remedying these previous failures, or the necessity of passing the measure, that was uppermost in Balfour's mind it is impossible to tell. The Bill was, however, driven relentlessly onwards towards its enactment by his determination to see it passed. This was duly accomplished, with a majority of 58, at the end of the

¹Balfour.

²Sir William Harcourt.

³Lucy, H.W., 'Essence of Parliament', Punch, CXXI, July 31, 1901, p. 86.

third reading on July 30.¹

Although the Bill had passed, in spite of Gorst's ill-timed outburst, the measure of relief which had been granted was only temporary. The Government were thus faced with having to start once more to design an Education Bill which put matters on a more permanent basis. They were, however, aided in this task by the fact that they had succeeded in getting a new secondary authority established by the Cockerton Act (as it became known), and one which could provide the basis for their plans in this area. The mechanism to establish this and other structures on a more permanent basis was put into motion two days after the passing of the Bill.² Gorst, however, had certain other matters to attend to before he could devote his energies to this matter. Foremost amongst these was the debate upon the Minute of July 3, containing the new regulations for the evening schools and classes.

¹4 Hansard, 98, c. 622 (July 30, 1901).

²P.R.O. Ed. 24/14/14. Successive Stages of Education Bill, 1902.

CHAPTER FIFTEEN

The publication of the Minute on July 3 had resulted in agitation against the measures being fomented by its opponents. Even Bryce, who usually examined educational proposals with a more detached attitude than many, was worried about its proposals:

"If you have gone into the new Minute of the Board of Education on evening and continuation schools which has made so much noise, would you tell me whether you think it, as some say, illegal, since attempting to evade by a side wind the Act of 1870? It is suggested that Gorst wants by a sort of juggle between the Whitehall Code and the South Kensington Code to make grants outside the restrictions of the Act of 1870 (e.g. Conscience clause), and that if this has been once done for the Evening Schools it may ultimately be expended by the day schools also.

"Should this suspicion, which some of our friends entertain, be well founded, the Minute ought to be made the subject of a searching debate and be divided against".¹

No doubt as a result of some of the agitation, the Board of Education decided to send a letter explaining the reasons for the new regulations to the managers of evening schools and classes. The draft of this was drawn up by Abney and submitted to Kekewich, Gorst, and Devonshire for their approval on July 22. Kekewich did not agree with Abney's explanation of the key issue involved in the forming of the regulations:

"It has now been decided in the Courts of Law that the Elementary Education Acts give no power to carry on Public Elementary Schools, whether in daytime or in the evening, except for children. The Board of

¹Acland Papers, No. 75. J. Bryce to A. Acland, July 21, 1901.

Education have therefore issued the accompanying revised Scheme of grants with a view to Evening Schools and Classes being carried on and the instruction heretofore given being continued without the requirement that the Schools should be conducted as 'Elementary Schools',¹

and wanted the section replaced by a paragraph, which included the voluntary as well as the School board schools. Gorst disagreed strongly with Kekewich's amendment, commenting that parts would frighten, "... managers needlessly and incorrectly", whilst others would greatly irritate the School boards. The proposal to include the voluntary schools Gorst found, "... misplaced and injudicious".² The draft remained in the form devised by Abney.³

These tactless remarks by Kekewich can only have served to irritate Gorst and Devonshire at a time when there was enough external agitation about both the second Education Bill and the Minute. Kekewich's general antagonism towards the Government's measures came to the notice of Balfour, whose letter to Devonshire on the matter revealed Balfour's worries about the progress of these educational measures:

"I have as you know been dragged (much against my will) into questions connected with Education, which, though partly legislative, have a very important administrative side: ... It is for this reason that I venture to trouble you upon a matter which I quite admit does not immediately concern me.

"We have to deal with a certain number of School Boards which are sulky, a certain number of Borough Councils which are ambitious, and a certain number of County Councils which are somewhat slow: The two latter are sensitive, and I am afraid that unless we

¹P.R.O. Ed. 24/84. Draft letter proposed to be sent to any Body of Managers which applies for recognition.

²P.R.O. Ed. 24/84. Minute Paper A by G.W. Kekewich, July 26, 1901.

³P.R.O. Ed. 24/84. New Regulations for Evening Schools, Circular 127, July 31, 1901.

avoid the kind of friction which gave us such trouble in the House of Commons, and out of it, over the Higher Elementary School Minute last year, we may find ourselves in a position of considerable embarrassment. I know, from gossip, which, though it be gossip, is I am sure well-founded, that your Permanent Secretary neither loves your policy nor is anxious to further it.

"I do not, of course, throw doubts on his loyalty, but I hear, on all points that he is very little at the Office, and as he does not like the scheme of the Government, he is naturally moved to spend some of his time in directing the administration and recasting official letters in a manner which suits his views but does not suit ours".¹

Thus one source of irritation was undoubtedly quelled, if only temporarily, as a result of Balfour's intervention, and Gorst could concentrate on mustering his forces against the external opposition. It may have been of some use to him, in this process, to have read a letter, forwarded to Morant, from an art teacher in one of the London School Board's evening continuation schools.² The writer, Hilda Pemberton, claimed that some of her students would be willing to pay tuition fees (the tuition and the materials were then free), in the hope, she believed, that this would remove from the class those students who were not in earnest.³ This view coincided with both Gorst's and Morant's, that the work done in the evening schools should be serious, or "real". Gorst emphasised this point during the debate on the Minute on July 30.

¹B.M. Add. MS. 49769, f. 191-2. A.J. Balfour to Duke of Devonshire, July 25, 1901.

²P.R.O. Ed. 24/16/77. V.S. Redmayne to R.L. Morant, July 25, 1901 enclosing letter from H.M. Pemberton to V.S. Redmayne, July 23, 1901.

³Ibid.

Coming, as it did, immediately after the third reading of the Education Bill, the debate was a short one. Although ostensibly a debate on the Education Estimates, Gorst decided to deal only with the Minute in view of the small amount of time allocated. His introductory remarks formed a review of the chaos existent in the evening schools, and included quotations from educationalists - a speech made to the London School Board by one of its members, Dr. T.J. Macnamara, the Liberal M.P., and reports of the Inspectorate - to substantiate this point of view.¹ This situation, Gorst intimated, had decided the Board of Education to take steps to improve it. But the Cockerton judgement had occurred, with the result that:

"It became absolutely necessary that some steps should be taken to put out from the Board of Education a Minute making our grants conformable to the law as declared otherwise we should have been but flouting the courts of justice and inviting breaches of the law by promises of grants to these schools".²

Thus having sketched the *raison d'être* of the Minute as he saw it, Gorst turned his attention to an equally brief review of its contents. He, first of all, tried to disclaim any hand in the authorship:

"The framing of this new Minute was entrusted to the permanent technical advisers of the Board of Education, who know nothing of politics, nothing of agitation in the country, and approach the question from the most pure educational point of view".³

¹4 Hansard, 98, c. 627-9 (July 30, 1901).

²Ibid., c. 629.

³Ibid.

If the Members found this naive view difficult to swallow, they certainly could have believed Gorst's claim for responsibility for the measure, along with Devonshire - if not for the reasons stated:

"... neither my noble friend nor I would like to take an undue amount of credit for the production of this Minute, because I feel quite sure that when the passions of the present moment have passed away this Minute will be looked upon as the first step in a great educational reform, and I should be very sorry that an undue amount of this credit should be put down to the parliamentary officials, and that the House should not recognise that the real merit ... belongs to the scientific and expert knowledge and the wisdom and experience of the Board of Education".¹

Following on from such phrases, the Opposition must have found it difficult to believe Gorst's next statement that the grants, under the Minute, would not be less than previously provided, and the sum expended, "... should be as nearly as possible under the new system the same as under the old". Especially when he pointed out that the new system "... greatly favours schools which do real work, and greatly favours schools in which the attendance of the scholars is regular".² For it was an accepted fact that a proportion of these schools' incomes were derived from students who only made casual attendances - thus such a proposal would adversely affect the incomes of many schools. A fact which Gorst confirmed:

"Where there are reactionary evening schools which do little work, and where the scholars look in now and then

¹Ibid., c. 630.

²Ibid.

and attend the schools in a desultory and irregular fashion, those schools will, no doubt, lose under the Minute unless they can continue to induce their scholars to do more real work, or induce them to attend more regularly".¹

This interpretation would, Gorst felt, reinforce the third principle upon which the Minute had been formed i.e. "... grants should be distributed ... to encourage real work in these schools". He did not expand upon the other two principles i.e. that one single grant should replace the two separate grants from the Board of Education, and the regulations for the giving of grants to be as simple as possible, believing, no doubt, that they would be accepted as common sense measures.² The rest of his speech Gorst devoted to an examination of the opposition to the measure, which he saw based on three issues.

The first consisted of the vested interests which would be disturbed by the measure - no doubt Gorst was implying that the School Boards held such interests. The second was in the form of attacks upon the motives of Devonshire and himself, which he simply refuted:

"It is preposterous to say that [i.e. a desire to keep the people in ignorance] of the Duke of Devonshire, whose fidelity to liberal principles is acknowledged by every person in this country, and of my humble self, who have always postponed political advancement to my attachment to democratic principles".³

Finally there was the general agitation:

¹Ibid., c. 630-1.

²Ibid., c. 629-630.

³Ibid., c. 632.

"which was begun before the Minute was read or understood by the teachers, and it has been carried on by a number of misrepresentations as to the facts which compel me to attribute defective perspicacity to the critics".¹

Amongst whom he included the Association of School Boards and the London School Board.

Gorst appears to have believed that the existence of this opposition endorsed the status of the measure, because, "... those who are philosophic and regard these things with experience will judge from the kind of opposition that the Minute must be a very excellent one".² Unfortunately for him this view was not shared by the members sitting opposite him, and this was quickly revealed. George Whitley, the Member for Halifax, believed that Gorst:

"... was claiming for himself a position from posterity. He had appealed to the House to place him upon a monument, and stated that he had sacrificed his political advancement to his principles, and even, it might be said, had sacrificed education for the pleasure of his own jokes ...".³

The Minute, as he conceived it, was nothing less than, "... a death blow to evening schools" containing evil provisions. Whitley enunciated the control in the future by the Board over the instruction to be provided, the increased stringency of the minimum requirements for courses of instruction, the removal of physical exercises from receipt of grants, and the general cutting of the grants as the major evils contained

¹ Ibid.

² Ibid.

³ Ibid., c. 635.

within the measure.¹ These would maim and mutilate the system, if not result in its destruction.

The most challenging speech of the debate was from Dr. Macnamara, and delivered in such acrimonious tones that it soon developed into a cut-and-thrust dialogue with Gorst. Macnamara believed that Gorst's speech had been primarily delivered to defend the one he had made at the second reading of the Education Bill, rather than discuss the Minute. The latter Macnamara maintained, Gorst:

"... had dismissed ... in an airy fashion, as he did every difficult question. This minute was a four-page leaflet, substituted for the seventy-page document which Mr. Acland compiled, and it was the most cryptic document ever issued from the Board of Education, and that was saying a great deal".²

Macnamara went on to state that he believed the purpose of the Minute was designed to, "... make it very hard indeed for School boards to use the School Board rates in respect of night school education", and that Gorst was going to, "... make it as difficult as possible for School Boards, as School Boards, to organise these schools".³ Gorst, of course, categorically denied these accusations - although there was more than an element of truth in them - and indicated that the restrictions were the result of the Cockerton judgement. Macnamara refuted this argument, claiming that Mr. Justice Wills had only mentioned an age of 16½ years with regard to the

¹Ibid., c. 639-641.

²Ibid., c. 645.

³Ibid., c. 645-6.

use of rates, whereas Gorst had reduced it in the Minute to 15 years. When Gorst countered with the fact that this was the opinion of the Law Officers, Macnamara was forced to give ground.

In defending the right of School Boards to continue organising evening schools Macnamara, not unnaturally,¹ took a very partisan attitude and argued that the law was being twisted against the School Boards. His point that nothing had been done to change the laws since the Cockerton judgement - something which the House could do - caught Gorst off guard. He sidetracked Macnamara with an irrelevant statement in order to recover his composure, which was just as well, for his opponent then launched into a searching examination of the financial regulations incorporated into the Minute.

Macnamara warned Gorst that he believed the arrangements concerning grants to voluntary schools under the Minute were illegal - on the grounds that they were claimed to be outside the jurisdiction of the 1870 Act. If this was the case, he continued, "... the School Board Association or some other body will Cockertonise the first body of voluntary school managers that accept the grant under the Minute ...".² Gorst indicated that the voluntary school managers had nothing to fear, for the only person who could raise such an issue was the Auditor General. He went on to explain that money voted to the Board of Education outside of the Education Act was for

¹He was a member of the London School Board.

²Ibid., c. 649.

secondary and not elementary education - a point which Macnamara failed to grasp. Gorst spelled it out again - that the schools would be regarded as secondary ones with the implementation of the Minute, with the exception of the evening schools which remained as elementary ones, under article 21 of the Minute. Macnamara was now somewhat confused, and after arguing on the point a little longer but without clarifying the situation for himself succumbed to Gorst's expertise in the matter.

One member of the Opposition who did follow Gorst's arguments was James Bryce. He had entered, "... the House in a state of complete darkness with regard to this Minute" but even after listening to Gorst's speech, and dialogue with Macnamara, was still groping in the dark. His view that the Minute was nothing less than, "... a subterfuge or an artful contrivance for getting round the Act of 1870, and for taking a new departure by a side wind",¹ revealed that he was completely aware of the objectives incorporated into the measure in spite of his earlier protestations. But it was not so much the removal of these schools from the clutches of the School Boards, by their conversion from elementary to secondary status, that worried him as much as the way in which this new departure was to be achieved. In connection with this he aired the worry that he had already expressed to Acland, namely that further corrosion of the 1870 Act could occur by similar means.

¹Ibid., c. 668.

Gorst was not, however, in his concluding speech content to traverse the ground occupied by the debate. He felt that he had amply explained the Minute's proposals in his answers to Macnamara and, although:

"... I dare say some Members are not satisfied with my answers ... I have stated fully and clearly the view of the Board of Education upon these matters, and I will not trouble the Committee by repeating my statements".¹

He could not however give up the opportunity in defending the withdrawal of grants from certain subjects,² to reiterate the principle behind this decision:

"... it is to the interest of the taxpayer that the money provided ... for evening schools should be spent in the provision of real serious instruction, and that it ought not to be frittered away in providing mere amusements, however innocent or

¹Ibid., c. 672.

²"... to see magic lantern entertainments, to dance, or to go through physical exercises" were subjects which Gorst included in this category, the latter of which he was a staunch believer in. He no doubt viewed this as a sacrifice to be made to achieve the 'greater good' of rationalisation of the system. Some evidence for Gorst's belief in the value of physical education was revealed in the Annual Report of the Board of Education for that year: "we have conducted during the past year, with the assistance of the War Office, an inquiry into the forms of physical training in use in elementary schools. As a result of this inquiry it was decided that, in order that the training may be of the greatest benefit to the children in the schools, further guidance should be given to managers as to the kinds of exercises which are suitable and as to the conditions under which the instruction should take place. Schedule III of the Code for 1901 has been inserted ... This model course is carefully adapted from the latest edition of the exercises approved by the War Office, and consists of two parts, the first of which deals chiefly with drill, and the second with exercises of the body". At least measures were being undertaken to ensure an improvement of the situation in this field for children under 15 years. See Report of the Board of Education, 1900-01, P.P. 1901, XIX [Cd.756], p. 10-11.

desirable, but that all the funds which are entrusted to us by Parliament should be reserved for the purpose of promoting in these schools that real, solid, and sound instruction which is so much wanted".¹

The Government were successful in the division that followed. Thus another objective had been achieved in Gorst's plan for the rationalisation of the educational system, although it had taken five years to achieve the beginning of the break with the Victorian legacy of the system. He must have felt that, with the planning of a new major Education Bill soon to occur, it would be easier to achieve the finalisation of this plan in the near future. There were, however, clouds building up on the horizon; for one effect of these educational measures had been the unification of an Opposition which had been hopelessly divided as a result of the Boer War. This heralded a rough, if not stormy, passage for the forthcoming Bill and this would necessitate the presence of a successful pilot at the Bill's helm. Hardly a description that could be applied to Gorst's career in this role, even if he had not been solely responsible for all the misadventures. This thought must have crossed his mind as he introduced a minor Education Bill on August 2.

The Elementary School Teachers Bill was designed to amend the law with regard to the dismissal of teachers in elementary schools. It provided an arbitration system, at

¹4 Hansard, 98, c. 674 (July 30, 1901).

the local level for teachers who had been dismissed on the grounds of misconduct, and with the Board of Education in cases in which teachers had been dismissed, "capriciously, unreasonably, or under a misapprehension of the facts". In the latter cases, if the Board decided against the action of the managers, the latter had either to reinstate the teacher or provide compensation.¹

Thus this small measure provided for a badly needed cure - especially in the case of voluntary school teachers - where dismissals had been arbitrarily made on non-educational grounds. That this was the case was recognised by Bryce, who welcomed the Bill's introduction.² Unfortunately for the teachers, and Gorst, the parliamentary time remaining in the session was so crowded that there was no hope of it becoming law before the beginning of the recess. The Bill was, consequently, confined to oblivion on August 16; another failure on Gorst's record.

The first meeting of the committee to discuss the plans for the new Education Bill took place in Balfour's room in the House on August 8, 1901. Present in addition to those who had drafted the Cockerton Bill - Balfour, Devonshire, Long, Gorst, and Morant - were Kekewich and Ilbert. Before them for discussion was a memorandum on the subject, prepared a week previously by Morant.³

¹Ibid., c. 1092-3 (August 2, 1901).

²Ibid., c. 1093.

³P.R.O. Ed. 24/14. Some questions to be considered before drafting Education Bill of 1902.

The memorandum's contents, amongst other aspects, gave lie to Gorst's statement in the House that the technical advisers of the Board knew nothing of politics nor of agitation in the country and always approached questions from a purely educational point of view.¹ Here was one of those advisers whose writing indicated that he was completely au fait with every political nuance connected with the topic in hand. But it also revealed another aspect of Morant's character - the need for well-documented sources of information to be available before legislative construction could even be contemplated.

The thirteen pages of the document were devoted to an examination of the problems associated with two possible provisions for the constructive measure promised by Balfour on the withdrawal of Education Bill (No. 1). The first of these was concerned only with the establishment of local authorities for secondary education, whilst the second examined the feasibility of a larger measure covering both elementary and secondary education and which, therefore, incorporated the first scheme as well.

The objections to a secondary authority-only scheme were considerable, Morant pointed out. There had been a lukewarm reception even on the Tory side to such a proposal when it was part of the Education Bill (No. 1) - a fact which Morant could not explain. The 'Whisky Money' would have to be compulsorily allocated to education, because of the costs that

¹4 Hansard, 98, c. 629 (July 30, 1901).

would be incurred. There would have to be an unlimited rating power to enable the new authority to cope with both the School Boards and the "Cockertonised higher work of School Boards".¹ There was also the problem that would result from a repeal of the Technical Instruction Acts, viz., the conflict that would exist between Technical Institutes and Evening Classes and the secondary day schools. Morant claimed that it was only through the improvement of these day schools that a real improvement in English Education could be found. The curse of the system, he maintained, lay in, "... the plethora of classes giving specialised instruction to students of wholly inadequate general education".²

Continuing on this theme, Morant indicated that there would have to be various provisions for secondary education. The county alone, he believed, could act as the authority for secondary day schools - otherwise they would be, "... at the mercy of the ill-educated tradesmen in the small towns who know not what good general education means".³ On the other hand the evening schools, which should be nearer the homes of the students, could be assigned to smaller local authorities e.g. non-county borough and urban district councils, acting independently of the county.

But, he warned, in order that, "... a solid basis of fact for a constructive policy" could be furnished, reliable

¹P.R.O. Ed. 24/14, op. cit., p. 1-2.

²Ibid., p. 2-3.

³Ibid., p. 3.

information must be collected: "A carefully planned Inquiry is all important", for this, "... the most important development in English Education".¹ This information would, when it was gathered, also help to solve the problem of the settlement to be achieved between the Board and the smaller authorities as postulated in the Education Bill (No. 1).

He was worried about the lack of any real definition of the term 'elementary' as applied to day schools, and this was compounded by the age of 15 years being chosen as the boundary between elementary and secondary work. After all, he stated, "Many of us were doing Greek Iambics before 15".² It was, "... the character of the School and the Scholars as well as the age" which must be the criterion used. On this basis the Higher Grade Schools should be retained as elementary schools:

"... they should be forced to conform to what is their true type and function, viz. the Higher Elementary School, with an age limit of 15 and a suitable curriculum, and to send away to the Secondary School, at the age of 12 or thereabouts, any scholars who are likely to stay at School till 16, and are fitted by special brain power to profit by a real Secondary School Education".³

It would, of course, "... mean a racket with the School Boards ... but is the only way in which true Secondary Schools can ever properly be organised in our towns, as they are in every other country in Europe and America".⁴ Having

¹Ibid., p. 3-4.

²Ibid., p. 5.

³ & ⁴Ibid., p. 5-6.

thus permeated the solution to these possible problems with his elitist views, Morant then considered, "the infinitely more difficult and interesting question of whether Elementary Education is to be included in the next Educational Measure".

There were two ways in which such an inclusion could be passed, Morant stated. The scheme could include aid for denominational schools, and thereby gain the support of the Church, and thus overcome School Board opposition. Or it could involve the creation of one local authority, and thereby lessen the School Board opposition, (presumably Morant implied here the merging or submerging of the Boards in total by the new authority).

There were, however, problems associated with the desirable 'one authority' scheme, which would arouse opposition in the House, at least. For, "When we speak of a Local Authority which shall be able to aid all Elementary Schools we mean aid that is not necessarily saddled with un-denominational conditions".¹ Consequently the whole problem involved with a repeal of the Cowper-Temple clause would have to be considered. If it was not solved, there was the grave possibility that the voluntary schools would not be aided to the extent required.²

¹Ibid., p. 7.

²At a joint conference of the Convocations of Canterbury and York on July 4, 1901, a resolution had been adopted in which the principle of rate or state aid, with the necessary corollary of public control, for voluntary schools was urged on the government, so that these schools could continue to exist. Quoted in Allen, B.M., Sir Robert Morant, p. 151-2.

The spectre of the School Boards' activities in non-elementary education haunted Morant. In dealing with the possibility of an unlimited rate for elementary education to be expended by the county authority, he felt that there had to be the demarcation he had agreed previously for between elementary and secondary schools, "... otherwise there would be possibly an undue extension of rate-aided higher education under the guise of Elementary Schools".¹ This demarcation was also essential for the determination of rating powers to be given to county boroughs for elementary and secondary education, assuming that they were willing to shoulder the new duties proposed. This latter question, not unnaturally, was equally applicable to the counties - for in 1896 some had been in favour of similar proposals e.g. Lancashire, whilst others had been opposed e.g. West Riding.² The questions could only be resolved with the help of more information: "This would mean careful inquiry between now and November by sympathetic and tactful inquirers - not mere Education Department Inspectors, ignorant of Local Government questions and of policy".³

Within the proposed county authority area there remained the problems of the smaller authorities, and the question of supervision by the County of all the elementary schools in its area. Could the two be resolved by allowing these smaller authorities to be the authority for the elementary schools in their area? It raised the problem of rating powers for

¹P.R.O. Ed. 24/14, op. cit., p. 8.

²Ibid., p. 9-10.

³Ibid., p. 8a-9.

these authorities which, if granted, would diminish the effectiveness of the County as the local authority. And again there was the need for demarcation of schools, to ensure that the relevant authority was supervising the relevant schools. This definition would have to be applied to the secondary schools, and their different structures and purposes - dependent upon different localities to ensure this, as Morant envisaged - went against the 'one authority' concept.

The memorandum indicated, in no uncertain way, all the problems that Morant envisaged lying in the path of either measure. He felt that for the 'secondary authority only' scheme, apart from the elementary-secondary demarcation need, the main principles involved consisted of deciding which areas smaller than the county were to be independent, and what the relationship of the new authority was to be to the 'Cockertonised' schools. The overriding concern in the bigger, elementary-plus-secondary measure lay, he felt, in "... deciding on a proper relation between a County and its component areas, and on the proper organisation of Local Authorities, each with clearly defined functions for various types and grades of Schools".¹

The importance of the memorandum, however, resided in the fact that it was the basis for the initial discussions upon the Bill. Thus the material contained in it was of paramount importance for deciding the possible ways in which the discussions would develop subsequently. Morant had realised this and saw it as a viable opportunity for the

¹Ibid., p. 13.

assertion of his concepts about the way education should be developed. He was, as has been seen, astute enough to provide them for discussion in a politically acceptable package. If there was a failing in his memorandum it lay with the inconclusiveness of his solutions to the problems, in that he was unable to take a bold enough step forward with regard to the structure of the one authority for both elementary and secondary education.

This indecisiveness remained through the two hours meeting on August 8 whilst the memorandum was being discussed, as Morant's notes of the occasion reflected.¹ The legacy of the past weighed heavily when the discussion revolved around the functions of the new authorities and those of the School Boards e.g. it was suggested that if evening schools came under the jurisdiction of the urban district councils - in line with Morant's concept of their 'localness' - then the rating power of the councils should be unlimited as the equivalent School Board rate had been. The discussion of the future role of the School Boards, at this stage, seemed to concentrate on their survival in a restricted form, rather than it being envisaged as one that would no longer exist.

The discussion kept returning to the question of aid for the voluntary schools. Gorst suggested a double system of schools under each borough council i.e. those which would be rate-supported and maintained in keeping with the provisions

¹P.R.O. Ed. 24/16/79f. Notes by R.L. Morant. Sir Courtenay Ilbert found the meeting, "... in the nature of a rambling preliminary conversation, without much in the way of definite conclusions". Sir Courtenay Ilbert to R. Walrond, August 17, 1901: P.R.O. Ed. 24/16/81.

of the Cowper-Temple clause, and those which would be rate-aided, without the Cowper-Temple restrictions imposed, on terms agreed between the council and the schools' managers. Mention of the fact that Sir Charles Dilke and extreme radicals would balk at a repeal of the Cowper-Temple clause, brought to light the fact that Chamberlain would join such a group. Balfour tentatively suggested that the two categories suggested by Gorst should be amended to those of, rate-aided schools, and rate-supported schools subject to Clause 27 of the 1896 Bill.

Kekewich, at intervals throughout the meeting, displayed his loyalty to the School Boards. At one stage he suggested that voluntary schools could be transferred to the authority of School Boards, under Section 23 of the 1870 Act - thereby achieving the aid for the voluntary schools required, but hardly in the form desired by the Government.¹ His second contribution was to query whether there would be any saving actually achieved by the transference of small School Boards to the authority of a county. His remarks were hardly politic in the light of the company of the rest of the Committee, and can only have strengthened Balfour's misgivings about his usefulness.

Morant's plea for the necessity of information being collected was heeded, and a major part of the meeting was devoted

¹"The managers of any elementary school in the district of a School Board may, in manner provided by this Act, make an arrangement with the School Board for transferring their school to such School Board, and the School Board may assent to such arrangement". 33 & 34 Vict. c. 75. Elementary Education Act, 1870, section 23.

to a discussion of what information was regarded as being necessary and should be collected.

With the close of the Parliamentary Session, Balfour decided that a draft of the Bill should be prepared so as to, "... focus discussion on the important points at issue".¹ Gorst prepared a draft before Ilbert had had time to compose himself, the latter complaining that, in the absence of specific directives, "... there is a limit to one's powers of making bricks without straw".² The draft was printed on August 19 and sent with a covering memorandum to Balfour, Devonshire, and Sir Courtenay Ilbert.³

Gorst's memorandum was a brief one which, nonetheless, covered all the major points of his draft Bill. The principle of the draft was the establishment of a 'one local authority' scheme, whereby the county and county borough councils became the authorities. The scheme was based on the proposal contained in the Education Bill (No. 1) of the previous May, and thus contained the same provisions with regard to the structure of the education committees of these authorities.⁴ There were however a few alterations-in the ability of the authority to levy an unlimitable rate, which could be spent on all forms of education and without

¹P.R.O. Ed. 24/14/14. Successive stages of Education Bill of 1902.

²P.R.O. Ed. 24/16/81. Sir C. Ilbert to R. Walrond, August 17, 1901.

³P.R.O. Ed. 24/15. Memorandum on First Draft of Education Bill, 1902: J.E. Gorst, August 19, 1901.

⁴See above p.501.

favouritism of a religious nature. These monies were, furthermore, to be spent at the discretion of the council.¹

Gorst's solution for what had been referred to as the "Rollit problem" i.e. the non-county boroughs and urban district councils, lay in enabling these councils to raise a rate for elementary and evening schools, as well as retaining the penny rate granted under the Technical Instruction Acts. Expenditure of these sums was to be free from interference by either county or county borough councils, and this proposal therefore established independent education authorities within the county areas.²

An attempt was made to curtail the School Boards by vesting in the various councils, by a Provisional Order of the Board of Education, the powers of these Boards, in one of the following cases:-

1. An application by the council itself.
2. The existence of conditions under which a School Board would have otherwise been established.
3. The School Board being in default.

But, otherwise, the Boards would remain untouched by the Bill.

Other provisions of the draft included the repeal of the Cowper-Temple clause, with a new clause taking its place,³ and definitions of 'elementary education' and 'child'.⁴

¹P.R.O. Ed. 24/15, op. cit., sections 1, 2, 3, and 4.

²Ibid., section 6 (4).

³Ibid., section 11.

⁴Ibid., section 13. Elementary education was defined as, "... instruction given to children in Public Elementary Schools conducted under the Regulations of the Board of Education", and a child as, "... a person of not more than 15 years of age unless otherwise provided in the said Acts".

Gorst appeared to realise the weakness of his draft, in its inability to come to a practical solution of the Rollit problem, and wrote:

"Under this Bill an actual or potential double authority would still exist in non-County Boroughs and Urban Districts. The possibility of overlapping is not excluded, and I see no way in which it can be. With common sense and mutual forbearance, however, a *modus vivendi* might be established".¹

He did throw out the idea that smaller authorities might agree to remain in the county area, whilst the larger ones could either be independent or become managers for the County for all schools within their areas, or, failing this, a limitation of the areas of operation of the respective councils (i.e. non-county borough/urban and county) could be made and this might effectively prevent overlapping.²

This weakness of the draft, plus the failure to get to grips with the School Boards, in many ways reflected those faults of both the 1896 and 1901 (no. 1) Education Bills. Neither the small authorities nor the School Boards would welcome the Bill's proposals, and, because they were ineffectively dealt with, they would provide strong opposition to its passage.

A dislike for Gorst's draft was indicated by the Duke of Devonshire's private secretary, Riversdale Walrond, when writing to Morant the day after it was printed:

"... I should have thought it would have been more convenient if Gorst had told the Duke on Friday³ what

¹ & ² P.R.O. Ed. 24/15. J.E. Gorst, Memorandum on First Draft of Education Bill, 1902, August 19, 1901, p. 2.

³ August 16? If this was so, Gorst produced the draft over the weekend.

he was doing under Balfour's instructions, as then perhaps he might have taken a day or two longer, and produced a rather less 'loose' Draft than the one he has sent now.

"... I have not gone into the Drafting questions, as I suppose Ilbert and Lindsell will deal with them: but I expect they will knock it about a good deal. Gorst has a mania for brevity, which generally means inaccuracy. I should have thought it would have been better to stick in a good lot of clauses into the First Draft, and then have those cut out which seemed to be unnecessary".¹

Balfour appeared not to have seen Gorst's draft by August 20, for he wrote to Devonshire about a conversation he had had with Salisbury the previous night:

"He is very anxious to have some sort of Bill actually in print by the time the Cabinet meet on Nov: 5th - I promised him that he should have, in the rough, 2 alternative proposals, (a) one dealing with secondary education, (b) one dealing with secondary plus primary education.

"It might be worth while, I think, to prepare a third which should deal with secondary education completely, but, so far as primary education is concerned, should do no more than (1) abolish the cumulative vote for School Boards, and (11) introduce the Clause (25 was it not?) of the Bill of '96 permitting children to be taught the religious opinions of their parents, whether in Board or Voluntary Schools.

"Bills on these three plans would at all events serve as a basis for discussion.

"It does not occur to me at the moment that there is anything further into which it would be desirable to set enquiries going during the holidays. If any ideas occur to me, perhaps you will allow me to communicate direct with Morant during your absence".²

¹P.R.O. Ed. 24/16/79g. R. Walrond to R.L. Morant, August 20, 1901.

²Salisbury Papers, A.J. Balfour to Duke of Devonshire, August 20, 1901.

Balfour's letter revealed his rather cautious approach, at this stage, towards the contents of the Bill. More importantly, for the development of the Bill, it indicated that Balfour had come away from a meeting with Morant impressed with the latter's ideas and abilities.¹ This also signalled the beginning of the end of Gorst's influence with regard to the Bill for the astute Morant had perceived that Gorst's star had passed its apogee in the political firmament, and that he would benefit from transferring his allegiance to Balfour.

Devonshire, however, remained loyal to Gorst, and reminded Balfour: "... In the mean time we have the Draft, which Gorst tells me you asked him to draw up. It seems to me tolerably comprehensive and to contain most of the points which we shall have to decide".²

Agitation about the Bill's contents had, however, started amongst other members of the Cabinet. Chamberlain, Balfour's equal as far as status went, communicated his fears for the School Boards' future to Salisbury:

¹The meeting, over lunch, had been arranged through the offices of the Bishop of Rochester, Dr. Talbot, a common friend of both men. Morant used the opportunity to inform Balfour of his plans for education, ones which apparently caught Balfour's imagination. As Balfour's niece recorded, "... the result was very striking. Balfour never inspired a deeper devotion in a subordinate, and the zeal of another never had more influence upon himself". Dugdale, B.E.C., op. cit., p. 320. See also Allen, B.M., Sir Robert Morant, p. 155-6, for an account of the meeting. The meeting appears to have taken place in the period August 9-16, 1901.

²B.M. Add. MS. 49769, f. 195-6. Duke of Devonshire to A.J. Balfour, August 25, 1901.

"... I fear we shall have great trouble with any Bill and have no confidence that our Bill will be worth the trouble. I wish the Duke could be persuaded to do more and that Gorst did less.

"At present I have no idea whether the Bill is to be strictly confined to secondary education or whether it is to deal with Primary also.

"It would be a big (?pity) to hand over all School Board work to the Committees of Towns and County Councils and I think these bodies would be afraid to undertake it without more preparation.

"But if this was not intended we might carry out a great reform by altering the methods of elections - i.e. by giving up the Cumulative Vote and letting the members be elected for districts as the Town Councils now are. We should get rid of the sectarian element and also of a great deal of the Trade Union (?spirit) of the Teachers!"¹

Chamberlain had thus reverted from his anti-School Board stance of 1896 to his earlier-held views about them. This pro-Board attitude of his constituted a considerable obstacle to any sweeping reforms that the Bill might introduce in respect of those bodies.

Kekewich, being better acquainted at this stage with the possible direction the Bill could take than Chamberlain, tried to avert the possibility of the one local authority scheme from being developed, because of the consequences it would have for the School Boards:

"... I thought Gorst's bill was good, in that it was sufficient to raise, though perhaps not to solve, most of the stormy questions. Of course difficulties and new matter will turn up; as for instance what are they going to do with the School Attendance Committees? And how about London?

"My view has always been that it is practically impossible for the Government to include elementary

¹B.M. Add. M.S. 49691, f. 145-6. J. Chamberlain to Lord Salisbury, August 23, 1901.

education in the same Bill as Secondary and I think they will have to have two Bills, pass the Secondary next year, and the elementary the next, - if they can. I think there are elements of danger to this Government in any Elementary Bill of the character proposed".¹

The development of the Bill had, however, started to progress regardless of Kekewich's comments.² Devonshire forwarded Balfour's request for three drafts to Gorst, although his accompanying letter indicated a preference for Gorst's draft. He was, however, a little confused by the proposals in Clause 7, on the transference of powers of the School Boards to councils: "... it seems to me to invite an unnecessary competition or scramble between County and Borough Councils for the control of Elementary Education. Suppose the County and Borough Councils both apply to the Board of Education to become the School Board for a Borough, which is to have the preference?". The Duke also felt that the smaller authorities would not give up their independence in elementary education, but the overlapping feared by Gorst could be averted by only involving the county in elementary education, "... in those rural districts which have inefficient School Boards, or in those which have no School Boards but where the Voluntary Schools would like to put themselves in connection with the County Authority".³

¹P.R.O. Ed. 24/16/79e. G.W. Kekewich to R.L. Morant, September 9, 1901.

²Devonshire told Gorst that he had had a conversation with Kekewich about the Bill, but until he (Devonshire) and Gorst met, "... that unhappy man will be in a good deal of perplexity as to our wishes". P.R.O. Ed. 24/796. Duke of Devonshire to J.E. Gorst, September 2, 1901.

³Ibid.

Devonshire's letter reached Gorst in Ballinluig, where he was holidaying. He interrupted his relaxation in order to ensure that Devonshire should understand the aim of Clause 7, and not continue with his own view of it which would be disastrous for the overall principle of his Draft:

"... I do not think there is any danger, under Clause 7 of the Draft, of School Board powers over Urban districts becoming vested in County Councils against the will of the ratepayers of the Urban Districts ... on the other hand I should be sorry to see it made impossible by law for the County Council to have such powers, even when the ratepayers of an Urban District desired it. It would make 'one authority' in non-County Boroughs and Urban Districts a legal impossibility and condemn them forever to the risk of that conflict of authority in Education which has proved so mischievous".¹

Gorst did not agree with another suggestion of Devonshire's - that the Draft should include a clause committing the county councils to a definite provision of secondary education in their areas:

"The difficulty ... is that nobody can determine what a sufficient supply is, except the County Councils themselves.

"In Elementary Education we can do this in a rough and ready way by fixing a proportion of school places in Elementary Schools to the population and making the School Boards supply the deficiency. But there are so many different types of Secondary Education - classical, mathematical, commercial, scientific, and all the multifarious kinds of technology and the desire of the people for higher education varies so much in different parts of the country, that it cannot be predicated a priori of a given area, that so many schools of such and such a type are required. The County Council itself can only find it out tentatively by experiment".²

¹P.R.O. Ed. 24/79c. J.E. Gorst to Duke of Devonshire, September 9, 1901.

²Ibid.

Perceiving that Devonshire was loath to have three draft Bills produced, and was, in general, inclined to develop his (Gorst's) draft, Gorst took the opportunity to express his doubts about Balfour's proposal:

"It is no part of my duty to give my opinions on the policies of the Government, but you will perhaps allow me to relieve my mind by saying to you that I view with consternation the introduction of either number 1 or number 3 of Balfour's Bills. You know the reception our Bill of last session, not strictly confined to Secondary Education met with in the House of Commons. The introduction of a mere Secondary Education Bill next year will evoke a storm of indignation from both friends and foes, and will profoundly damage the reputation of the Government. Then as to number 3, it would be difficult to pick out two points in connection with primary education which it is less necessary or more mischievous to deal with. The abolition of the Cumulative Vote will be actively opposed by RCs, reinforced, I have little doubt, by the Irish, and will be regarded by our own side as evidence that [the] Government intends School Boards to be a permanency. It will pave the way for the next Radical Government to propose universal 'ad hoc' authorities for all education. The religious question is, as we know very well, of no practical importance in the carrying on of schools: it is only an object for Parliamentary conflict. It should only be stirred for one of two objects, either

"(1) to establish some great principle, or
 (2) to please our own party.

"Clause 25 (?27) of the Bill of 1896 did neither. It did not abolish the Cowper-Temple clause and enable the School Boards to provide (as in Scotland) denominational religious teaching. It was almost as distasteful to the County Clergy as to the dissenters.

"Having thus 'delivered my soul' I can promise you the most loyal and hearty assistance in the preparation of Bills 1, 2, and 3".¹

Five days later Gorst wrote again to the Duke, this time to try to ensure that Devonshire understood Clause 8 of the Draft - in which it was proposed that a county authority

¹Ibid.

could delegate its powers to an urban council in respect of the schools and colleges in the urban district. If Devonshire failed to grasp this concept, then there was again the danger that the "one-authority" concept of the draft would be in jeopardy:

"I fondly imagined that my proposal for compulsory delegation of educational powers by a County Council to an Urban Council was an original idea. But it turns out, as usual, that it has been anticipated and it is already embodied in an Act of Parliament. Morant has called my attention to Section (II), (2) and (5) of the Local Government Act 1888, of which section a copy is enclosed. In this section County Councils have to deal with main roads, exactly as I would have them deal with schools, viz. - hand them over, on requisition, to Urban Councils on conditions to be determined in the last resort by a Government Department. The County, you observe, may contribute, and retains a right of inspection. When I thought this plan of compulsory delegation new, I was prepared to give it up as impracticable: but now that it is discovered to be in accordance with precedent, I think we ought to stick to it. Unless this section of the Act of 1888 has worked badly, as to which we should make inquiries from the Local Government Board, there would be no great difficulty in carrying through Parliament a similar provision as to schools. Our Bill would then contain a perfectly effective provision against duplication of authority and overlapping!"¹

Eaglesham believed that Gorst's letter of September 9 showed the beginning of doubts by Gorst about the Bill, which were to grow and result in his losing control over the planning of it.² It is argued, against this view, that the letter reveals Gorst's determination to try and convince Devonshire of the viability of his proposals, and warning him of matters which would hamper the passage of such a measure.

¹P.R.O. Ed. 24/79h. J.E. Gorst to Duke of Devonshire, September 14, 1901.

²Eaglesham, E.J.R., 'Planning the Education Bill of 1902'. B.J. Ed. Studies, IX.1, November, 1960, p. 5.

Gorst regarded these possible excursions into regions as suggested by Balfour, as dangerous i.e. from the point of view that they would jeopardise the possibility of the Bill being passed, as previous experiences had demonstrated. For Gorst the important aspect of the Bill was the major principle incorporated in it i.e. the concept of a local authority for education. Undoubtedly Gorst did have second thoughts about the proposals, as anyone in a similar position would, but these were not the major reason for his loss of control. That resided in the alliance that had germinated between Balfour and Morant, and for the furtherance of which Morant almost resorted to spying:

"From the Duke's last letter to Gorst I gather that he is quite confused as to what is intended or possible in the way of county organisation, or as to existing relations between counties and urban districts in Educational matters. So that he and Gorst are¹ - without realising it - at cross purposes.

"As to the question of including Elementary in next Session's bill - Kekewich is, I find, most anxious that only Secondary should be touched, and that Elementary should be postponed till a session or two later - as he still hopes that ere long some turn of the Parliamentary wheel of fortune may bring to the top some authoritative voices more favourable to his friends the School Boards and N.U.T. than he finds at present!! The Duke, however, does not realise this, but only wonders how all the 'difficulties can ever be met'.

"Meanwhile Gorst is in Scotland the Duke has gone to Aix les Bains, leaving Kekewich apparently to 'confer' with Ilbert as to your Bills! but intending to see Ilbert himself at the end of this month, when his unfortunate Grace will again, I suppose be overwhelmed with all the difficulties and none of the possible solutions ...".²

¹Gorst's letters of the 9th and 14th refute this.

²B.M. Add. M.S. 49787, f. 20-21. R.L. Morant to A.J. Balfour, September 14, 1901.

Morant's wish some days later to confer with Balfour, "... for talking out the things which seem always left 'at a loose end' after the confabulations between Gorst and the Duke", was granted,¹ and he repaired northwards to Whittingehame a few weeks later.² There, walking about the grounds, deep in conversation, the compact between the two men was consolidated; although, as far as Devonshire and Gorst were aware, Morant had gone to convey the results of the meeting held between the three of them on September 30, and to ascertain Balfour's views.³

Devonshire's notes of the meeting indicate that one of the main topics of the meeting had been the problem of rate aid to the voluntary schools, with the conclusion being tentatively reached that the School Boards might have to be suppressed in order to achieve this.⁴ Gorst consequently prepared a new draft of the Bill when Balfour's views were conveyed by Morant on October 5, and this was printed on October 16. This was subjected to a detailed scrutiny by Parliamentary Counsel, Sir Courtenay Ilbert.⁵ His notes on

¹B.M. Add. M.S. 49787, F. 22. R.L. Morant to A.J. Balfour, September 19, 1901.

²Balfour's home in the Lammermuir Hills of East Lothian.

³P.R.O. Ed. 24/14/14. Successive stages of Education Bill of 1902. See also P.R.O. Ed. 24/14/15. Duke of Devonshire to R.L. Morant, September 29, and October 1, 1901.

⁴Ibid., "... the extinction of the School Boards would be a necessary preliminary to the grant of Rate Aid to Voluntary Schools. It appears inexpedient for the County Council to subsidise Voluntary Schools in competition perhaps with Board Schools in a School Board area". Devonshire's notes of September 30, 1901.

⁵P.R.O. Ed. 24/27. Ilbert's notes on Sir John Gorst's Draft of Oct. 16, 1901.

the draft were primarily concerned with the interpretations that could be put on the wordings utilised in the clauses, With regard to Clause 7's proposals, however, Ilbert went into a detailed analysis of the problems arising from the abolition of the School Boards, in terms of rates and rating powers. His analysis was biased in favour of retention of the Boards, although, naturally, not blatantly.

Two more committee meetings were held, this time with Long present, on October 19 and 21, the result being that Ilbert was instructed to make a new draft. The draft was to be based on Gorst's original but with modifications, mainly in terminology, being incorporated. Clause 7, however, and in spite of Ilbert's analysis, was, "... to stand as in Gorst's Draft unless (as I think you will) you see reasons for improving the wording, especially in Sub-Section (2), while still carrying out the same policy".¹ The chief problem about the draft was that of delegation of authority by the counties to smaller authorities (i.e. Clause 8). Ilbert was instructed to draft for this two alternative clauses. The first was to follow the plan outlined by Gorst in September i.e. to be based as nearly as possible on the principles of Section II of the 1888 Act:

"... but preventing the difficulties which we understand have arisen by the words 'payment towards the cost of' in that Act, by which apparently administration has been hampered. Gorst drew out roughly his notion of what was needed and I enclose it herewith; but I think it does not carry out all that Long and Devonshire intended in some respects".²

¹ & ²P.R.O. Ed. 24/16/95. (?Kekewich) to Sir Courtenay Ilbert, October 21, 1901.

The second alternative was to be based on Gorst's original Clause 8, but with a limit being applied to non-county boroughs and urban districts, based on the size of their populations. Those having one of 10,000 or more would retain their full independence with regard to elementary education. Devonshire wanted assurance on this point, in terms of the wording of the clause, as he did not want the possibility of a repetition of the Cockerton affair. The smaller authorities, however, were to be swallowed up into the county authority, as Gorst had proposed in his memorandum on the first Draft.

Devonshire was obviously still not certain about the problem of rate aid to the voluntary schools. Ilbert was, therefore, instructed to draft a clause incorporating the proposal that the county or borough council should pay all the maintenance costs of such schools, "... as he Devonshire wants this raised for clear discussion: but it is not to be saddled with any reference to the cost of religious instruction".¹

But in spite of his uncertainty about these specific issues, Devonshire still remained in favour of Gorst's basic outlines for the Bill. This was demonstrated with the last set of instructions for Ilbert:

"Very unwillingly, but feeling that he is compelled to do it, because Mr. Balfour and Hatfield [Salisbury] have definitely required it, the Duke asks you to get ready, not necessarily until the end of the month a Draft Bill dealing with Secondary Education only, on the lines of the present draft; and a third Bill doing the same but adding a clause repealing both cumulative vote and the Cowper Temple clause for School Boards

¹ Ibid.

and inserting clause 27 of 1896, but not otherwise touching Elementary".¹

Balfour was apparently worried by the inconclusiveness of these drafting sessions, due to the fact that, "Gorst sees no difficulties, and the Duke sees nothing else".² Gorst was, however, becoming aware of certain difficulties, the main one being connected with the possible abolition of the School Boards, or, at least, of the larger ones:

"... I feel sure that the proposed abolition at once of the large School Boards would constitute a formidable, and I think unnecessary obstacle to the acceptance of our Bill".³

He felt that School Boards in districts of a population less than 10,000 could safely be abolished straight away - owing to the general opinion that they were, to a large degree, inefficient. The abolition of the larger Boards, however, should be more gradual and dependent upon local option, and the use of a Provisional Order (granted by the Board of Education) would ensure that these Boards could be abolished should the need arise:

"There would be no doubt some inconvenience in some Boroughs in the Voluntary Schools being aided by the Municipal Council, while the School Board continued to exist, but this inconvenience could be at any time put an end to by an application for a Provisional Order, and might even be the means of bringing about their desirable consummation".⁴

¹Ibid.

²FitzRoy, A., op. cit., p. 62, September 30, 1901.

³P.R.O. Ed. 24/16/99. J.E. Gorst to Duke of Devonshire, October 23, 1901.

⁴Ibid.

There was a final meeting between Gorst, Devonshire, and Ilbert about the Bill, six days before the first Cabinet meeting, which Morant also attended. He informed Balfour that:

"It was a more fruitful talk than usual: perhaps you had dropped some questions to the Duke which had stimulated him.

"The upshot was that the Duke himself gave Ilbert his instructions, at first hand, for two bills: one drastic, the other one his own lines of local option".¹

Whilst these final preparations were taking place before the Cabinet met on November 5, speculation about the Bill was growing amongst the public and members of the Opposition. Asquith appears to have been quite concerned:

"I have been getting more and more apprehensive for some time past about this cry for a 'single authority'. It has become the shibboleth of three distinct educational parties who have nothing really in common viz. (1) the Board School extremists (Channing and Co.); (2) the Teachers Trades Union (Macnamara and Co.) (3) the more astute Denominationalists (Jebb and Co.).

"I feel pretty sure, as you do, that Devonshire will not be strong enough to confine his Bill to Secondary Education. And I am much afraid that there will be infinite confusion and division among us, if, as is probable, he seeks to set up for both primary and secondary education the much-demanded 'single authority'".²

At the Cabinet meeting an attempt to limit the Bill to secondary education only was defeated. But so too was the proposal for the giving of direct rate aid to voluntary schools - the leader of the move against this being Chamberlain.

¹B.M. Add. M.S. 49787, f. 29. R.L. Morant to A.J. Balfour, October 30, 1901.

²Acland Papers, 107. H.H. Asquith to A.H. D. Acland, October 30, 1901.

His reasons were political, seeing such a move as one that would arouse opposition amongst 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".¹ The majority of the Cabinet who sided with him on this issue were, it appeared, more concerned with the problem of additional rates that such a proposal would create.² A Cabinet Committee was accordingly set up to inquire further into the problem of creating a 'one authority Bill for both elementary and secondary education, but without the provision of rate aid for voluntary schools'.³

Pressure from groups within the Church for rate aid to be provided for voluntary schools was starting to grow. Gorst received a copy of resolutions passed by a conference of the Manchester, Birmingham and Leeds churchmen, on November 3 from the Archdeacon of Birmingham.⁴ The conference had been in favour of one local authority for all education in its area, "with powers of supervision, co-ordination, and of securing both the due provisions of schools, and their efficient management", and were agreed on the principle of public control over such schools aided,

¹J. Chamberlain to Earl of Selborne, November 7, 1901. Quoted in Amery, J., The Life of Joseph Chamberlain, IV, p. 482.

²FitzRoy, A., op. cit., I, p. 63, November 5, 1901.

³Amery, J., op. cit., p. 482: Allen, B.M., Sir Robert Morant, p. 161.

⁴P.R.O. Ed. 24/17/111. E.A. Coventry to J.E. Gorst, November 2, 1901.

"... the Local Educational Authority should have absolute power to secure that the public money is expended to its satisfaction".¹ On the basis of these resolutions, the Archdeacon was urged by the Committee of the conference to inform Gorst of:

"... their strong conviction that a Measure dealing with both Primary and Secondary Education and removing the disabilities under which the Voluntary Schools lie to the detriment of National Education would arouse enthusiasm whereas a Measure dealing with Secondary Education only arouses the antagonism of School Boards and of many Governors of Secondary Schools without enlisting any compensating strength of public opinion in its favour".²

The Cabinet Committee were coming to the opinion that a Bill without rate aid to the voluntary schools was impracticable, for the reasons which were outlined to Balfour by Morant:

"... Is the new County Borough authority to be the Authority for all Education in the Borough? Yes.

"Is it to set the standard of efficiency of the Town Schools? Yes; for if not, it is not the Authority.

"But if it may not finance the non-Board Schools it cannot bring them up to proper efficiency. Obviously, and therefore it must be able to finance those schools when necessary".³

Devonshire had also told Chamberlain that, "... Whatever may be the difficulties or objections to Rate aid for the Voluntary Schools, I am more and more convinced that we cannot pass a Bill without it ...".⁴

1 & 2 Ibid.

³R.L. Morant to A.J. Balfour, December 7, 1901. Quoted in Dugdale, B.E.C., 'Arthur James Balfour and Robert Morant', Quarterly Review, 269, 515, January, 1933, p. 154.

⁴Duke of Devonshire to J. Chamberlain, December 3, 1901. Quoted in Amery, J., op. cit., p. 482.

Gorst explained his views on the voluntary school issue to Devonshire:

"But for Voluntary Schools, so long as they remain Voluntary, the Bill does little to improve their financial position, or to enable the new Authority to make them efficient. In the large towns, in some of which there are only Voluntary Schools, and in all of which Voluntary Schools form a proportion, larger or smaller, of the Elementary Education provision, the Municipality will find its hands tied and will be unable to bring Voluntary Schools up to the level of what it regards as efficiency.

"... considering that the Voluntary Schools still instruct more than half the children in the country, I think a Bill which creates a new Education Authority and then ties its hands so that it can do nothing effective for more than half the children for whose instruction it is responsible, will not find favour with that increasing number of people who see our deficiencies in Elementary Education and desire to have them remedied, nor with the County and Municipal Councils who are accepting these new powers in order to make all schools in their areas efficient".¹

Gorst's views reaching Devonshire on the day he had a long conversation with Chamberlain on this problem, may have strengthened Devonshire's own views, as he indicated to Balfour when reporting his conversation:

"I think, but am not sure, that he [Chamberlain] would accept a decision of the Cabinet, to give such a permissive power to the Local Authority, though he would consider such a proposal extremely unwise, and believes that in most of the large towns it would not be acted upon ...

"But I am coming more and more to the conclusion that without some proposals as to Rate aid, the Bill cannot be defended. The enclosed memo by Gorst shows some of its weak points.

"Stated more broadly, I should say that the Bill proposes to establish Local Authorities for elementary education but does not do so ... we profess to establish an authority everywhere, and at the same

¹B.M. Add. M.S. 49769, f. 199. J.E. Gorst to Duke of Devonshire, December 5, 1901.

time forbid it to take any cognizance whatever of a large part of the school supply ...

"I am inclined to think, therefore, that if we cannot do something in the direction of Rate Aid, we had better revert to the Secondary Bill and leave Elementary Education alone".¹

Morant's views, as has been seen, basically substantiated those of Gorst, and this fact plus Devonshire's comments about the future of the Bill in the face of continued obstruction (by Chamberlain) over rate aid, made Balfour believe that a crisis point had been reached.² FitzRoy, observing the events as they happened, noted that Devonshire had also been shaken by Chamberlain's belief that the provision of rate aid in the Bill would break up the party. He also noted tersely that the Cabinet meeting, "... has been postponed to Friday 13th, when the Unionist alliance will be exposed to the strongest strain it has yet experienced".³ In an effort to resolve the impasse, Balfour despatched Morant to Highbury⁴ to confer with Chamberlain on December 12.

Eaglesham has indicated how Morant was convinced, "that the solution to all the major problems of the Bill would eventually lie in a radical solution of the voluntary school problem", the solution being total rate maintenance.⁵ That

¹B.M. Add. M.S. 49769, f. 201-2. Duke of Devonshire to A.J. Balfour, December 6, 1901.

²FitzRoy, A., op. cit., I, p. 66, December 11, 1901.

³FitzRoy, A., op. cit., p. 66.

⁴Chamberlain's home in Birmingham.

⁵Eaglesham, E.J.R., 'Planning the Education Bill of 1902', B.J. Ed. Studies, IX. 1, November, 1960, p. 11.

this was also acceptable to the Church was demonstrated in the resolutions Gorst had received in early November, and also from communications Morant had had with Provost Talbot of Church Eaton, Stafford.¹ Thus it was this general point of view that Morant tried to convey to Chamberlain at their meeting, at the same time bringing Chamberlain's facts of the situation up to date.² But even Morant's grasp of the subject failed to convince Chamberlain, as the events of the Cabinet meeting the next day revealed, and were graphically recorded by FitzRoy:

"The Cabinet has funk'd. By a majority of ten to eight, though Cabinets are not supposed to divide, they have decided - it remains to be seen for how long - to confine the Bill to secondary education and run the certain risk of disappointing the bulk of their own followers. For the second time on an educational question of the first magnitude Lord Salisbury³ and Mr. Chamberlain have been on one side

¹ Ibid.

² The meeting and Morant's notes of it have been fully recounted by Dugdale, op. cit., p. 155-9. Allen in his discussion of the meeting concluded that Chamberlain had yielded, and that Morant had claimed the victory was the greatest triumph of his life. Allen, B.M., Sir Robert Morant, p. 169. Chamberlain's biographer refuted this concept. See Amery, J., op. cit., p. 484. A view substantiated by FitzRoy's observation, "He [Morant] is not, however, sanguine of having converted him [Chamberlain] to the view that the Cabinet Committee ... have unanimously reached". FitzRoy, A., op. cit., p. 67.

³ Lord Salisbury, by his actions, would have appeared to have ignored the plea sent to him by the Bishop of Rochester on December 4 for aid to the voluntary schools: "... this is not a case of 'Wolf!' The cry has no doubt been heard before: but it has been buder each time: in 1896-97 it expressed what was already as Balfour owned, intolerable: the palliative of 1897 is exhausted (in many places) and the strain is now at breaking point. Putting it practically, I mean that, if the schools are not in some way relieved in this next session, many will go within the year - enough greatly to weaken the cause, and, by creating the impression that the 'game is up', to bring down others in increasing numbers and an accelerating rate. I am speaking of what I know". Quoted in Allen, B.M., Sir Robert Morant, p. 163.

and Mr. Balfour and the Duke of Devonshire on the other. ... A crisis in the Cabinet may have been averted, but a crisis in the party is rendered imminent, though with a view to being ready for emergencies, a second Bill dealing with Elementary Education is to be prepared, but not mentioned in the King's Speech".¹

Chamberlain writing to Devonshire, so that the latter could have the views he had expressed at the Cabinet meeting in writing, drew attention to the fact that the Government had allowed the concept of a large and comprehensive measure to gain ground:

"... and it is possible that our own friends are now so possessed with this notion that they will refuse to consider any Bill which is limited to Secondary Education only.

"If this is your opinion and if you think that we must have a Bill dealing with Primary Education, then I suggest the following as the lines on which it might be drawn.

- "1. Abolish School Boards.
- "2. Set up a municipal authority for Education on the lines of your draft.
- "3. Give powers to this authority (or rather to the authority which elects it) to make such grants to such schools for such times and under such conditions as may be agreed upon between the new authority and the Managers of any Voluntary Schools in its district ...
- "5. If it is necessary to carry out this scheme to abolish the Cowper Temple Clause, let it go - although I would rather not raise this thorny subject if it could be avoided".²

Chamberlain had, by this letter, not completely closed the door on the original Bill, as he indicated by his con-

¹FitzRoy, A., op. cit., p. 67-8.

²Chatsworth MSS, 340, 2878. J. Chamberlain to Duke of Devonshire, December 14, 1901.

cessions in points 1, 2, and 5 (4 and 6 concerned London and the Board of Education). But point 3 was his counter-concession, and had to be incorporated into future drafts. As his biographer commented, this clause of local option with regard to rate aid was essential, for it might enable him, "... to draw the sting of Nonconformist Criticism".¹ His concluding lines implied this: "No reply is necessary to this. It may be worthless as a practical suggestion and then I fear we must confine ourselves to Secondary Education only".²

A clause incorporating this concept had to be drafted separately, for the two Bills suggested at the meeting on the 13th had already been drafted. All three papers were discussed further, and amended, at Chatsworth on December 17, by Devonshire, James, Selborne, Gorst, and Morant, in preparation for the next Cabinet meeting on the 19th.³ At this meeting Balfour, no doubt encouraged by the general tone of Chamberlain's letter to Devonshire, rejected a Minute circulated by his uncle on the 17th which set out objections to rate aid and a 'one authority' scheme. He stood by the concept of one authority, as well as rate aid:

"... if School Boards are to be left as they are, while the Councils are to be allowed to aid Voluntary Schools, we shall not merely be open to the charge that our Bill leaves the existing educational chaos unremedied; we shall be accused, and

¹Amery, J., op. cit. p. 487.

²Chatsworth MSS, op. cit.

³P.R.O. Ed. 24/27. Note by R.L. Morant, December 18, 1901.

justly, of greatly increasing it. The overlapping ... will be enormously intensified. Two local authorities will have to settle the proper standard of Education, of buildings, of salaries. I cannot believe that any party in the House would accept such a scheme".¹

In connection with this statement Balfour indicated that he, "will, at any rate, not be personally responsible for any Bill that deals with the problem on narrow and half-hearted lines; and if his colleagues are disposed to prefer the parliamentary conduct of Sir J. Gorst, they will know what to expect".² Balfour had finally assumed the role of helmsman for the rest of the Bill's passage, ousting Gorst and Devonshire in the process. And with this, Morant climbed one rung higher up the ladder as his note of the following day proudly proclaimed: "Mr. Balfour's Instructions to me, December 20, 1901, as to lines of Education Bill".³

For the remainder of the Bill's passage, up until its introduction to the House on March 24, 1902, Gorst's role became that of a very minimal participant. December 19th marked his fall from official power in the educational world; "... the faithful servant, was dismissed for his uncertainties of temper at a critical stage" one astute observer noted.⁴ Gorst was, unfortunately for him, not informed of the change

¹A.J. Balfour, Cabinet Memorandum, December 17, 1901. Quoted in Dugdale, B.E.C., op. cit., p. 161.

²FitzRoy, A., op. cit., p. 69.

³P.R.O. Ed. 24/17/130.

⁴Lowndes, G.A.N., The Silent Social Revolution, p, 73.

which had taken place¹ and, although he must have been aware of the machinations that were occurring, he continued to contribute to the drafting process. A process which at times seemed to be in danger of coming to a halt, as Morant confided to Sidney Webb: "... we are in great difficulties still. The differences within the Cabinet are acute. The difficulty of getting a Bill through this Cabinet are even greater than getting a Bill through Parliament".²

Pressure was mounting from within the party for the retention of a Bill along the broad lines of the one originally proposed by Gorst i.e. a comprehensive measure dealing with both primary and secondary education.³ In order to lessen the criticism that was bound to occur with the provision for rate aid to the voluntary schools, Gorst and Chamberlain had drawn up plans in which the powers of trustees on the boards of managers of such schools was to be curtailed. This would have had the effect of placing more of the control of these schools in the hands of the L.E.A. As Eaglesham has stated, such a plan may have been beneficial to the Government, in the light of the antagonism aroused by the Bill, if

¹"Meanwhile Gorst is kept in ignorance that he is not to have charge of this Bill". FitzRoy, A., op. cit., p. 72, January 20, 1902.

²Passfield Papers, 46, 96f. R.L. Morant to S. Webb, January 8, 1902. For Morant and Balfour's contributions to the Bill's development see Eaglesham, E.J.R., 'Planning the Education Bill of 1902', op. cit.; Allen, B.M., op. cit.; Cruickshank, M., op. cit., p. 68-9; Balfour Papers; Clarke, P.L.P., 'The Education Act of 1902' (University of London Ph.D. thesis, 1964).

³FitzRoy, A., op.cit., p. 72, January 20, 1901.

it had been adopted.¹ It was not, and the struggle continued within the Cabinet over the Bill's proposals. Even by mid-February the outlook was not hopeful:

"On Thursday Gorst lunched with me. He is more savage than ever - there is no bill as yet ready and he thinks there never will be one - Joe insists it should be optional on councils to take over education but none can agree to let the LCC have such option. Possibly a secondary bill will be presented but more probably the government will break up".²

In spite of Chamberlain's opposition, a month later, as FitzRoy noted, "the die is cast and the Education Bill is to be introduced on Monday the 24th". But even so, Balfour and the Duke of Devonshire were not happy with the measure believing that it could bring down the Government. Balfour had the assurance of the Cabinet, however, that if the second reading was passed then an unlimited amount of time would be made available in order to pass the Bill. He was also to take charge of the Bill, as had been previously indicated, but in this he was aided in the problem of having to by-pass Gorst by, "... a timely attack of influenza having withdrawn Gorst into obscurity".³

¹Eaglesham, E.J.R., op. cit., p. 19. Eaglesham attributes the plan as a joint proposal by Gorst and Chamberlain. Morant's note of the plan indicates that he had combined them, Gorst's original plan having been made in 1901. Morant had modified Gorst's concepts to fit into those of Chamberlain. Why, it is difficult to ascertain; unless he was maintaining the smoke screen so that Gorst would not suspect his being by-passed over the handling of the Bill in the House. See P.R.O. Ed. 24/19/169. Notes by Morant, and P.R.O. Ed. 24/15/62a. Proposed New Clause by J.E. Gorst.

²Barnett Papers, F/BAR/259. Canon Barnett to Frank Barnett, February 22, 1902.

³FitzRoy, A., op. cit., p. 81, March 15, 1902.

Balfour's introduction of the Bill on the evening of March 24 apparently was not without effort nor mistakes, as Lucy noted:

"Nothing he dislikes more than facts - unless it be figures. Education Bill bristles with both. On his feet to-night, with unaccustomed sheaf of notes before him, he realised conception of the good man struggling with adversity. Things occasionally got mixed ... occasionally got piteously astray. At one crisis discovered he was sending the parents to school ...".¹

Gorst's participation in the Bill's progress through the House after his recovery from his attack of 'flu, took place in the second reading on May 5. Replying to criticisms of the concepts embodied in the Bill made by Bryce, Gorst's speech was a model defence of the Government's proposals and delivered in a measured manner:

"Conscious of PRINCE ARTHUR watchful on his right, apprehensive of his chief dropping in for a much-needed nap in the Peers' Gallery, JOHN holds himself in on the curb. But though his speech does not sparkle with inconvenient epigram, nor does he in its course flout constituted authority, it commanded attention by its mastery of educational intricacies, its lucid arrangement, its cogent reasoning".²

Defending the essence of the Bill in the proposal for a local authority, Gorst pointed out that the present state of administration left considerable room for improvement, as well as the need for a sound system of elementary schools so that the secondary education offered could be effective. He reiterated the arguments concerning the choice of School Board or county council as the authority that he had made in

¹Lucy, H.W., 'Essence of Parliament', Punch, CXXII, April 2, 1902, p. 247.

²Ibid., May 14, 1902, p. 347.

his speech introducing the Education Bill (No. 1) on May 7, 1901; this time, though, indicating that the choice of the county had been made by the Government:

"... from the very first day they came into Office ... This was the policy of the Bill of 1896, it has been the policy of every Bill which the Government has introduced from then down to the present time which has dealt with this question, and it is the policy on which the whole administration of the Board of Education has been carried on, and for which it has been criticised in this House".¹

This statement no doubt reflected the main reason for Gorst's zeal in defending the Bill, for it represented to him the culmination of his seven years in Office - something which, as he freely admitted, he had been striving to achieve since 1895.

The only point about the Bill on which he had any doubts was the potential creation of separate authorities in the shape of the large non-county boroughs and urban districts.

He saw this as:

"... a departure from the principle of the Bill; but it is a departure which previous legislation has rendered it almost impossible at the present moment to mitigate, and we can only hope that this departure from the principle on which the Bill depends will not be attended by any evil consequence".²

Otherwise, Gorst was completely in favour of the measure, believing that it would, "... make further progress in our national education possible, and will inure to the general advantage and general prosperity of the people of the country";³ a belief that in the long term was to prove to be true.

¹4 Hansard, 107, c. 669 (May 5, 1901).

²Ibid., c. 666.

³Ibid., c. 681.

The successful second reading of the Bill, with a majority of 287, ensured that the Government were committed to procuring a successful passage for it. Gorst continued to defend the Government's policy vigorously during the committee stage of the Bill in June. By mid-July, however, he was perturbed by the activities of various groups within the Tory party, as he informed Balfour:

"I see some risk of our Bill being wrecked between two factions forming on our side.

- "1. Those who wish to extend popular control, and for that purpose to increase the one third proportion of managers [i.e. appointed by the L.E.A.] .
- "2. Those who think two-thirds the smallest proportion that will secure the Denominational character of the schools and will not give it up, unless some other security is provided".¹

This friction enabled him to propose as a solution the plan which had been incorporated with Chamberlain's by Morant in February, and which he believed would not only reduce this friction but lessen some of that of the Opposition:

- "1. I should reorganise the Trustees of the Building as the guardians of the religious character of the school.
- "2. The managers should be appointed partly by the trustees, and partly by the Local Authority. The proportion is to me a matter of indifference - whatever will best go through Parliament.
- "3. All teachers (in which category I do not include Pupil Teachers) should be appointed by the managers on the nomination of the Trustees.
- "4. All teachers should on appointment become the servants of the Local Authority: who should alone have the power of dismissal.

¹B.M. Add. M.S. 49791, f. 32. J.E. Gorst to A.J. Balfour, July 11, 1902.

"5. The Local Authority should be bound to remove from the school (not dismiss) any teacher upon receiving a notice from the recognised authorities of the religious denomination to which the school belonged that his religious teaching was unsatisfactory.

"Such a plan would secure the religious character of the School more effectively than the plan in the Bill, and would be consistent with the most complete control of everything except the religious instruction by the Local Authority".¹

Whilst this plan contained some sound principles, such as the one embodied in point 4, these were partly undone by his final suggestion (5) which would still provide too much sectarian control for the Opposition to accept. Having passed on these suggestions, Gorst also wrote to Devonshire on the same day about administration of the Bill, should it be enacted since "It will entail great changes in our arrangements".²

Gorst had apparently spent some time previously discussing the matter with Sir William Abney who, at Gorst's suggestion, had drawn up a rough plan of his (Abney's) ideas on the problem. The main proposals incorporated were firstly, the subdivision of the Departmental work into nine branches,³ each with an Assistant Secretary, and secondly, "every Local Authority will be in communication with one, and only one, Chief Inspector".⁴

¹Ibid., f. 33-34.

²P.R.O. Ed. 24/67A. J.E. Gorst to Duke of Devonshire, July 11, 1902.

³The branches proposed were: secondary schools: science schools: art schools: financial: legal: and four branches dealing with all the routine work from England and Wales divided into four provinces. See, P.R.O. Ed. 24/67A, op. cit.

⁴Ibid.

Gorst, whilst basically agreeing with Abney's plan, felt that the two Principal Assistant Secretaries, who would fall between the Secretary and the heads of the nine branches, should be abolished. He advocated this on the grounds that, "They perpetuate the division between the two branches of the Office. This, notwithstanding the Board of Education Act, is as great now as when we took office 7 years ago".¹ A fact which was undoubtedly true, but which had been fostered by some of his own actions in that time.

On the proposals about the Inspectorate Gorst was completely in accord:

"We should begin as we intend to go on with one Inspector for a Local Authority to deal with. I think it is still possible to effect this before the Act comes into force, if I may be allowed a competent man in whom I have confidence to help me, but there is no time to lose".²

Unfortunately for Gorst, the race against time had virtually been lost. Lord Salisbury resigned from Office on the day that Gorst was writing to Devonshire, and Balfour was appointed as his successor. Sidney Webb felt that the transition of power came, "... at a smooth time, and will, I think, make no ripple of change",³ but with the announcement of the resignation of Sir Michael Hicks-Beach, the Chancellor of the Exchequer the next day, Webb altered his views:

1 & 2 Ibid.

³Passfield Papers, 32, Sidney Webb to Beatrice Webb, July 14, 1902.

"... we are all mainly agog for ministerial changes now that Hicks-Beach is going - possibilities of Gorst going, the Duke giving up Education, and Henry being appointed - of all of which I do not believe a word".¹

The rumours were, however, well founded as Gorst did resign his Office, and Devonshire relinquished his educational responsibilities. Sir William Anson succeeded Gorst and the Marquis of Londonderry, Devonshire. Anson, however, did not succeed to Gorst's title, for with the latter's resignation the Office passed into oblivion, under the terms of the Board of Education Act.

Thus Gorst's tenure of governmental office came to a close, and he was able to continue his parliamentary stint, "... revelling in the (for him) very suitable occupation of the candid friend of the government".²

¹Passfield Papers, 34. Sidney Webb to Beatrice Webb, July 15, 1902.

²Gorst, Sir Eldon, Autobiographical Notes, II, p. 85. Gorst's son also indicated that his father's relinquishing of office was more the result of, "... being, in fact, politely told to go", than a resignation pure and simple.

CHAPTER SIXTEEN

Balfour's commitment to the Education Bill was revealed by the amount of time that he allowed for debate upon it, to the extent of having an autumn session, with the process of guillotine being vigorously applied during the final stages. The third reading took place on December 3, the period between June 2 and then having been spent in Committee. Gorst contributed to parts of the Committee stage, making some seventeen speeches, which were, however, rather short ones, rarely lasting longer than ten minutes. Thus Lucy noted:

"Monday, July 21. Still harping on Education Bill. Gentlemen of England who live at home at ease, little do you know what a day's work on Education Bill in Committee means ... for PRINCE ARTHUR, always at his post; for JOHN O'GORST, who shares his drudgery without the refreshment of occasional speech-making ..., the experience suggests comparison favourable to a term of penal servitude".¹

Gorst's brief utterances did, however, reveal a definite commitment on his part to the principles of the Bill, and he doggedly defended them against amendments proposed. In this defence, which earned him three doggerel

¹Lucy, H.W., 'Essence of Parliament', Punch, CXXIII, July 30, 1902, p. 67.

verses in Punch,¹ Gorst's rejection of an amendment occasionally displayed an illogical use of the evidence. Thus, on the evening of June 23, when he defended the optional nature of the secondary education provisions, against an amendment for statutory provisions, Gorst's examples of the work of county and county borough councils in this field in the previous twelve years substantiated, he believed, his view that some could be left unsupervised in such provision. The fact that some had not made full use of the provisions of the Technical Instruction Acts, and that there could, thus, in the future be some poor authorities he attributed as being a fault of the rate-payers: "... the goodness of the authority would depend entirely on the capacity of the ratepayers and their willingness to choose a really effective authority".² An

¹Walshe, D., 'Sir John Explains', Punch, CXXIII, November 26, 1902, p. 374. The poet's reasoning behind Gorst's defence of the Bill may have contained an element of truth, as the second verse explained:

"So ARTHUR he gave me the sack,
 And they said 'He is sure to hit back.
 ' He'll get up and kill
 Their elaborate Bill
 As sure as his Christian name's JACK!
 But, somehow, I strongly object
 To doing what people expect;
 And I've planned a surprise
 That will open their eyes:
 That Bill I intend to protect!
 For I am a Man of Law
 Who likes his internal guffaw-
 A finical, cynical,
 Sit-on-a-pinnacle,
 Sort of BERNARD SHAW!"

²Hansard, 109, c. 1472 (June 23, 1902).

effective argument for the compulsory provision of secondary education. And it would not have conflicted with the main reason for Gorst's belief in the councils being left alone, i.e., "... by trusting the local authority variety in secondary education would be secured and the variation would respond to the demand".¹ Gorst's fear - which must have appeared rather strange to his audience, in view of his position - was that the Board of Education would become the ruling authority, with the resulting production of, "... an inelastic cast-iron system imposed on the whole country, which would be extremely deleterious and damaging to secondary education".² In this forecast he was to be proved correct some two years later, with Morant's Regulations for Secondary Schools,³ but at the time there was little evidence to suggest that this would be the case.

Gorst's interjections were, on the whole, competent in spite of the above, and aided Balfour in his struggle to pass the Bill. An example of this was furnished on October 23 when Gorst defended the retention of central

¹Ibid.

²Ibid., c. 1474.

³Board of Education, Regulations for Secondary Schools [Cd. 2128], 1904. Although the work was not by just Morant, it was undoubtedly due to his activity. The result was to make secondary schools, "... fit only for a selected few ... for the future pattern of English culture must come not from Leeds and West Ham but from Eton and Winchester". Eaglesham, E.J.R., The Foundations of 20th Century Education in England, p. 59. The effect of the Regulations is still present today.

authority inspectors, although acknowledging the possible existence of local authority ones:

"It would be a mistake to transfer the work of inspection from the Board of Education to the local authority. To mention only one reason, the Board was capable of having much more impartial inspectors than the local authorities were. No doubt there would have to be a certain amount of administrative inspection by the local authorities because ... they were to be masters of the finance and to give directions as to the mode in which instruction in the schools was to be carried out".¹

Recognition of this principle, even with a change in the basic role of the Inspectorate, is still acknowledged today.

In spite of his relegation to the back benches, Gorst did continue with his support of the Bill during its long passage in the House. Nonetheless, it has to be recognised that after his speech during the second reading on May 5, his contributions were minimal, and there can be little doubt that the progress of the Bill was due to Balfour's continued efforts, in which he was aided by Morant. The question does arise, then, of what Gorst's contribution was to this measure, which has been described as, "... a social revolution of the first magnitude".² Since the enactment of the Bill there has been a general feeling amongst educational historians that the credit for it rests with Balfour and Morant, or Morant alone.³ The fact

¹4 Hansard, 113, c. 708 (October 23, 1902).

²Halevy, E., op. cit., p. 205.

³See: Cruickshank, M., op. cit., p. 78-9: "It was almost wholly the work of Morant"; Armytage, W.H.G., 400 Years of English Education, p. 186: "Morant, its real author".

that Gorst resigned office when the Bill had just entered the Committee stage and had, therefore, no official connection with its subsequent passage has no doubt contributed to this view.

The main principle upon which the 1902 Education Bill rested was that of the creation of a unified administrative system at the local level, for both elementary and secondary education. Whilst this is self evident, it is, however, debatable as to what constituted the next most important one. Halevy argued that it was the provision of secondary education, believing that this was, in fact, "... the real importance of the new legislation".¹ Against this view it can be argued that the means whereby the voluntary schools were at last truly incorporated into the educational system - and with the possibility of being made more efficient - constituted a more important measure. For without this the foundations upon which a good system of secondary education could be built would not be secure. It would also, by its absence, have rendered ineffective the role of the new authority, as Gorst admitted:

"... the establishment of an authority having jurisdiction over all schools makes it for the first time possible to take steps for bringing voluntary schools into a state of real efficiency; and if an authority were created without power to do this it would be unable to perform the duties in relation to national education for which it had been constituted".²

¹Halevy, E., op. cit., p. 204.

²Gorst, J.E., 'The Education Bill', The Nineteenth Century, 52, October, 1902, p. 584.

Thus this principle was interrelated with the main one of the Bill, and upon both of which the provisions for secondary education were dependent.

In view of the evidence already presented above, it is apparent that these two main parts of the Bill owed their origin to Gorst. For it will be remembered that in the initial draft of the Bill, drawn up by Gorst, the concept of one local authority for education was incorporated. This is not to deny the fact that the final version of this concept, as stipulated in the Act, was moulded by Devonshire; but still on the lines laid down by Gorst. It could, of course, be argued that Gorst, in writing the first draft, was merely following the wishes of the Cabinet Committee meeting held on August 8, 1901. But to accept this point of view would be to ignore Gorst's activities since 1895 and the *raison d'être* for them; as he indicated in his article on the Bill:

"The proposal is not new. Its principle was placed before Parliament by the Government in 1896. Their Bill was never rejected by the House of Commons. It passed its second reading by an overwhelming majority. Its subsequent withdrawal was on grounds which did not involve the condemnation of the principle either by Parliament or the people".¹

Furthermore, it appears from the evidence cited above that it was Gorst who was the driving force in getting this principle admitted and accepted; the validity and viability of such a proposal being accepted by both Balfour and Morant, and rigorously adhered to during the Bill's evolution in spite of the activities of Chamberlain and his

¹Ibid., p. 580.

adherents. But only after Gorst had prepared the ground in the previous five years.

That Gorst's efforts were successful is seen not only in the behaviour of Balfour and Morant, but also in the general reaction, which was noticed by Canon Barnett: "There is a curious change in opinion - people are now much more ready for county council management".¹ Morant unconsciously acknowledged the debt due to Gorst in some notes he made against proposals suggested by Chamberlain, some ten days before the 1902 Bill was introduced.² To substantiate his view that the main principle of the Bill had been, "... the consistent policy of the party for 12 years", Morant listed the items which displayed this fact. Apart from the 1889 and 1890 Acts, Morant's items - the 1896 Bill, Clause VII (of the Science and Art Directory for 1897), and the 1900 and 1901 Bills - may be ascribed to Gorst, with the possible exception of the 1900 Education Bill. Morant's amplification upon this policy merely substantiated the importance of Gorst in this field:- a point of view which is perhaps best captured in a comment, written to Morant, by William Garnett, just after the Bill had been introduced:

"... I understand that the Bill is a sort of glorified Clause VII; (not only will the local authority distribute the local rates to public elementary schools - voluntary and others alike - but it will also have the distribution of Government grants: this gives to the local authority the complete control ...)":³

¹Barnett Papers, F/BAR, 237. Canon Barnett to Frank Barnett, May 11, 1901.

²B.M. Add. MS. 49787, f. 60-1. Points against Mr. Chamberlain's Proposal to revert to Ad Hoc. R.L. Morant, March 14, 1902.

³P.R.O. Ed. 24/21/192. W. Garnett to R.L. Morant, April 8, 1902.

a view which may have grated on Morant a little, since he had had nothing to do with the origin and implementation of that Clause.

The long, introductory speech of Balfour's on the Bill on March 24 was almost identical in its views about the country's educational system to those which Gorst had been propounding since 1895. The only difference lay in the language used to express the views, Balfour's being more moderate and conciliatory than the aggressive tones used by Gorst. Such a small but yet important difference, in view of the political and religious atmosphere of both the House and society generally, may have been one of the factors behind Gorst's loss of office.¹ This notwithstanding, Balfour's rationale with regard to the Bill, as reflected in his speech, indicated that Gorst's influence upon the development of the country's educational policy had made an impact upon the new Prime Minister.

Halevy questioned whether Balfour, Devonshire and the other Tory Ministers, "... perceived the significance of the far-reaching reform which they carried through Parliament in 1902". His conclusion was that only in, "... the case of one of them is this at all probable. But Sir John Gorst occupied a subordinate position ...".² Halevy's cautious understatement of Gorst's role does Gorst a disservice, as the evidence above demonstrates, although it does credit him with foresight. This question, however,

¹A loss which one observer felt was, "... one of the puzzles of modern politics. As an all-round Parliament man he has only two superiors, very few equals on Treasury Bench". Lucy, H.W., 'Essence of Parliament', Punch, CXXIII, November 5, 1902, p. 319.

²Halevy, E., op. cit., p. 206.

begets another, related one - was Gorst's policy of preference for the councils against the School Boards the correct one for the future basis upon which to build the country's educational system? For his predecessor as Vice President, Acland, had opted for the reverse, and had encouraged the School Boards to expand.

It can be argued that such a question is rather an academic one since the Boards were abolished in 1902, (or 1903 in the case of London), and thus one could not predict how they might have, or have not, developed in the next decades. But if this point of view is put aside, certain aspects of the question need examination. Firstly, in any question related to the roles of School Boards and voluntary schools there has to be considered the religious issue, one that at the present time is difficult to comprehend, and one that has been coined as the 'Great Irrelevance',¹ but, nevertheless, one that was of considerable substance in the time under consideration. Any proposal to extend the activities of the School Boards to the extent that they became the local education authorities would have undoubtedly failed in the face of the opposition generated by the voluntary school authorities. Gorst had felt the power of the Church over educational issues during his term of office, and Balfour experienced it over the 1902 Bill. Such a force was one to be reckoned with and it would have ensured that any solution based upon the School

¹Clarke, P.L.P., 'The Education Act of 1902', (University of London, Ph.D. thesis, 1964), p. 9.

Boards would have been, "... some unreal solution, some vague compromise".¹

The second factor which opposed the establishment of the School Boards as the local education authorities was one that had been present since their inception i.e. their irregular distribution in the country. Conceived as measures to fill the gaps between the voluntary schools, the School Boards covered at the most two-thirds of the school population. And in fact the School Board schools were outnumbered both in terms of schools, and numbers of pupils in attendance.² Combined with this factor was the important point that a large proportion of the School Boards consisted of very small units operating inefficiently in rural areas - units which patently were unfit to become the new authority.

There were other factors which weighed against the School Boards. Their source of finance was satisfactory in relation to School Board schools only, but was one of the major factors which had produced detrimental effects in the standards of the voluntary schools. Yet no government, Conservative or Liberal, could afford to disband the voluntary schools from a financial point of view. The only logical solution was to bring both types of school under an

¹Halevy, E., op. cit., p. 206.

²On August 31, 1901, there were 5,857 Board schools as against 14,294 voluntary schools, and 2,721,173 pupils in Board schools compared with 3,041,673 in voluntary schools. 4 Hansard, 107, c. 623 (May 5, 1902).

authority whereby they could be aided from the same funds - which would help in making the voluntary schools more efficient as well as saving them, whilst also controlling the rate of expenditure of the Board schools. If this plan had not been adopted the voluntary schools would have struggled to exist, and, at the same time, would have had a retarding effect upon the development of the educational system. Furthermore, the financial independence of the School Boards was something of an anachromism in terms of local government structure, which had developed to such an extent that education was surprisingly one of the last major services to come under their wing, due to the continued existence of the School Boards.

Even if the religious difficulty had not caused the schism between the voluntary and Board schools, by the beginning of the twentieth century the economic position of the country demanded a thorough overhaul of the education system. Britain had declined, in terms of production, in the industrial processes which had provided her pre-eminence as an industrial nation during Victoria's reign. Thus in 1899 the U.S.A. surpassed Britain in coal production for the first time (240 million tons : 225 million tons), and Britain had dropped to third place, behind the U.S.A. and Germany, in steel production. By 1901 such factors had contributed to a stoppage of the country's aggregate income, other factors being the trade unions, (with a philosophy of the existence of a fixed amount of labour and its consequent effects), an increasing rate of

unemployment, and the completion of the erection of tariffs hostile to Britain by other trading nations including the Colonies. Thus if Britain was to survive in the increasingly competitive trading world, and cease also to be a country which, "... adopted ... foreign systems worked under foreign patents", a better educational system was required for the country.¹

Gorst was well aware of this need before he became Vice-President and it has been seen how he proclaimed this ideal unremittingly during his period of office. Unlike many opponents, however, Gorst was aware of the need for aid to be given to the voluntary schools in such a way that they became an integral and efficient part of the educational system. Rate aid was the only solution which could achieve this. It also ensured greater control by the local education authority over the schools in its area and this Gorst had explained to the Duke of Devonshire on December 5, 1901. It is interesting to note, especially if one accepts Eaglesham's assessment that for Morant complete rate maintenance was, "... the radical solution of the voluntary school problem" which also was,

¹Ensor, R.C.K. op. cit., p. 276-284.

"... the solution to all the major problems of the Bill",¹ that Morant forwarded the same point to Balfour some two days after Gorst had written his letter.

It would appear, therefore, that Gorst's choice of educational policy was the correct one, in terms of benefit to not only the children but to the country as a whole. He had become the prophet without honour in his own land, however, through his continued advancement of such an educational programme, and also through his aggressive, or crotchety, manner of speaking on the subject. Thus by the time the policy had ripened and had become the essential backbone of the 1902 Bill it was his underling who captured the ear of Balfour and deprived Gorst, thereby, of his just desserts. Fortunately for the educational system, Morant's ideas mirrored Gorst's and the end result was thus more or less the same.

If the above propositions are accepted, then it follows that to Gorst is due the recognition so long denied him as one of the main architects of the 1902 Education Act, if not the main one in terms of its general structure. This does not, however, mean that the contributions of Balfour and Morant are in any way greatly diminished. If Balfour had not tinkered with the procedural rules of the House and produced his "parliamentary railway time-table" during the 1902 session, then it is fairly certain, in view

¹Eaglesham, E.J.R., 'Planning the Education Bill of 1902', op. cit., p. 11.

of the large number of amendments tabled, that the Bill would not have reached the Statute Book.¹ This, combined with his tenacity of purpose, once he was convinced of the Bill's viability, contributed to the successful passage of the Bill. Morant was both an architect, on a lesser scale when compared with Gorst, and, more importantly, a master builder. For Morant ensured by vigorous attention to detail, and his guidance of Balfour through various pitfalls, that the Bill's main proposals were viable ones that could be utilised successfully in the future.

It would appear, therefore, that the placing of the Education Bill on the Statute Book on December 20, 1902 - the second anniversary of the Cockerton judgement - can be viewed not only as a successful political victory for Balfour and Morant, but as the successful culmination of Gorst's educational policy during his term of office as the last Vice-President of the Committee of Council on Education.

During the last months of his period in office Gorst also managed to conclude successfully two administrative matters which he had inherited on taking office. The first of these was concerned with registration of teachers, whilst the second was tied up with the financial structure of the educational system.

After four abortive Bills, designed to provide a register of secondary teachers, and a negative report from

¹Mackintosh, J.P., The British Cabinet, p. 205. See also Allen, B.M., Sir Robert Morant, p. 176.

a Select Committee of the House upon the subject in the period 1879-1891,¹ it was inevitable that the subject should come under the scrutiny of the Bryce Commissioners in 1894. The Report of the Commissioners revealed that the topic had provided a degree of unity amongst their witnesses: "Upon no subject, of all those on which we have taken evidence or received memoranda, was there more general agreement than as to the necessity of some measure for the registration of teachers".²

The prime reason behind registration being held as a necessary matter in need of resolution was, the Commissioners believed:

"... the exclusion or discouragement of incompetent persons from the business of teaching. By requiring evidence of intellectual attainment and of trained power to teach, a system of registration would, it is held, shut out the charlatans, and impostors who now prey upon the credulous portions of the public".³

Accordingly they recommended that the Educational Council, which they hoped to see established, "... should be charged with the duty of instituting and keeping a register of teachers".⁴ However, the Commission went one step further

¹The 1879 Bill was introduced by Sir Lyon Playfair, but dropped. A debased form - requiring minimal qualifications - introduced by Sir John Lubbock in 1881 met the same fate. Lubbock's Bill was resuscitated in 1890, in company with a Bill introduced by Arthur Acland. These two were referred to a Select Committee which, although preferring Acland's Bill, recommended neither in its Report of 1891. See, Rich, R.W., The Training of Teachers in England and Wales during the Nineteenth Century, p. 226-9.

²Report of the Royal Commission on Secondary Education, P.P. 1895, XLIII [c. 7862], p. 192.

³Ibid.

⁴Ibid., p. 318.

than previous attempts upon the subject, and suggested that the register should not be restricted to secondary school teachers only but that it should cover the fields of both elementary and secondary school teachers. The basic qualifications required for entry onto the register were stipulated as the possession of a university degree, or equivalent, and a university certificate or diploma of education, or equivalent.¹

A Bill embodying the suggestions of the Bryce Report was given its first reading by Gorst immediately after he had introduced the Education Bill of 1896 i.e. on March 31.² As Gorst indicated to the House, the Bill did not require any explanation since it was based on the Bryce Commission's recommendations, and covered both elementary and secondary education.³ Unfortunately for both the Bill and teachers, the consumption of time by the Education Bill resulted in the Registration Bill being dropped on July 20 without any further progress being made on it.

The Bill was briefly seen again in August, 1898, when the Duke of Devonshire, in his introduction to the Board of Education Bill, proposed to re-introduce it.⁴ The ensuing alterations to the Board of Education Bill, however, resulted in the Registration Bill being dropped, but its

¹ Ibid., p. 319.

² Teachers' Registration Bill, Bill 173, March 31, 1896.

³ 4 Hansard, 39, c. 580, (March 31, 1896.)

⁴ 4 Hansard, 63, c. 676, (August 1, 1898.)

functions were retained in the new Board of Education Bill, becoming Clause 4 of the Act:

"It shall be lawful for Her Majesty in Council, by Order, to establish a Consultative Committee consisting, as to not less than two-thirds, of persons qualified to represent the views of Universities and other bodies interested in education, for the purpose of -

"(a) framing, with the approval of the Board of Education, regulations for a register of teachers, which shall be formed and kept in manner to be provided by Order in Council: Provided that the register so formed shall contain the names of the registered teachers arranged in alphabetical order, with an entry in respect to each teacher showing the date of his registration, and giving a brief record of his qualifications and experience; ..."¹

The Consultative Committee thus established completed their deliberations about the formation of a teachers' register by mid-June, 1901.² Whilst the Committee were a little worried as to how the registration process could be financed, Kekewich was more concerned about the constitution of the registration authority proposed by the Committee.³ He did not envisage it in terms of a sub-committee of the Consultative one, feeling that it should be:

"... a quasi-independent Authority subject as regards its constitution and finance to the Board [of Education], and the Board should have power to dismiss Members of it for non or ill performance of duties".⁴

¹62+63 Vict. c. 33. Board of Education Act, 1899.

²P.R.O. Ed. 10/131. W.N. Bruce to G.W. Kekewich, June 14, 1901.

³That it should consist of 6 members of the Consultative Committee plus 6 other members.

⁴P.R.O. Ed. 10/131. G.W. Kekewich to Duke of Devonshire and J.E. Gorst, June 25, 1901.

Gorst concurred with Kekewich's postulate as to the freedom of the authority from the Consultative Committee, but went further in suggesting that it should also be made as independent as possible of the Board of Education. He felt that, since he believed the structure of the authority to be the most important part connected with the registration, the constitution should be of a provisional nature. After a span of three years, and in the light of events, the constitution of a more permanent body could be decided upon.¹ In spite of this, Gorst believed that the functions of the Board of Education should be limited to approval of the fees and staff, utilisation of the fees and auditing of the accounts.

Gorst made these proposals to Devonshire in October, 1901, but the Consultative Committee were unhappy about his one concerning the actual structure of the registration authority - since Gorst had replaced the six Consultative Committee members with six appointees of the President of the Board of Education.² Gorst briefed Devonshire by letter before the latter met a representative from the Committee, Sir William Hart Dyke:

"... the Consultative Committee is anxious not to be cut off from all association with the working of the Registration plan, and Dyke is to see you on this point. As the Board of Education are to appoint 6 members of the temporary Registration Authority, you might safely assure him that some of these (say 3 at least) would be chosen by you from among the Members of the Committee. This both Jebb and Anson say would entirely satisfy the Committee. It is better

¹P.R.O. Ed. 10/131. J.E. Gorst to Duke of Devonshire, October 4, 1901.

²Ibid.

to keep the selection in our hands because if we left it to the Committee itself, they might nominate some political member, like Acland, who would make mischief".¹

It would appear, therefore, that Gorst's concept of the independence of the authority only extended to the time following its establishment; prior to that the freedom of choice was to rest with the Board of Education. His concluding remarks reinforced this view:

"I think when the Order in Council becomes operative it would be better to let the various bodies of School-masters and mistresses make their selections first,² and then consider who should be nominee of the Board of Education and select the latter from professional teachers rather than politicals [sic] - such people I mean as Canon Lyttleton, Miss Manley or Dr. Gow".³

The Order in Council came into existence on March 6, 1902 and revealed the effectiveness of Gorst's arguments on the Duke, for it embodied all of Gorst's proposals. Thus the registration authority as well as being constituted according to Gorst's plan was to be a provisional one for three years.⁴ The authority was to be an independent body,

¹P.R.O. Ed. 10/131. J.E. Gorst to Duke of Devonshire, January 17, 1902.

²One member was to be appointed by each of the following to the Authority: the Conference of Head Masters; the Incorporated Association of Head Masters; the Association of Head Mistresses; the College of Preceptors; the Teachers' Guild of Great Britain and Ireland, and the National Union of Teachers. See P.R.O. Ed. 10/131. J.E. Gorst to Duke of Devonshire, October 4, 1901.

³P.R.O. Ed. 10/131. J.E. Gorst to Duke of Devonshire, January 17, 1902.

⁴Order in Council, March 6, 1902. Clauses 1 and 2. See, Board of Education Report, 1901-2, P.P. 1902, XXIV [Cd. 1275], p. 112.

subject in the cases of fees, staff and expenses to the approval of the Board of Education. The latter was to be responsible for auditing of the accounts.¹ Nonetheless, the structure for the registration of teachers had been eventually established and covered, by means of the register and supplemental registers, the comprehensive area advocated in the Bryce Report. Thus Gorst had completed one of the unfinished inheritances of his taking office. Unfortunately the voluntary nature of the register ensured that the results were not very striking, but this was more a fault of the teachers than Gorst's.²

In March, 1900, the new Education Code had contained new financial provisions with regard to elementary schools, whereby block grants of 22s. per child replaced the previous arrangement of variable grants. In his introduction to the debate on the Education Estimates on May 26, 1902, Gorst announced an expansion of this principle into the field of Secondary Education.

The science and art grants which had been paid on the basis of attendance since 1896, and involved sums of £120,000 and £50,000 a year to 217 science schools and a number of schools of art respectively, were to be replaced by block grants. The plan outlined by Gorst proposed that any of these schools which had been established for five years was entitled to receive a grant, irrespective of the annual

¹Ibid., p. 112, Clauses 11-14.

²Rich, R.W., op. cit., p. 273.

number of students in attendance, for the next three years. At the end of that time a fresh assessment would be made and a new block grant made.¹

The rationale which lay behind this scheme was apparently to encourage these particular schools in the first instance to follow the trend set with the giving of block grants to elementary schools i.e. the liberalisation of the school's curriculum: "... all incentive to cram for the purpose of earning the grant by passing an examination being removed".² From this initial step the next one hoped for was the gradual incorporation of these somewhat specialised schools into the system as more general secondary schools. Thus a more uniform system of secondary schools would exist to cater for the demands raised by the provisions of the 1902 Act.

Although there would be a more uniform type of school throughout the country as a result of this change in the financial system, Gorst did not believe that it would be accompanied by a uniformity of curriculum. In fact he believed that the opposite would occur, as he implied in his speech later on. It is also interesting to note how highly Gorst thought of the block grant system when it is remembered what other achievements had been accomplished during his term of Office. :

"... the greatest reform that has been made in my time by the Board of Education is the establishment

¹4 Hansard, 108, c. 552-3 (May 26, 1902).

²Ibid., c. 553.

of the block grants. I should be very sorry to claim, either for the Lord President or myself any particular credit for that. The matter has been discussed for years, and it was adopted in Scotland a year before it was adopted here, but we certainly deserve the credit as being the first administrators who ventured to carry that system into execution, and even as it is it has done good. The great task of the reformer is to pull down the obstacles to progress that have been set up.

"The evils that were removed by the block grant system were these. First of all, the old system encouraged the neglect of the lower elementary education; the higher work was badly done because it rested not on a sound but on a rotten foundation. The benefits which we expect ultimately from this system - because it will be years before all the possibilities will be taken advantage of - will be that there will be a much greater variety in the scheme of teaching in schools, and that the system of instruction will be suited to the surroundings of the children; there will be one kind of instruction for country schools and another for town schools. Then there is the benefit to be derived from the removal of the pressure of examinations, and the adaptation of the education to the surroundings of the children. The teachers of the schools will be at leisure to teach the children instead of preparing them for examinations. The system throws the responsibility upon the people on whom it ought to be thrown - on the teachers, the managers, and the inspectors of each particular place ... The teachers can also take care that the classes are inter-related; that the work done in one class shall be a preparation for the work to be done in the next ..."¹

Although Gorst was primarily referring to the effects he envisaged that the block grant system would have on the elementary sector, it would appear that the application of such a system to the secondary one was intended to produce a similar result. Thus the concept of decentralisation embodied in his educational philosophy, and in the 1896 and 1902 Education Bills, also found an outlet through the

¹Ibid., c. 561-2.

financial structure of the educational system. Unfortunately for both Gorst and the English educational system the accomplishment of the ideals set forth in his speech did not come to fruition during the remainder of his life. In fact the system, especially in the secondary area, is still trying to overcome the disadvantages of an examination-orientated curriculum. Nonetheless, by this provision of a more liberal system of financial provisions, the educational system of the country was undoubtedly placed on a firmer basis whilst, at the same time, confining to oblivion that spectre which had so haunted the system during the last half of the nineteenth century - payment by results.

If Gorst had aided in the process of putting the educational system of the country on a sounder financial basis, his own financial position at the time of his resignation from office necessitated a request to Balfour for a political pension. Such pensions, amounting to £1,200 a year for life, were only awarded to those ex-members of the Government whose personal resources were inadequate: "... to the maintenance of a social position proper to an ex-Minister of the Crown".¹ Balfour's notes of the interview with Gorst indicated his distrust of what Gorst might do politically in the future:

"Our conversation was of a most friendly description: but I frankly indicated to him that, while he had all the statutory qualifications required, it did seem almost absurd to recommend him for a Pension, if he meant to use his liberty seriously to embarrass the Government. I said that he of course could not bind

¹Lucy, H.W., The Balfourian Parliament, 1900-1905, p. 202.

himself not to take an independent line, nor could I ever think of asking for any such pledge: but, without going this length, I was entitled to ask what his general attitude was likely to be before acceding to his wishes.

"He assured me that he would never think of acting, as for instance T. Bowles¹ has acted since the latter became dissatisfied with his party, that he hoped to gain a reputation as a person of Parliamentary wisdom and experience - that e.g. though he saw something to criticise in the Education Bill he should never think of voting for an amendment which the Government regarded as fatal, and he added that this was symbolical of his general attitude.

"He went on to say that while at one time he was very sore over his treatment he felt no such soreness now: he thought he ought long ago to have resigned rather than remain in a subordinate position: but that he was partly deterred by loyalty to the Duke.

"He then gave me a long account of grievances he had against the party, and our interview terminated as it had begun in a most friendly spirit".²

In spite of Gorst's reassurances about his future conduct, Balfour remained uncertain about the course to be adopted. His thoughts on the matter were not helped by the fact that Gorst had declined to accept the Governorship of the Isle of Man, since it would involve retirement from Parliamentary life.³ More than a month after the interview had taken place Balfour was still having his doubts. But he eventually acceded to Gorst's request, so that by October Gorst could look forward to an untrammelled period of activity for his remaining years in the House.

Towards the end of 1902, however, Gorst left England for a visit to Egypt, apparently to assist at the in-

¹T.G. Bowles, M.P. for King's Lynn.

²B.M. Add. M.S. 39791, f. 36-7. Note of conversation with Sir John Gorst on Thursday, August 7th, 1902.

³Lucy, H.W., op. cit.



' Backbencher '

auguration of the Asswam dam. He greatly enjoyed his stay in Cairo with his son and was delighted with the latter's progress in the world of diplomacy.¹

Amongst the members of the English party also staying in Cairo with Gorst were Sir Ernest and Lady Cassel, Mrs. George Keppel, the Duke and Duchess of Connaught, Sir Michael Hicks-Beach, and Winston Churchill. The latter found the presence of Hicks-Beach and Gorst the most beneficial of these companions, including the time when they all went on an excursion up the Nile in a dahabiah.² Churchill also appears to have credited Gorst with the Parliamentary stature that the latter had confessed to Balfour he was trying to achieve: "... Gorst père is also here: I think he will have to advise the 'new group' on questions of procedure next session ...".³

On his return to England from his refreshing sojourn in Egypt, Gorst was ready to embark upon the final stage of his Parliamentary career. In the next three years he not

¹Gorst, Sir Eldon, Autobiographical Notes, II, p. 85. Eldon Gorst had succeeded Sir Elwin Palmer as Financial Adviser to the Egyptian Government in 1898. He was made a Companion of the Bath in 1900, appointed Secretary of the Legation in 1901 and made a K.C.B. in the coronation honours list in the following year. Lord Cromer had intimated in 1900 that he was thinking of nominating him as his successor. Thus his father may have been mentally comparing their careers when he told Balfour that he felt he should have resigned earlier on in his career rather than continue to hold subordinate positions. For details of Eldon Gorst's career see Mellini, P.J.D., 'Sir Eldon Gorst and British Imperial Policy in Egypt', (Stanford University Ph.D. thesis, 1971), p. 112-6.

²A Nile sailing boat.

³W. Churchill to Lady R. Churchill, December 19, 1902. See, Churchill, R.S., Winston S. Churchill, II, p. 54.

only consolidated his position within the House as one of wisdom and experience, but also demonstrated that he was still endowed with that independence of thought and action that had characterised his career. To some members of the Treasury Bench it must have looked as though the spirit of the Fourth Party was being revived. Gorst's energies, however, were channeled into a field for which he had long had sympathy, but action in which had been denied to him by his holding of office in the Government.¹ Gorst turned his attention in 1903 to the area of social reform.

¹The constraint upon Gorst had been noted by his friend Canon Barnett: "Gorst spoke well of course and showed the sympathy he cannot put into action". Barnett Papers, F/BAR, 266. Canon Barnett to Frank Barnett, April 26, 1902.

CHAPTER SEVENTEEN

Gorst's active interest in social reform can be said to date from his attendance of the Berlin Labour Conference of 1890, and it has been seen how in the period 1890-6 he was actively engaged in publicising his views on the various aspects of the subject. His term of office as Vice President had tended to curtail this activity, and his utterances were confined to educational topics, in the main. In his presidential address to the Educational Science Section of the British Association for the Advancement of Science at Glasgow on September 12, 1901, however, Gorst demonstrated that his reforming zeal still existed.¹ Although his speech was primarily concerned with the controlling structures of the educational system, Gorst devoted the first part of it to an examination of the role of education in society. And in doing so he took care to stress the importance of environmental factors in the development of children, and their relationship to the educational system.

Gorst declared that he believed the development of character was the most important part of the education of children, owing to the fact that it was, "... a much more vital factor in the promotion of national power and influence, and in the spread of Empire, than either physical or mental endowments".² But in this development the school

¹Gorst, J.E., 'The National Control of Education', Popular Science Monthly, 60, 1902, p. 49-57.

²Ibid., p. 49.

took second place as an influential factor, the first and most important one being the home:

"Religious belief, ideas, ineradicable often in maturer life, imbibed from the early instruction of parents, the principles of morality current amongst brothers and sisters and playmates, popular superstitions, national and local prejudices, have a far deeper and more permanent effect upon character than the instruction given in schools or colleges".¹

Improvements which tended, "... to make the existing generation wiser, happier or better has an indirect influence on the children", Gorst argued.² And these improvements could be held to include, "... better dwellings, unadulterated food, recreation grounds, temperance, sanitation", but they were minor ones compared with the more powerful causes operating in the home. Detrimental conditions operating in the home would obviously have adverse effects upon the child and, in turn, its capacity to learn. In cases of this kind the school-teacher, Gorst believed, could play an important role:

"Advantage should be taken of the fact that the children come daily under the observation of a quasi-public officer - the school teacher - to secure them protection, to which they are already entitled by law, against hunger, nakedness, dirt, over-work, and other kinds of cruelty and neglect. Children's ailments and diseases should by periodic inspection be detected: the milder ones, such as sores and chilblains, treated on the spot, the more serious removed to the care of parents or hospitals. Diseases of the eye and all maladies that would impair the capacity of a child to earn its living should in the interest of the community receive prompt attention and the most skilful treatment available".³

¹ Ibid., p. 49-50.

² Ibid., p. 50.

³ Ibid., p. 52-3.

This concept of a children's welfare system Gorst believed had to be implemented if a sound system of primary education was to be achieved. It was not only for the interests of the children but for the nation as a whole; for upon that system depended the success of the advanced educational system and with it Britain's prosperity as an industrial nation.

Gorst's speech must have undoubtedly benefitted, as far as the reception of the contents was concerned, from a public made more aware of the truth of his remarks by the evidence presented firstly by the Boer War and, secondly, by the researches of Rowntree. The recruitment for the armed forces during the war had suffered a severe set-back from the fact that many men were physically unfit for service. During 1900 some 22,000 men had had to be rejected,¹ and Rowntree calculated that between 1897 and 1901 nearly half of intending army recruits were rejected on medical grounds.² This finding of Rowntree's emphasised his others on the quality of life in York - a study of which he published in 1901. Following on, as it did, the work of Charles Booth in London, and demonstrating the existence of an identical situation to that revealed by Booth, Rowntree's findings, as Read has noted, "... undermined the Victorian assumption that poverty was more often than not the out-

¹4 Hansard, 98, c. 642-3 (July 30, 1901).

²Quoted in Read, D., Edwardian England 1901-15: Society and Politics, p. 155.

come of individual character failings".¹

Rowntree's conclusion from both his own and Booth's study was that somewhere between 25 to 30 per cent of urban populations in Britain were living in poverty, and this poverty problem was related to the problems of urban housing and the peoples' health. These revelations caused him to write:

"There is surely need for a greater concentration of thought by the nation upon the well-being of its own people, for no civilisation can be sound or stable which has at its base this mass of stunted human life. The suffering may be all but voiceless, and we may long remain ignorant of its extent and severity, but when once we realize it we see that social questions of profound importance await solution".²

It would appear that both the findings of Rowntree and Booth and Gorst's thoughts were facets of the same topic - one that was beginning to alarm Edwardian society. It is not surprising, therefore, that with his release from the chains of government office Gorst should once more take up his campaign for social reform in 1903. His 1901 speech indicated the broad outline of the problem which he intended to pursue i.e. the relationship between the home and the welfare of the child with education, and this he did vigorously in spite of the distractions of free trade and tariff reform.

In January Gorst was occupied in making speeches in support of free trade, but at the beginning of February he

¹Ibid., p. 152.

²Ibid., p. 154.

was in South Wales addressing meetings on the necessity of feeding hungry children in elementary schools. Writing to Edith Marvin¹ about these occasions, Gorst revealed one of the motives behind the campaign of social reform he was starting to mount: "I use it to frighten Mr. Balfour and the rich; I say - see what you will come to, if you delay the moderate reform asked for by us moderate people".²

Another of Gorst's motives was his perception that in putting forward the case for social reform there was also the chance that the concept of Tory Democracy could become a viable proposition in achieving this goal.³ There can be little doubt that it was the achievement of this that he had in mind at the beginning of his campaign.

Thus, whilst speaking at Manchester, Lancaster and

¹Edith Deverell Marvin (formerly Edith Deverell) - wife of F.S. Marvin, H.M.I. Prior to her marriage she had been one of the first women inspectors appointed by the Education Department.

²Marvin Papers, J.E. Gorst to Mrs. E. Marvin, January 27, 1903.

³Gorst's concept of Tory Democracy was defined in a letter to The Times, February 6, 1907, p. 7. "... all government exists solely for the good of the governed; that Church and King, Lords and Commons, and all other public institutions are to be maintained so far, and so far only, as they promote the happiness and welfare of the common people; that all who are entrusted with any public function are trustees, not for their class, but for the nation at large; and that the mass of the people may be trusted so to use electoral power, which should be freely conceded to them, as to support those who are promoting their interests. It is democratic because the welfare of the people is its supreme end; it is Tory because the institutions of the country are the means by which the end is to be attained".

Keighley in the period February 10-14, Gorst emphasised the need for more action by local rather than central government - if the reforms needed were to stand any chance of being accomplished:

"The real and practical way of getting legislation on social matters which ought to be asked for was by law delegated to local authority with power to deal with the social condition of the people. There was no subject upon which we more required decentralisation".¹

"The people at the bottom of the social scale must be thought of. They hungered and thirsted; they had children who shared their unhappy lot; they made a weak and diseased spot in the body politic. [Cheers.] What was wanted, in the first place, was a mandate from the people and then an Act of Parliament, which need not take a very long time either to draught or to pass, which would impose upon local authorities the duty of looking after the physical and moral condition of the people and would clothe these authorities with the necessary power to carry it into effect."²

Gorst's efforts in pressing for changes to be made in the social condition of the people brought him into contact with Frances, Countess of Warwick who had begun campaigning along similar lines.³ This contact developed in the next few years and also encompassed a few other persons, including T.J. Macnamara. This body represented a core of agitators of standing and influence in the field of social reform.

¹The Times, February 11, 1903. Gorst's speech at Manchester.

²Ibid., February 12, 1903. Speech at Lancaster.

³"In London the last few days my visitors have been - Arthur Balfour (full of schemes), Lord Rowton (working men's homes), Sir John Gorst (social work for children), Winston Churchill ... "Countess of Warwick to Major J. Laycock, February 23, 1903. Quoted in Leslie, A., Edwardians in Love, p. 179.

The campaign was continued by Gorst in the House, where Gorst concentrated on the need for reforms in the welfare of children as far as the State was concerned, and the possible, beneficial results that would ensue:

"If all these children were healthily brought up; if all were properly educated - I do not mean merely in reading, writing, and arithmetic - but taught so as to have an intelligent development of their character, and were brought up as healthy men and women; and if you had the industries of the country properly organised, I think that this unemployed class might be starved out altogether".¹

Gorst's efforts were now beginning to be channeled into a concern for the social welfare of children, and from this time he tended to concentrate upon this subject; in particular on the feeding and medical inspection of children.² This was a wise move, for his experience as Vice-President lent an authoritative air to his comments which, in this field, few could match. Thus, in the debate on the Employment of Children Bill in early March, he pointed out that the Bill's contents only touched the tip of the iceberg:

"At an enormous expense the country provides instruction in our public schools for all the children of the country, but, unhappily, a very great number of those children come to school in a state totally unfit to profit by that instruction; indeed they come to school in such a state that it is absolute cruelty to compel them to engage in intellectual labour, and, in consequence, many of the masters allow these children to sleep at their desks, or, at any rate, do not allow them to take

¹ 4 Hansard, 118, c. 322 (February 19, 1903).

² Gilbert claims that it was the Interdepartmental Committee on Physical Deterioration and its report which caused Gorst to divert his attention from general social reform to the more specific case of children's welfare. The report was not, however, published until 1904 whereas Gorst's concentration on this aspect can be seen to have begun by March, 1903. See, Gilbert, B.B., 'Sir John Eldon Gorst and the Children of the Nation'. Bulletin of the History of Medicine, XXVIII, 1954, p. 246.

part in the studies".¹

And, consequently, he hoped that the Bill could be enlarged to cater, additionally, for this problem. Gorst had, of course, been making the same point since his return from Berlin in 1890, and his 1899 article on wage-earning children had made out a similar case. But public opinion had been deaf to his pleas then, whilst in 1903 the tide had changed and there was more hope of achievement of these aims.

It is not surprising, therefore, to find that Gorst's article on social reform, published in March, and attacking the Tory party for its lack of achievements in this particular field, advocated the development of decentralised government and Tory democracy - illustrating the point with examples from the world of education.² Gorst's use of the latter revealed some of the frustrations he had had to contend with during his period of office, and were used to reinforce his disbelief in the effectiveness of central government:

"... the constitution of public offices does not promote those qualities which are requisite for the creation of great schemes of new legislation ... should a person possessed of the rare qualities necessary in a reformer arise in a government department, he would, except under some happy chance, be driven forth from the civil service before he had attained a position in which his genius would be useful to the State. Neither are public departments likely, under present arrangements, to be stimulated into the proposal and construction of great measures of social reform by their parliamentary heads. These are seldom, if ever, selected for their previous knowledge of the matters with which their

¹Ibid., c. 1425 (March 4, 1903).

²Gorst, J.E. 'Social Reform: The Obligation of the Tory Party', The Nineteenth Century, 53, March, 1903, p. 519-32.

department has to deal. The most industrious Minister must spend a long time in learning the routine of his office before he is fit to propose amendments in its procedure. Meanwhile he is liable, just as he feels competent to act, to be whisked off from his post and placed at the head of some other department, of the work of which he is equally ignorant. If he has energy enough to persevere in his efforts to serve the public, he must, Sisyphus-like begin to perform his task anew. For this, among other reasons, the duty of administering a public office is not generally taken very seriously by politicians. It is only one amongst many distractions of 'society' life in London. A respectable reputation for efficiency and freedom from disquieting criticism are best attained by following the cautious advice of permanent officials down the beaten paths of routine and precedent. Originality and enterprise are troublesome and dangerous. When it is further remembered that almost every proposal for social reform affects many offices ... and that the legitimate criticism by each office of a proposal may give rise to an infinity of delay, it will be manifest that in such matters no initiative and little help is to be expected from the public departments of the central government".¹

¹Ibid., p. 521. Gorst expanded these views in a preface he provided for a book to be written by his son-in-law, Mark Sykes. Neither was published, but Gorst's resentment towards the party hierarchy was clearly revealed: "The making of laws and the administration of affairs are jealously reserved for men of wealth and what is called 'social position', and no outsider whose loyalty to the oligarchy is open to the least question or who can be suspected of really making the interest of the people his chief concern can find his way into the charmed circle. ... Ministers are not required or expected to take their position too seriously: they are amateurs, not professionals; the ordinary work is done by permanent officials, who themselves belong for the most part to the privileged class. Posing as head of a public department is a pastime of the London season, and does not interfere with bridge and the other amusements of Town, nor with shooting, hunting, fishing, or golf ... D'ordel [Sykes] has the acuteness to perceive that the whole fabric of this 'British Constitution' under which we live depends upon successfully closing the eyes of the people, lest they should perceive their own interests, and their own power. .. the opening of those eyes ... would cause the British Constitution to immediately topple over".

For social reform to be achieved, "... which is so ardently desired by the mass of our people, and upon which the safety of our Empire so vitally depends ...", there had to be the adoption of a system analagous to that of the educational one, in terms of administrative ruling:

"Give up the dream of a benevolent central government, which is to do everything for the people - to diagnose the social disease, to invent and apply the remedies, and to superintend their operation. That may come hereafter in some future generation, but we are in a more primitive and elementary stage as yet ... Let each county and municipal authority become absolutely and entirely, as it is already partially and imperfectly, responsible for the health and welfare of its own men, women, and children, the care of its own sick and aged, the provision of healthy dwellings and of light, air, and water, the prevention of strikes and lock-outs, and the treatment of its own 'unemployed'. Let the county and municipal councils be summoned by public opinion to a recognition of their duties in these respects, and to a collective demand of additional powers in those matters in which the powers that they possess already are insufficient for the due promotion of the public welfare. Let the central Government abstain from vexatious meddling, from tying up local authorities by useless and vexatious regulations, and from obstructing schemes as to which local authorities are more competent to judge than they: let them restrict themselves to their proper function of inspecting, of giving suggestive, not authoritative, advice, of collecting information whereby the experience of one district may become available for all, and of acting as a 'clearing house' for the various authorities in their mutual relations".¹

The publication of these concepts earned Gorst the approbation of The Review of Reviews, as, in fact, his general stance on social reform did:

"Sir John Gorst is unmuzzled and no mistake, and a very good thing it is for all those who care for social reform that the ablest member of the Tory party has at last regained a position which he can

¹Ibid., p. 530.

devote his capacity to the service of the people. When he resigned the Vice-Presidency of the Council a new and much-needed force was added to the ranks of the party of progress, of which it stood sorely in need ... in him we have a leader who means to force the pace".¹

Gorst's article did not, however, produce any startling effects, and it was mid-June before he could continue with his campaign, this time in the House. The first occasion was during the debate on Supply, when Gorst raised the question of the treatment of pauper children. He wanted the recommendations of the 1896 Departmental Committee, of which he had been a member, put into operation - especially the ones concerning the removal of children from workhouses and the re-housing of them in alternative accommodation.² Progress in this quarter was not really to be expected, as Gilbert has indicated:

"... Their [Balfour administration] unwillingness to attack the problem of the physical condition of the people ... was reinforced by the normal diffidence that inevitably arose in any inquiry that would involve criticism by civil servants of activities of their own departments".³

Although Gilbert was referring to the delay in the establishment of the Interdepartmental committee on Physical Deterioration (see below), his argument holds equally true

¹Review of Reviews, 27, January-June, 1903, p. 263.

²4 Hansard, 123, c. 680-4 (June 11, 1903).

³Gilbert, B.B., The Evolution of National Insurance in Great Britain, p. 88.

for the problem which Gorst wanted to see overcome.¹ And Gorst was not aided in his plea by the fact that his arguments rested on the evidence of a committee which had reported some seven years previously.

In the debate on the Scottish Estimates which took place seven days later, however, Gorst, in turning his attention to the more general needs of social welfare in children, was able to utilise the findings of the recently published Royal Commission on Physical Education in Scotland. Quoting the evidence concerning the physical condition of the children in schools, Gorst said: "What an awful idea it was that in so many of these schools a large minority, if not a majority, of the children were habitually under-fed and underclothed".² For him this state of affairs raised the question:

"How was it possible to raise an Imperial race if that was the general character of the children in a large number of our schools ... (for) ... If the children in the schools were inadequately fed and clothed, and were unfit for physical instruction, they were still more unfit for mental instruction".³

¹ McDowell has also pointed out that Balfour shared Salisbury's principles over social reform i.e. that it was essential to respect private property and do nothing which would weaken self-reliance. "Thus he warned Conservatives that when they were contemplating a social reform they must keep in mind ... that it was the free individual using his abilities to the best advantage who was primarily responsible for raising the standard of living and that one class could not be ultimately benefited by the robbery of another". McDowell, R.B., British Conservatism, 1832-1914, p. 137. This was a philosophy that was diametrically opposed to that of Gorst's concept of Tory democracy, and would thus provide opposition to Gorst's proposals with regard to social reform.

² 4 Hansard, 123, c. 1352 (June 18, 1903).

³ Ibid.

To find a solution to this problem it was necessary, Gorst postulated, to ascertain the facts. This could be achieved, he believed, by implementing his earlier proposals concerning the employment of teachers:

"Why should it not be a part of the duty of every teacher to make a sort of inspection of the children in the school every day. The teacher would be able to pick out any serious case of disease ... or anything which was calculated to interfere with the school work of the children".¹

He went on to advocate periodical medical inspections of schoolchildren at public expense, in an effort to combat this physical degeneration. Gorst then listed the factors he believed were important in enabling children to live healthy lives, foremost of which was the need for fresh air: "Children required very little food provided that they had fresh air".² He related this fact to the poor ventilation existent in schools, and negligence on the part of the inspectorate: "He was afraid that some of the inspectors were chilly old gentlemen, and they did not attend as they ought to do to the question of ventilation of schools".³ Gorst substantiated his view using evidence, including the carbon dioxide concentration and bacterial counts of classrooms, produced from an investigation by Dr. Bayley of Owen's College, Manchester.⁴

Gorst did not, however, in spite of his attention to the details supporting this view, neglect the importance of food in the lives of children. And whilst he believed that

¹Ibid., c. 1353.

^{2, 3 & 4}Ibid., c. 1354.

if the feeding of necessitous children could be carried out by the various charitable organisations successfully it should be left to them to do so, he wanted State intervention if the opposite was the case. The parents could be charged if necessary but, for the children's sake, State provision of meals should be allowed if it was required. And his views on the state of affairs in Scotland, he believed, applied equally to England and Wales.

On July 9, Gorst continued his agitation for an inquiry to be made, to determine the facts about the physical condition of schoolchildren, by the Board of Education, in addition to the searching inquiry promised by the Duke of Devonshire into the physical condition of the people.¹ Anson chose, however, to ignore Gorst's request. Gorst was, of course, inured to rebuffs of this kind, and, undaunted, carried on with his agitation.

In an article published the following month and concerned with Chamberlain's proposals for tariff reform, Gorst opposed them, not least on the grounds of the effects taxation of food would produce.² He cited the evidence of Rowntree, Booth and the Royal Commission on Physical Education in Scotland as proof of the poor physical condition of at least a third of the population - a fact which he interpreted as being directly related to the low wages earned by this sector.³ Taxation of food would only exacerbate this

¹4 Hansard, 125, c. 264 (July 9, 1903).

²Gorst, J.E. 'Mr. Chamberlain's Proposals', North American Review, DLXI, August, 1903, p. 161-171.

³Ibid., p. 163-4.

condition, as it was apparent that such persons had too little money to provide a healthy diet for themselves and their dependents even with un-taxed food:

"... if the Colonial preference and the consequent tax on food are persisted in, Great Britain is embarking upon a contest in which her very life is at stake. It is an attempt to place upon the back of the people a burden which they cannot in their present condition bear. If they are deluded by the oracles of false prophets into attempting to undertake it, they will be crushed to the ground".¹

Gorst continued his opposition to Chamberlain's programme at the annual meeting of the National Union at Sheffield the following month. The meeting in the same city some nineteen years earlier had witnessed the success of the machinations of the Fourth Party, with regard to the capturing of the Union machinery in Lord Randolph Churchill's bid for power. This time, however, Gorst was unheeded:

"The Free Traders were almost unable to get heard. Gorst was shouted down - Hugh Cecil was unable to get anything like a hearing", one observer noted.² No doubt this reaction was due, as Rempel has indicated, to the clash between the old and the new attitudes to politics which had been generated in Unionist circles by the question of tariff reform:

"Certainly when the old-fashioned views of Gorst, Hornby, and Thornton are contrasted with the outlook of, say, L.S. Amery, Winterton, and Garvin, a distinct difference is obvious ... Moreover, the insistence of Unionist Free Traders on the need to

¹Ibid., p. 171.

²C.A. Pearson to J. Chamberlain, October 1, 1903. Quoted in Amery, J., The Life of Joseph Chamberlain, V, p.442.

cut down government expense illustrates an outlook harking back to Peel and Gladstone rather more than any appreciation of the needs of early twentieth-century England".¹

Rempel, however, agreed that such a view was something of an oversimplification, due to the existence of a number of progressive politicians amongst the Free Traders. But it does indicate to a certain extent the reason why so much animosity was generated over the issue. Unfortunately, Rempel does not classify Gorst amongst the progressive members of the Free Traders - a view which appears to ignore the rationale behind Gorst's acceptance of that particular fiscal philosophy i.e. his belief in its ability to represent a more viable means of living for the socially deprived than that of tariff reforms. The latter, Gorst believed, as has been seen, would be repressive rather than progressive, as far as the achievement of social reform was concerned.

Gorst's disappointment at the rejection of his views by some of his fellow party members may have been alleviated by knowing that the Government had at last appointed the committee to examine the physical condition of the people.² His agitations for social reform, at least, had not been entirely fruitless.

¹Rempel, R.A., Arthur Balfour: Joseph Chamberlain and the Unionist Free Traders, p. 109.

²The Inter-Departmental Committee on Physical Deterioration was set up on September 2 under the Duke of Devonshire's order of reference, and under the chairmanship of Sir Almeric FitzRoy. Report of the Inter-Departmental Committee on Physical Deterioration, P.P. 1904, XXXII [cd. 2175], p. 1.

Speaking at Halifax Technical School on September 29, Gorst reviewed the reasons which made the establishment of such a Committee an urgent necessity, especially the living conditions in urban areas:

"... there was no doubt whatever that town life, unless the greatest precautions were taken, was detrimental to the healthy growth and welfare of the children. Whether the population had degenerated or not they had not got sufficient data to determine. It was, he believed, to form the subject of a Royal Commission. There were indications, however, which might well make every lover of his country anxious and alarmed. The artificial life led in towns required very special safeguards and very great attention on the part of the authorities and the people themselves to make it anything like as healthy as life in the country".¹

The Government had also become aware, as the year had progressed, that the original terms of reference for the committee to enquire, "... into the allegations concerning the deterioration of certain classes of the population as shown by the large percentage of rejections for physical courses of recruits for the Army",² and ascertain whether a royal commission was necessary, were unsatisfactory. For it was apparent that even a team of docile civil servants would reach a conclusion that was in the affirmative concerning the need for the establishment of a commission. Therefore, rather than have a body of independent experts examine the deficiencies of the various governmental departments involved, the terms of reference were enlarged

¹The Times, September 30, 1903.

²Report of the Inter-Departmental Committee on Physical Deterioration, op. cit., p. 1.

so that the committee were charged:-

"(1) To determine, with the aid of such counsel as the medical profession are able to give, the steps that should be taken to furnish the Government and the Nation at large with periodical data for an accurate comparative estimate of the health and physique of the people; (2) to indicate generally the causes of such physical deterioration as does exist in certain classes; and (3) to point out the means by which it can be most effectively diminished".¹

Thus the Government consigned to a team of civil servants that which normally a Royal Commission would have investigated. If Gorst and others had reason to complain about the composition of the committee and its somewhat exclusive nature,² there was resentment in both the Home Office and the Local Government Board at both the enlargement of the terms of reference and the way in which they

¹Ibid.

²"... it would have been better if some independent men had taken part in the investigations. As the subject dealt so largely with the condition of the children, he thought some representative of the working classes ought to have been placed upon the Committee. One would have thought that upon a question of this kind a woman would have been useful upon the Committee". Sir John Gorst, 4 Hansard, 140, c. 48 (August 10, 1904).

were not consulted about them.¹ FitzRoy has stated, however, that the amended reference was in reality only an effort on his part to clarify what the Committee were supposed to do, since the, "... original instrument represented the indefiniteness of view characteristic of Cabinets in touch with problems the significance of which they very dimly apprehend".²

Gorst was not satisfied that all that could be done in the field of child welfare was being done, in spite of the establishment of the Committee. Thus on March 28, 1904, he asked Anson how long the physical condition of schoolchildren, "... was to remain a subject of discussion and inquiry, and when the Board of Education would see its way to take some practical steps to ameliorate the condition of the children".³ After all, he pointed out,

¹FitzRoy, A., Memoirs, I, p. 258. FitzRoy, as chairman, had to bear the full brunt of these departments' anger before and after the publication of the Report. He felt that there were three reasons for this hostility: "... by relegating a Royal Commission to a distant background, the Committee stood between them and an inquisition into the question which they would have controlled and shaped; ... because there are elements in the office of a most obstructive and do-nothing character, and the upholder of these views had manipulated certain passages of the Report so as to make it appear that the [Local Government] Board's competence was impugned ... while composed of officials, the disposition of the Committee was singularly free from official bias, and the very independence of the Report was an offence to the spirit of officialism that unfortunately dominates departmental practice". Ibid., p. 259. FitzRoy's concept of independence was a relative one, for as Gilbert has stated: "He [FitzRoy] was a sincere social reformer, but one who was also a gentleman of unimpeachable Unionist connexions". Gilbert, B.B., The Evolution of National Insurance in Great Britain, p. 89.

²FitzRoy, A., op. cit., p. 260.

³4 Hansard, 132, c. 905 (March 28, 1904).

they had the evidence of three committees of the London School Board, in 1889, 1895, and 1899, on the subject; his own activities in this field when he had been Vice-President; plus the evidence of the Scottish Commission, and now the Inter-Departmental Committee. To his mind the causes behind the deterioration of children's health had been the lack of fresh air, proper food and treatment, plus the lack of medical inspection, and it was therefore either Parliament's duty to prescribe remedies or provide local authorities with the power to prescribe them. What he wanted to know was if the Government were prepared to act upon the Report of the Inter-Departmental Committee when it was published.¹ Anson's reply was completely non-committal on the Government's behalf, and left Gorst's questions unanswered:

"He hoped the Committee would report at no distant date, and then they would be in possession of the facts as to the physical condition of the children, and they would have what the Committee conceived to be the causes of the evil and their suggested remedy. He did not think that the House would expect him to say more on the subject at present ...".²

Gorst continued with his agitation for action on the part of the Government some three weeks later when he seconded a motion made by Mr. Claude Hay, another Tory back bencher:

"That the Board of Education should require arrangements to be made by the local education authorities whereby every child compelled by law to attend a

¹Ibid., c. 905-7.

²Ibid., c. 911.

public elementary school shall have received proper nourishment before being subjected to mental or physical instruction, and that in cases in which proper food has not been provided for the child by its parents, it should be first supplied by the local education authority, and subsequently suitable action taken to recover the cost".¹

Gorst reinforced the point made by Hay that there existed a considerable number of children in schools suffering from malnutrition, and, he went on:

"... the time had now come for deciding that there had been enough talk about this matter, and that what was wanted was not so much a debate and a resolution as some definite and distinct action on the part of the Government and the local authorities, who had already considerable powers, and who would require additional powers after they had put those they already possessed into force".²

Gorst conceded that an obstacle to the plan proposed was the possible weakening of parental responsibility for feeding of children. But he believed that even in the poorer classes, the majority would be willing, "to defray the cost of wholesome meals for the children. It would only be for a small section of the community that the full cost of feeding the schoolchildren would have to be paid".³ He also saw in the plan the means whereby parents who refused to contribute to the cost of the meals could be convicted of negligence towards their children - provided, of course, they were financially able to contribute. The issuing of meal tickets to children who needed meals, by the teachers, would provide the necessary evidence that neglect was taking place in the case of parents who refused

¹ 4 Hansard, 133, c. 792 (April 20, 1904).

² & ³ Ibid., c. 790.

to refund the cost of the ticket. Thus the plan, besides providing the needed nourishment for the children, could also bring about the necessary reminder and reinforcement of parental responsibilities to those who required it.

Anson was not, however, moved by either Hay's or Gorst's arguments, and saw the opportunity for retaliation as far as Gorst was concerned: "The difficulties which beset the matter were, he thought, obvious from the fact that the Member for Cambridge University when in office did not feel able to make any proposal for dealing with the question".¹ (A statement that was ill-considered when it was remembered that Gorst had devoted several major speeches in the House to the very plan in front of the House.) Anson was more in favour of voluntary action in the case of school meals:

"The case of children brought to school occasionally underfed he would like to see dealt with by voluntary effort, organised and conducted under the local authority. He thought they might work out a scheme to meet the difficulties and evils discussed that night".²

But he was not going to be forced into action even if the resolution was carried: "If the resolution should be rejected he would work on patiently in the endeavour to solve the question. If it were accepted he should not be hurried into submitting any crude or ill-disposed scheme".³ Thus

¹Ibid., c. 794.

² & ³Ibid., c. 795. Anson's answers to the questions of Gorst and others on this problem had undoubtedly been constructed around the fact that Balfour told him, as far as children's welfare was concerned, he "could be as sympathetic as he liked but there would be no increase in rates". This fact had been conveyed early on in 1904. See Gilbert, B.B., The Evolution of National Insurance in Great Britain, p, 95.

once more Gorst's pleas had fallen on stony ground, but five days later he was able to present his ideas to the Inter-Departmental Committee on Physical Deterioration.

FitzRoy had been impressed with the way Dr. Eicholz, an official of the Board of Education, had presented his information to the Committee,¹ whereas he had been disappointed by Charles Booth's "unwillingness to commit himself to any definite steps of a legislative or administrative character arising out of the conclusions to which his investigations have conducted him".² Seebohm Rowntree, on the other hand, expounded and developed the ideas which his research on York had led him to formulate.³ Unfortunately, FitzRoy did not bother to record his impressions of Gorst's contribution, in spite of its length and depth.

The evidence which Gorst presented was principally concerned with causes prejudicial to health in the development of children. He presented his views upon aspects of this matter, and, not unnaturally, they were the ones which had formed an integral part of his campaign. Thus he drew the committee's attention to the need for fresh air and water, the feeding of schoolchildren, the need for physical training and personal hygiene plus regular medical inspection in the lives of schoolchildren, so that the

¹FitzRoy, A., op. cit., p. 175: "... we ... were favoured with a wealth of information, conveyed with a resolute air of self-assured confidence that carried great weight".

²Ibid., p. 179.

³Ibid., p. 188.

effects of poor home environments could be combatted early on for the benefit of the children and, ultimately, society.¹ Gorst was of the opinion, "... that the race is propagated in the greatest proportion by the least fit part of it", since the restraints on marriage diminished as the descent of the social scale was made, "and when you get to the most unfit part of the population, there is no restraint on marriage. People marry who are perfectly unfit to marry who are certain to propagate weakness and disease".²

The committee, although they questioned Gorst on all of his proposals, were most interested in his views on the feeding and medical inspection of schoolchildren. Gorst pointed out that he believed malnutrition existed in children both in rural and urban areas, although most of the material published on the matter was concerned with urban areas only. When questioned about this he agreed with the view that in urban areas a prime cause of the malnutrition was the large percentage of mothers who had to go out to work and, consequently, had little time for looking after their children. But he pointed out that in rural areas there was the phenomenon of, "... an immense number of widows with seven or eight children and it is almost impossible for a woman to provide necessary food for her children".³ He believed that they were the people,

¹Minutes of Evidence to the Interdepartmental Committee on Physical Deterioration, P.P. 1904, XXXII.[cd. 2210], p. 431-442.

²Ibid., p. 431.

³Ibid., p. 433, No. 11829.

"...from whom the country underfed children chiefly come".¹

When further questioned on this point, Gorst indicated that ignorance and neglect on the part of the mothers should also be included as major causes of malnutrition:

"Nothing is more deplorable than the impotence of the general English labourer or labourer's wife in the presence of food. Where a Frenchwoman would make an excellent dinner an Englishwoman would almost starve".²

Whatever the causes, if there existed in schools a class of underfed children, then, Gorst explained, "... the school authorities should organise a provision of school meals, a breakfast and a dinner".³ This was to be paid for, at cost price, by the children, unless the parents were unable to find the necessary sums, in which case the meals would be free. He made the point that the issuing of tickets for the meals would enable the authorities to recover the costs from the parents and could thus determine where negligence existed. For the teachers were to determine whether a child appeared underfed or not, and this observation could be used as a check against parents who refused to pay on the grounds that they had fed the child. Repeated refusals by the parents in spite of a continued manifestation of malnutrition in the child, recorded by the teacher, would tend to indicate, Gorst believed, the existence of negligence - for which the parents could be prosecuted. Thus, rather than being, "... open to the

¹Ibid.

²Ibid., p. 439, No. 11962.

³Ibid., p. 433, No. 11829.

objection of tending to break up family life", as one questioner put it, the scheme would, Gorst felt, reinforce the need for parental responsibility in this area:

"What I want to impress is this, that the present system does not bring home parental responsibility. The children go on coming day after day half fed. Nobody interferes, and the parents have not got their responsibility for feeding their children brought home to them".¹

Gorst further cited the establishment of school canteens in Paris where public, school meals were served as proof for his views, believing that similar structures in England, "... would get rid of a great deal of trouble and work at home, and the result to the children would be very much more satisfactory".² As to the authorities who were to be responsible for the provision of the meals, Gorst tentatively agreed with the proposal that it should be voluntary organisations acting as agents of the school authority, at least as an initial experiment.³ When questioned further, Gorst revealed that he was more in favour of rate aid being used for the provision of the meals,⁴ and that they should be prepared on the school premises or, at least, in a building provided by the school authority.⁵

¹Ibid., p. 433, No. 11837.

²Ibid., No. 11831.

³Ibid., p. 437-8, No. 11916 and p. 440, No. 12000.

⁴Ibid., p. 440, No. 11996.

⁵Ibid., p. 434, No. 11847.

The scheme thus outlined by Gorst for the provision of school meals was related to his plan for medical inspection in that both relied upon the use of the teachers. In the case of medical inspection Gorst proposed that the first stage should be daily inspections by the teacher:

"The teacher of the class, which is often only between thirty and forty ... should draw up his class in line, and walk round them as a military or naval officer walks round his men when they are drawn up on parade to look after them and see what condition they are in. I think there should be a general record kept by the teacher of the physical condition of every child, which should first of all contain the particulars of the child's home ... whether in short the child is properly and decently lodged ... Then, I think, a daily record should be kept of the child as to nutrition ... I would also keep noted the general condition of the child as to nutrition and as to health. Then a daily record should be kept of its clothing, whether it was clean or dirty, and also whether its person was clean or dirty, all of which a teacher with a note-book in his hand could take notes of by walking round his class".¹

This part of the scheme, which Gorst felt would contribute to fulfilling the need for adequate data, could be carried out in every school since he did not think that it would be very time-consuming.² It was to be supplemented by periodical inspections by nurses and doctors, the latter's visits being less frequent than those of the nurses which should be, preferably, quarterly. The nurses would make more detailed examinations than the teachers, and would pay special attention to the state of the children's eyes, ears, and mouth, plus, of course, any abnormalities.

¹Ibid., p. 436, No.11877.

²Ibid. Gorst also believed, incorrectly as subsequent events have demonstrated, that, "... the teachers would take a great interest in it when it was once begun".

FitzRoy thought that Gorst intended the nurses to be highly trained specialists but Gorst placated him by stating that he viewed them as competent and professional observers who could refer cases requiring treatment to the correct authority.¹ In those cases which did require treatment Gorst was in favour of it being provided at public expense, on the grounds, if need be, of economy rather than philanthropy in that prevention was cheaper than cure, and would also have long-term benefits for society:

"Taking the strongest selfish view of the matter it is in the interest of the State to cure and alleviate, as far as possible, the diseases of the members of the community. The child whose eyes or ears are treated at public cost will grow up a stronger man or woman and do better work for the commonwealth, because of the attention bestowed upon it in its earlier years. I think it is the worst economy in the world when you become aware of any curable weakness in a person who is growing up a member of the community to refuse to treat it; it is the most wasteful extravagance not to deal with it early and cure it".²

In this argument Gorst was supported by one of the committee, Dr. J.F.W. Tatham of the General Register Office.³ Both felt that with the incorporation of education into the domain of county and county borough councils under the 1902 Education Act, such a scheme was a viable proposition which could also be expanded under such an aegis.⁴ This was especially so since every school authority would now have an official medical officer - a state of affairs

¹Ibid., No. 11880.

²Ibid., p. 436, No. 11882 and p. 437, No. 11878.

³Ibid., p. 437, No. 11895-6.

⁴Ibid., p. 437, No. 11902-3.

which did not exist prior to the 1902 Act.¹

Gorst's views on these two major matters can be viewed, in the light of current practice, as nothing more than common-sense. Yet at the time they were regarded with suspicion, due to their interference with parental rights or duties and also because of fear of the cost that such services would entail. This was revealed in the Report of the Committee. Gorst's medical scheme was completely ignored in the section dealing with medical inspection, in so far as reference to it was acknowledged. The scheme proposed by the committee, however, utilised the cheaper aspect of Gorst's proposals:

"The Committee believe that, with teachers properly trained in the various branches of hygiene, the system should be so far based on their observation and record, that no large and expensive medical staff would be necessary".²

In cases where the medical officer had to be consulted his role was to be limited to doing no more than, "... state the facts that require the attention of the parent, cases of poverty or neglect being left to the proper authorities to deal with".³

In their treatment of the evidence for the provision of school meals, and their attendant recommendations, the Committee found Gorst's (and Macnamara's) proposals, "the most uncompromising advocacy of public responsibility".⁴

¹Ibid., p. 436, No. 11881.

²Report of the Inter-Departmental Committee on Physical Deterioration, op. cit., No. 324, p. 65.

³Ibid., p. 65, No. 324.

⁴Ibid., p. 70, No. 356.

It was, in view of this implied criticism, not surprising, therefore, that the recommendations of the Committee on this subject were lukewarm, to say the least:

"... the Committee agree with the opinion of the Royal Commission on Physical Training (Scotland), that 'the preparation and cooking of these meals, where it is found necessary to provide them, ought to be regarded as one of the charges incident to school management'".

"By a differentiation of function on these terms - the School Authority to supply and organise the machinery, the benevolent to furnish the material - a working adjustment between the privileges of charity and the obligations of the community might be reached. ... The Committee deem that by these means the community may be protected from the consequences of the somewhat dangerous doctrine that free meals are the necessary concomitant of free education. Education is a great social need, which individual citizens are, as a rule, not able to provide for their children on a sufficient scale, but food, like clothing and lodging, is a personal necessity, which in a well-ordered society it is not inherently impossible for parents to provide, and the effort to supplement their deficiencies, and to correct the effects of their neglect, should aim, in the first instance at the restoration of self respect and the enforcement of parental duty".¹

The Committee's awareness of the Government's refusal to entertain the thought of increased expenditure, or to initiate legislative measures, for social reform, was reflected in their general conclusions:

"It may be argued that there is here no immediate remedy ... but in regard to those evils, the existence of which is admitted, the Committee have recognised what can be done in the interval ... In the carrying out of their recommendations for the rectification of acknowledged evils, the Committee do not rely upon any large measure of legislative assistance; the law may with advantage be altered and elaborated in certain respects, but the pathway to improvement lies in another direction. Complacent

¹Ibid., p. 72.

optimism and administrative indifference must be attacked and overcome, and a large-hearted sentiment of public interest take the place of timorous counsels and sectional prejudice".¹

It is also interesting to reflect that at the completion of the Committee's labours, which had lasted for a period of some ten months, the compliment which Almeric FitzRoy, the chairman, regarded as the highest tribute was the one from Murray, the Secretary of the Treasury, "... for having done the work of a Royal Commission at a tenth of the cost".² And it is not surprising that Gorst was not very impressed with the Report, as his comments upon it in the House revealed. He was in agreement with three of the Report's recommendations i.e. the need for instruction in the effects of alcoholism, the teaching of resources and opportunities of rural existence, and the teaching of cookery in continuation schools to older girls than was currently practised under the Code.³ He was, however, annoyed at the lack of references to the need for fresh air and proper ventilation in schools. The committee's recommendations with regard to the feeding of schoolchildren he found, "... conceived in a most cautious and official spirit", and repeated his own views as to what should be done in order to achieve some positive results, as well as quoting part of the evidence of one of the witnesses, Dr. Eicholz, with regard to the appalling conditions which

¹Ibid., p. 93.

²FitzRoy, A., op. cit., I, p. 214.

³4 Hansard, 140, c. 48-50, (August 10, 1904).

existed amongst the children attending the Johanna Street School in London; evidence which had been presented to the Committee, but which, Gorst implied, had been ignored.¹ He also felt that there was little to be hoped for from the Government, and this was confirmed by Anson's reply.² Gorst appears, therefore, to have decided to continue with his campaign to agitate for governmental action in this field, but outside the House.

Speaking in Leeds, at a meeting of the Gasworkers' and General Labourers' Union and the Leeds Trade Council, Gorst supported a resolution made by Will Thorne that, "... the Government should at once grant the educational authorities the powers necessary to provide at least one free meal a day for children attending state schools".³ Gorst stated his belief, once more, in the efficacy of fresh air and the need for medical inspection of children, but devoted most of his speech to a consideration of the feeding of schoolchildren. He mentioned the three causes he thought were the basis of the malnutrition that existed - ignorance, neglect, and poverty:

"The remedy for the first was education. He did not mean teaching girls of 11 to make rock-cake, but to teach them how to be able to cook their husband's dinners when they grew up to be women. With regard to neglect, this was the defect of our criminal law. The State should take more efficient steps for protecting those children. (Hear, hear.) As to the third cause, poverty, he could see no plan

¹Ibid., c. 51-2.

²The annual report of the Board of Education, in a few lines devoted to the Report, commented: "... amongst its recommendations for improving the physical conditions of the people are several addressed to the Board, which will receive their most careful consideration in the near future". Report of the Board of Education, 1903-1904, P.P. 1904, XXV.[Cd. 2271], p. 16.

³The Times, September 5, 1904.

except to feed the child at the public expense and then taking what steps we could to deal with the poverty of the parent, and place them in a position to be able to maintain their own family".¹

Gorst then elaborated upon the lack of achievement in this area by the Government, in somewhat derogatory terms which, no doubt, reflected his feelings of frustration:

"... the House of Commons was a rich man's Assembly. We heard a great deal about social reform at elections, but very little in the House of Commons; and, just as the House was a rich man's Assembly, so the administration of the country was a rich man's pastime. There were two classes which governed this country - the permanent officials and the party officials. The consequence was that any kind of reform was troublesome to the former, and as to the latter Parliamentary government in this country was rigidly confined to people of high social position and their relations and adherents. They naturally adhered to party questions - namely, the questions upon which their existence depended; and they would only deal with non-party questions if impelled to do so by a strong force of public opinion. His experience was that social reformers were always the people in Opposition. As soon as they became a Government their zeal abated. In all reform the Government required the help of Parliament, which had now become effete ... until Parliament established Home Rule on social questions social reform would be at a standstill".²

It was not surprising therefore, in view of his mood, that Gorst admitted that he would be the last person to dissuade anyone from establishing an independent Labour Party in the House. And if such a party adopted the tactics of the Irish party i.e. provided themselves with good leaders, acted independently and were constant attendants in the House, then they would be able, he believed, to secure greater attention to social questions than were currently given. For him, however, the solution of the

1 & 2 Ibid.

problem lay in the power being given to local authorities so that they could:

"... decide those social questions for themselves, make the rules and laws which they thought would be of advantage to their people, and carry them out without the continued interference of ignorant officials in London".¹

This belligerent speech was followed a few days later by a letter to The Times, in which Gorst put his views, in more moderate terms, about the necessity for the provision of school meals:

"Under the existing social system every child is born into the world with a right to be maintained during childhood by its parents, and, if destitute by reason of the loss or incapacity of its parents, by the public.

"Society exists, among other things, for the maintenance and enforcement of individual rights, and no member of the community has a stronger claim to the interference of public authority to protect his rights than a helpless child. If parents fail to fulfil their duties, it becomes that of the State to enforce the rights of the child.

"But besides this general and ancient obligation, the State has in recent times undertaken a fresh responsibility. It compels children to attend the public schools, and to submit themselves therein to instruction, physical and mental. No child is fit to receive such instruction if it is starving for lack of food. Forcing a hungry child to effort, physical or mental, is an act of cruelty, which if practised on a horse would bring the perpetrator within the penalties of the Criminal Law. Thus by forcing starving children to attend and receive instruction in its schools the State is not only failing in its general obligation to secure the children's rights, but is inflicting on them an additional and cruel wrong. I will not complicate this simple statement of ethics of the question by discussing the methods by which the obligation of the State may be fulfilled. It will be time enough for that when the moral responsibility is generally

¹Ibid.

acknowledged. It is, like all social problems, beset with difficulty, and demands much more consideration than Government and Parliament can at present bestow. But may I be permitted to remark that, although the expedient of trusting to charitable societies for the fulfilment of public duty must go on during the coming winter, because the authorities, central and local, have as yet no power to act, it is difficult to conceive a worse system?

"First, it does not cover the ground. Secondly, it destroys such sense of responsibility as the parents of the hungry children possess. Thirdly, it fails to touch the causes which lead to the improper and insufficient feeding of children in their homes".¹

The impact which he expected to make was revealed in a letter to Edith Marvin, written a few days after his one to The Times:

"I see a prospect of an agitation all the autumn about feeding schoolchildren, with the Times and 'respectable' people against it. The worst is that we must for the moment appeal to 'charity' alone, as no authority can help us until Parliament gives power".²

One reaction that came as a result of his speeches was from an unexpected quarter. At a meeting of resident members of the Senate of Cambridge University, who were Unionist supporters, a resolution was passed on November 25:

"Considering Sir John Gorst's political action during the last two years, this meeting regards him as no longer representing the views of supporters of the present Government, and resolves to proceed to the choice of another candidate to represent the University in Parliament",

and this was passed onto Gorst by the chairman of the

¹The Times, September 17, 1904.

²Marvin Papers, J.E. Gorst to Mrs. E. Marvin, September 20, 1904.

meeting.¹ Gorst's position in this matter was not aided by the fact that the correspondence which took place was published in The Times. Gorst claimed that the meeting had been more or less, an illegal one:

"The convenors of the meeting of the 25th at Cambridge acted on no authority but their own. They not only sent me no intimation of any ground of complaint against me, but they did not even inform me that my conduct was to be the subject of discussion. I was told that I should not be allowed to be present, while free scope has apparently been given to my accusers, of whose names even, I am still ignorant. I have thus been deprived of all opportunity of either hearing the charges or making any explanation or defence.

"It is impossible for me, under such circumstances, to accept the judgement of the meeting. I shall appeal, when the time comes, to my constituents at large. I have changed neither my principles nor my party. I shall ask the electors of the University to send me back to the House of Commons to oppose protection and uphold free trade and to help in advancing those social reforms too long delayed - such as better housing, better education, more care for the health and prevention of intoxication - upon which the happiness of the people at home and the strength of the Empire abroad so largely depend".²

This controversy did not cause Gorst to modify his plans at all, and a fortnight later he was taking part in another meeting organised by the Gasworkers' and General Labourers' Union at Canning-town, attended also by Will Thorne and the Countess of Warwick. Gorst spoke once more for the provision of school meals, putting forward his usual views, which were accepted by the meeting unanimously.³

¹The Times, November 30, 1904. Sir R.S. Ball to J.E. Gorst, November 26, 1904.

²The Times, November 30, 1904. J.E. Gorst to Sir R.S. Ball, November 28, 1904.

³Ibid., December 13, 1904.

Some days later there appeared in The Times a letter from Sir Arthur Clay which envisaged subversive revolutionary measures in the 'present persistent agitation' for the feeding of schoolchildren as carried out by Gorst and others. This led to an exchange of points of view between the two men, in which Gorst resisted Clay's view that these activities were an attempt "... to introduce so dangerous and far-reaching a change in our social system",¹ by pointing out that the agitation was merely designed to achieve the recommendation of the Physical Deterioration Committee concerning the provision of meals by local education authorities.² The matter however took an unpleasant turn when, in an editorial article, The Times delivered a crushing indictment on Gorst's efforts and aims:

"Sir John Gorst is at a loss to conceive why his proposal to throw upon the local authorities the duty of feeding as well as educating children at school should be stigmatised as a 'dangerous and far reaching change in our social system'. That is unfortunate because the point is clear enough to those of us who look rather to the general effect of legislation than to the satisfaction of excited feelings by adding another patch to the already variegated patchwork of our laws. If he would consider the glee with which his proposal is hailed by those whose aim is to establish a condition of things in which the State is to do everything for everybody and nobody is to do anything for himself that he is disposed to shirk doing, he might perhaps begin to suspect that there is something to be said for the view which he has not taken the trouble to understand. Sir John Gorst presents a not unusual combination of cynicism and sentimentalism. He is very lacking in sympathy with other people's ideas,

¹The Times, December 27, 1904.

²Ibid., December 28, 1904.

aspirations, and efforts, and he is very much wedded to his own notions. On this question he contentedly accepts all the exaggerations that may help to make a case out for sentimental legislation. As he exaggerates the evil, so he under-estimates existing means of coping with it, although here again he has to ignore the evidence of those who speak with practical knowledge. Having thus made out the shocking case dear to the sentimentalist, nothing will serve him but the most heroic, or at any rate the most showy, remedy he can think of. He does not go to the root of the matter, or consider this evil in connection with our general social life, or with the good of the community at large. Those who object to his exaggerations do not deny that there is an evil to be dealt with. But they maintain that his method is a method of social quackery, a cheap and easy method for enabling the social reformer to shirk his work by throwing a financial burden upon other people's shoulders ... It is easy, showy, comforting - everything that the sentimentalist loves - to put the hungry children on the rates and be done with it. But it is putting a premium upon laziness, meanness, and self-indulgence; and, at the same time, discouraging all who still endeavour to resist these degenerate vices.

"We have already made a serious inroad upon personal responsibility and personal independence by relieving parents of the duty of educating their children. That is now used as an argument for relieving them of the duty of feeding their children. When we have done that, the argument will be stronger than ever for relieving them of the duty of clothing their children ... From that it is an easy step to paying for their proper housing ... It is a race of fatherless and motherless foundlings to which Sir John Gorst's proposals point.

"... Who is to pay for the maintenance of increasing numbers of persons who do not maintain themselves? The facile answer is - the State. ... Everyone who does not do his share in providing is a dead loss to the State, and a dead weight upon those who do play their part as citizens. The encouragement of the non-effectives does more than throw a burden upon the industrious. It demoralizes them. It is an erosive force always operating upon the margin of industry, and seducing those nearest the boundary to cease their efforts and become pensioners ...".¹

¹The Times, January 2, 1905.

Fortunately for succeeding generations of children, this vituperative comment, reflecting the continued existence of early Victorian concepts concerning philanthropy in powerful quarters,¹ did not deter Gorst from his goal. In fact, if it achieved anything, the article may have caused him to redouble his efforts to overcome such obstacles so that the children of the nation would not be subjected to a continuation of the suffering they had endured in the past. During the first four months of the new year he made repeated attacks upon the Government in the hope that they and the public would become aware:

"... of the danger of neglecting the physical condition of the nation's children. These will form the future British people; and upon their condition and capacity will depend not only the happiness of our own country but also the influence of our Empire in the world. No proper development of either their character or intelligence is possible unless their bodies are cared for first; until this is done education, religious, moral, or intellectual, is an impossibility".²

¹As Gilbert has stated, "The first half of the nineteenth century witnessed the temporary triumph in Great Britain of the Puritan ethic that poverty itself demonstrated a personal failing and that the gift of alms, far from sanctifying the giver, contributed to and compounded the moral failing of the beggar. But least blessed of all was State aid". See Gilbert, B.B., The Education of National Insurance in Great Britain, p. 13. The editor of The Times seems to have, unfortunately, felt it his duty to keep alive such a concept in spite of the evidence of Booth and Rowntree, and drastic changes within English Society.

²Gorst, J.E., The Children of the Nation: How Their Health and Vigour should be Promoted by the State, p. 1.

CHAPTER EIGHTEEN

Whilst The Times had denigrated Gorst's activities, the Cabinet were aware that politically they were dangerous and his probable posing of awkward questions during the debate on the King's Address should, if possible, be contained. Thus, on February 5, it was agreed that a second committee should be established to investigate the findings of the physical deterioration committee, and, like its predecessor, should be composed of civil servants. If, furthermore, it could meet as soon as possible, then Lord Londonderry postulated, "... in the event of any serious debate on the Address we may be aided in resisting premature or too far-reaching proposals by referring to the lack of specific information and practical suggestions ...".¹ The committee was not established, however, until March 14, by which time Gorst's expected comments upon the Address had evolved into frequent assaults upon the Government.

Gorst prefaced his remarks during the debate on the Address, on February 14, with the observation that the physical condition of the public, "... a subject of immense national importance", had not been, "... in any way alluded to in the Speech from the Throne, and (which) had not been alluded to by the Leader of the Opposition when he addressed the House".² This he proceeded to rectify, devoting his

¹P.R.O. Cab. 37/74. Memorandum by Lord Londonderry, February 10, 1905. Quoted in Gilbert, B.B., The Evolution of National Insurance in Great Britain, p. 96.

²4 Hansard, 161, c. 141 (February 14, 1905).

speech solely to that topic. His initial comments were directed to pointing out that the remedies needed were, in reality, due to a default on the part of society:

"... the moment the child was born into the world the deterioration began. The first thing modern society did was to separate the child from the mother. The exigencies of modern industry necessitated the mother going to work, and she was therefore unable to perform those duties to her child which it was necessary to perform if the child was to grow up into a healthy man or woman. Although this country joined in the Congress at Berlin it was far behind the other countries who had joined in that Congress in the measures taken to prevent physical degeneration".¹

Gorst went on to point out that his statements on this matter whilst he was Vice-President had been ignored, but the case of the Johanna Street School quoted in the Report of the Physical Deterioration Committee validated them. All that was needed, he argued, was a simple remedy - one that ensured that a child, whilst it was at school, had its body well cared for. In this way, he believed, the country could ensure a "... perfectly strong and healthy generation", and he hoped that during the session, "... some step would be taken ... to carry out the recommendations of the Committee, and put an end to this thing which was a scandal to the race".²

Nine days later, in a debate upon the Army, Gorst spoke on the problem of obtaining physically suitable recruits and, once more included the Report of the Physical Deterioration Committee amongst his evidence. "He was extraordinarily astonished", he went on, "to learn from answers recently given

¹Ibid., c. 142.

²Ibid., c. 144-5.

in the House that no kind of action was to be taken whatever on this Report, and that no legislation was to be submitted to Parliament on the subject. We were to go on exactly as before, notwithstanding the pregnant and important Report of the Committee".¹ He promised the House that in view of this he would:

"... press this subject on the attention of the House at every opportunity. He would bring it up on the Irish Estimates, the Scotch Estimates, and the English Estimates, and he would entreat the Government for the sake of the nation, the Empire, and numerous other considerations not to neglect the recommendations of that Committee ... It was necessary to have legislation to carry out the Report, and if the Government neglected altogether to consider the question they would incur a most tremendous responsibility".²

Gorst demonstrated four days later that his threat was not an idle one when, during question time, he asked the Home Office Secretary [Akers-Douglas], the President of the Local Government Board [Long], and the Parliamentary Secretary to the Board of Education [Anson] what steps their respective departments were taking with regard to the recommendations of the Committee. All replies were evasive, as that of Akers-Douglas illustrated:

"Some of these proposals appear to be put forward as suggestions for further consideration ... and I could not take steps to give effect to them without first collecting more information ... Perhaps I may be allowed to say, briefly that the Committee's recommendations, several of which are engaging my attention, will not be lost sight of".³

¹4 Hansard, 141, c. 1144 (February 23, 1905).

²Ibid., c. 1146.

³Ibid., c. 1316-7 (February 27, 1905).

A week later Gorst switched his attack to medical inspection and asked Anson:

"... whether a provision will be inserted in the new Code making the payment of Parliamentary grants to public elementary schools conditional upon the Board of Education being satisfied by medical inspection or otherwise that the children in respect of whom the grant is made are physically fit to receive the instruction for which the grant is paid".

Anson, however, was unwilling to comply with Gorst's suggestion:

"It is extremely doubtful if the Board have the legal power to require the medical inspection of children in public elementary schools. Even if they do possess such power, the right hon. Member hardly seems to have realised what the effect of their putting it into operation would be. The organisation of any such system as is suggested ... must take some time to complete, and in the meanwhile the public elementary schools throughout the country would be deprived of Government grants. The Board do not propose to insert any such provision in the new Code".¹

Balfour was subjected to questions from Keir Hardie, Gorst, and Macnamara, a few days later, on the subject of the provision of school meals by local education authorities, but he would not commit the Government at all.² So Gorst tackled Anson again, this time enquiring as to the measures taken by the Board of Education in the case of the Johanna Street School and similar ones in West Ham and Manchester, where large percentages of the children were suffering from malnutrition, "... to prevent the waste of public money involved in providing instruction for children thus unfit to receive it". Anson replied that he had visited Johanna

¹ 4 Hansard, 142, c. 398 (March 6, 1905).

² Ibid., c. 731-3 (March 8, 1905).

Street School, and had read the evidence provided by Dr. Eicholz on the School to the Physical Deterioration Committee, and could only conclude, "... that there are very wide differences of opinion as to the extent of the evil complained of, and the remedies to be applied". He did, however, indicate that Lord Londonderry had appointed a departmental committee, "... for the purpose of providing useful and precise information on the subject".¹

It must have been apparent to Gorst, and the rest of the House, that the new committee was designed as a delaying tactic by the Government (- as has already been seen). Besides this, however, the establishment of the new committee did two things. It threatened to jeopardise, to a certain extent, Gorst's campaign - for during 1905 he had started to publicise the Physical Deterioration Committee report as a useful document, something he had not done during 1904 immediately after it had been issued. Hence a committee that was to report on the findings of the first one, even at the outset, would tend to make the report appear obsolete - the one he had started to use as the platform for his campaign. In the second instance, when the terms of

¹Ibid., c. 1184-5 (March 13, 1905.)

reference of the second committee were considered,¹ it appeared that the Government:

"... refused to take advantage of the splendid electoral weapon offered by the Inter-Departmental Committee on Physical Deterioration and left the field of social reform entirely open for the Liberals when they came to power in December, 1905".²

Not unnaturally, therefore, Gorst was anxious that something positive should be done, before it was too late, with regard to the Physical Deterioration report. Balfour, however, rejected his plea that the report be referred to a Select Committee of the House on the grounds of the establishment of the second committee, and his preference to await judgement until it had reported.³ Gorst turned to Anson at the beginning of the next week to ascertain who the members of the new committee were and what methods they would be utilising, "... for obtaining information more precise than that furnished to the committee on Physical

¹"(1) To ascertain and report on what is now being done and with what result in respect of Medical Inspection of Children in Public Elementary Schools.

(2) And further, to inquire into the methods employed, the sums expended, and the relief given by various voluntary agencies for the provision of meals for children at Public Elementary Schools, and to report whether relief of this character could be better organised without any charge upon public funds,* both generally and with special regard to children who, though not defective, are from malnutrition below the normal standard". Report of the Inter-Departmental Committee on Medical Inspection and Feeding of Children attending Public Elementary Schools, P.P. 1906, XLVII.[Cd. 2779], p. 1.

*(My emphasis.)

²Gilbert, B.B., The Evolution of National Insurance in Great Britain, p. 97.

³4 Hansard, 143, c. 210-1 (March 16, 1905).

Deterioration by Dr. Eicholz and other witnesses; and to what use the information thus provided has been put". Anson furnished the names of the members¹ but refused to be drawn by the rest of Gorst's questions, being content to state:

"I hope that they will provide information more thorough and more precise than any which we at present possess; and will enable deductions to be drawn less indefinite in character than those which are supplied in the Report of the Physical Deterioration Committee".²

Gorst expressed his disgust with the Government's action, in a letter to Edith Marvin:

"The Committee he [Morant] has appointed with Simpkinson at its head, is a bare-faced expedient for hindering action while Parliament is sitting and will serve no purpose but delay. Neither Medical Inspection nor Feeding starving school children are fit subjects for a universal scheme, which the Board of Education is not even capable of drawing up. Both should vary with local conditions. The Board of Education should confine itself to laying down the rule, that both must be provided for by the Local Authority and they might if intelligent enough prescribe the general conditions which such schemes must fulfil. But plans suitable for Johanna Street, Lambeth would be very unsuitable to a healthy school with children looked after by parents either in Town or Country. I have more faith in the voluntary action of Local Authorities. They are already - at least some of the best of them - considering the case revealed by

¹H.W. Simpkinson, Chairman (Assistant Secretary, Board of Education); H. Franklin Parsons (Assistant Medical Officer, Local Government Board); C. Jackson (Chief Inspector of Elementary Schools, Board of Education); Hon. Maude Lawrence (Chief Woman Inspector, Board of Education); R. Walrond (Senior Examiner, Board of Education); with E.H. Pelham (Junior Examiner, Board of Education) as secretary. Ibid., c. 457 (March 20, 1905).

²Ibid.

the Committee on Physical Deterioration in a business spirit and will act long before Morant and his Committee have come - if they ever do come to a practical conclusion".¹

Nonetheless, he continued to peg away at the Government, mainly through Anson.

Thus, on March 20, Gorst questioned Anson about his visit to Johanna Street School and whether:

"... he found any children unfit to attend to the duties of the school in a proper way: whether he has any reason to think that Dr. Eicholz in his evidence before the Committee on Physical Deterioration exaggerated the proportion of such children; and whether public money is still spent at this school in providing instruction which the children cannot, from their physical condition attend to".

Anson's reply was as non-committal as on previous occasions, thinking that some of the children, "... might with advantage have been provided with a curriculum more suited to their capacities".² He refused to be drawn any further when Dr. Macnamara joined in the interrogation and in spite of Gorst's warning that he would bring the matter up again in the Supply debate.

Anson's temper was being unsettled by this system of interrogation by Gorst and Macnamara. His displeasure with Gorst especially was revealed when both of them raised, once again, the problem of school meals provision - a matter in which he was not aided by the disclaimer put by Long, the recent President of the Local Government Board, of any responsibility for schoolchildren by that department.³

¹Marvin Papers. J.E. Gorst to Mrs. E. Marvin, March 25, 1905.

²4 Hansard, 143, c. 455-6 (March 20, 1905).

³Ibid., c. 874 (March 22, 1905)

Anson claimed that he had been busy since the issue of the Physical Deterioration Committee's Report:

"... inquiring of persons with a practical acquaintance of the life of the poor as to how this question - which became the more difficult the nearer it was approached - could be dealt with. It was not a new question. The children had not lapsed into this underfed condition in the last two or three years, and he had in vain searched the Department for any record of the interest taken in it by the right hon. Member for Cambridge University during all the years he was in office".

This sarcastic comment produced the retort from Gorst:

"... that in 1899, in introducing the Education Estimates, he told the House that most of the money was being wasted because the children in the schools were not in a fit condition to be instructed".

Anson continued with the cynical observation, "... that he was glad that after four years of official life the right hon. Gentleman had paid attention to the subject".¹

This unwarranted snub, plus Anson's refusal to do anything positive in this field in line with other government departments, were no doubt factors which provoked the descent of Gorst, the Countess of Warwick, Macnamara, and Dr. R. Hutchison (of the Great Ormond Street Hospital for Children), in the next few days, on the Johanna Street School in Lambeth. Gorst has recounted what took place during the visit:

"The classes were carefully inspected, and about twenty boys were picked out by Dr. Hutchison, of whom he was prepared to certify that they were actually suffering from hunger, that they were unfit to do any school work, and that they were in urgent need of immediate relief in the shape of food. The party then proceeded to the offices of

¹Ibid., c. 875-6.

the Lambeth Board of Guardians, which was sitting at the time, and requested an interview which was most courteously granted. They then made application to the Board, on behalf of the boys whose names had been taken down, for food and relief, and demanded that the relieving officers should be directed to proceed to the School and furnish immediately to the boys, of whom a list was furnished to the Guardians. This application was granted".¹

But, in fact, relief was not provided by the officer who was despatched. Gorst, therefore, raised the issue with Anson and the new Local Government Board President, Gerald Balfour, on March 27. He asked Anson about the feasibility of the Board of Education issuing a circular to local education authorities:

"... advising them to instruct the managers of teachers of public elementary schools to refer the case of children attending their schools hungry and destitute, and unable from affliction to profit by the instruction provided, to the proper Poor Law authorities for relief".

Anson stated that he would have to consult the Local Government Board.² Gorst, therefore, asked Balfour, a few minutes later, if he would:

"... address a circular to the local Poor Law authorities pointing out the duties of relieving officers in reference to giving medical and other relief to destitute children irrespective of the conduct and character of their parent".

Balfour was not, however, moved by Gorst's request, stating stiffly:

"I am not aware of any reason for supposing that boards of guardians and their officers are not alive to the powers and duties which attach to them in relation to destitute children, where application is made for relief".³

¹Gorst, J.E., The Children of the Nation, p. 86.

²Hansard, 143, c. 1194 (March 27, 1905).

³Ibid., c. 1195.

Two other attempts were made to force the Government's hand on this question during March, by the introduction of two Bills to promote the provision of school meals by local education authorities. The first was presented by Labour Member Arthur Henderson, with the support of Gorst, Macnamara and Keir Hardie, amongst others.¹ The second was introduced by Claude Hay, the Tory backbencher for Hoxton.² A.J. Balfour and his colleagues on the Treasury Bench were not, however, impressed, as Balfour revealed when questioned about the possible passage of the Bills: "I am not aware that any suggestion has come from this bench that facilities should be given to any Bill".³ Shortly after his ominous statement both Bills had to be withdrawn because of lack of time in the Parliamentary time table.

A debate was, however, forced on physical deterioration on April 18, based on the resolution that, "... local authorities should be empowered ... for insuring that all children of any public elementary school ... shall receive proper nourishment before being subjected to physical or mental instruction",⁴ - a resolution which bore a remarkable resemblance to the main proposal of Henderson's Bill. Gorst's attack on the Government during the debate was reduced slightly by the news that the Local Government Board intended to issue a circular to boards of guardians,

¹Education (Provision of Meals) Bill, 1905. Bill No. 132.

²Elementary Education (Feeding of Children) (No. 2) Bill, 1905. Bill No. 197.

³Hansard, 144, c. 150 (April 3, 1905).

⁴Ibid., 145, c. 531 (April 18, 1905).

empowering them to give relief to hungry schoolchildren on the application of either school managers or teachers. He, therefore, concerned himself solely with the role which the Board of Education could adopt, the first facet of which, he believed, should be the provision of medical inspection. This could be done through the medium of the Code, but he was worried that the Board might adopt a blanket scheme for inspection:

"Nothing could be a greater mistake than that. He hoped the Board of Education would confine itself to requiring medical inspection approved by them, and leave it to the particular locality, which must necessarily be much better able to do so, to construct the particular scheme most appropriate to that place".¹

Gorst also hoped that the Board would be able to expand upon the provisions of the circular so that the local education authorities would be responsible, rather than the Poor Law authorities, for the provision of the meals.²

Anson, apart from agreeing with Gorst's proposition that if a medical inspection service was set up it should devolve upon local authorities to produce their own schemes for it, tended to throw cold water on the proceedings of the debate. He felt that it had strayed too far from the recommendations of the Physical Deterioration Committee which, he pointed out, had only recommended local authority initiative in the last instance - rather than as the basis for the meals system.³ It was also difficult, he maintained, to ascertain which children were actually underfed, and here he

¹Ibid., c. 557.

²Ibid., c. 558.

³Ibid., c. 560.

derided Gorst's activities at the Johanna Street School: "Charitable people were often misled by appearance, and something of the kind seemed to have occurred in regard to the distinguished party visiting the Johanna Street School".¹ He would, however, circulate the Local Government Board Order, with an accompanying letter to the local education authorities - the main reason for doing so being the possible accumulation of more knowledge about existent conditions amongst schoolchildren. On this information action could be based, but not before then.² Anson's speech reflected his cautious approach to the topic, and one that was a delaying tactic. He was astute enough, however, to recognise the feeling in the House and made the vote on the resolution a non-party one, which was just as well for it was carried by a majority of 63.

It can be argued that the efforts of Gorst and Macnamara in continually harassing the Government did produce a positive result in the form of the Local Government Board Order, whereby the State did acknowledge a degree of responsibility with regard to suffering schoolchildren. On the other hand this small measure was far removed from the schemes envisaged by Gorst, and it still carried a taint of charity. After two and a half years agitation, in which Gorst had jeopardised his parliamentary career, the end result must have seemed very meagre indeed. And there was

¹Ibid., c. 561.

²Ibid., c. 563.

no chance of achieving anything more, in what was now manifestly apparent as the last days of Balfour's administration. Gorst did continue with the struggle in the debates on the Scottish Education Bill and the English Education Estimates, and indicated that he would continue to fight for the achievement of properly constituted child welfare schemes.¹ But after the April debate Gorst concentrated on stirring up public interest through articles and speeches.

In each of the months of May, June, and July, an article by Gorst was published.² All three carried the same message of the need for social reforms-especially with regard to children-coupled with an indictment of the lack of governmental action in this area, but the bias of each was slightly different. Thus in the first one, Government and Social Reform, Gorst was concerned with emphasising the poor efforts of successive governments compared with their electoral pledges. This was a theme which he had eloquently expressed a few months earlier, during a debate in the House:

"All were very great in the appointment of Royal Commissions and even got to the point of Departmental Committees, but when the time came for action, when the time for enquiry and evidence was past and it became necessary for some Department to take some

¹ Ibid., c. 1162-4 (May 8, 1905) and 150, c. 1222-7, (August 1, 1905).

² Gorst, J.E., 'Governments and Social Reform', Fortnightly Review, 83, May 1905, p. 843-55; 'Children's Rights', The Living Age, 246, July, 1905, p. 230-7; and National Review, XLV, June, 1905, p. 705-15; 'Physical Deterioration in Great Britain', North American Review, DLXXXIV, July, 1905, p. 1-10.

step, they always broke down. They were ever learning and never able to arrive at the knowledge of truth".¹

Although he was castigating primarily the Unionists and the Liberals, Gorst's article did not neglect the Labour Party, "... a small political group at Westminster to whom people might naturally look to change this state of affairs ...".² Whilst he believed that it would grow into one of the most powerful parties in the State, its present efforts had not been successful, due to its small size, lack of a leader and lack of collective action - even in the area of social reform.³ The remedy to such an unpromising state of affairs was for the people to become more aware of their political rights and powers and to put them into action to achieve, in their localities, the desired and needed social reforms. This was the same theme which he propagated in the third article, Physical Deterioration in Great Britain, which was devoted to providing a perspective of the state of affairs in social reform for non-British readers. This theme of Tory Democracy and its possible achievement, if applied, of salvation for the poor of the country was neglected in the second article for a more detailed study of the condition of the children of the nation, and the areas in which reform was required.

In his introduction to this article, Children's Rights, Gorst rejected the charge that had been brought against him

¹4 Hansard, 143, c. 1245 (March 27, 1905).

² & ³Gorst, J.E., 'Governments and Social Reform', Fortnightly Review, op. cit., p. 853-4.

in The Times' editorial of January 2 by pointing out that the maxim adhered to by that paper of "we help those who can help us", was in part responsible for the amount of crime and poverty, plus the attendant expense in dealing with them, that faced the country. It was, he contended, "... the natural punishment which overtakes the community ... for neglecting the sacred duty of protecting the rights of helpless children".¹

Gorst established the basis for his subsequent proposals vis-a-vis the State's duty to children on the precedent that the law, by making abortion a criminal offence, recognised that a child had rights even before it was born. This fact had been substantiated, he went on, at the Berlin Labour Conference where it had been agreed that women should be prohibited from working both before and after childbirth, Unfortunately, Britain had not upheld this measure, and living conditions were such that few women could afford not to work as soon as was possible after the birth of the child.² Nonetheless, the child was endowed with certain civil rights, and these were the entitlement to be fed, clothed, housed and educated until it was able to fend for itself. It was furthermore the State's duty, Gorst argued, to defend these rights by either punishing neglectful parents, or providing relief in the cases where parental hardships prevented them from doing so. And by doing so the aim should be to preserve the concept of family life rather than destroy it.

¹Gorst, J.E., 'Children's Rights', The National Review, op. cit., p. 705.

²Ibid., p. 705-6.

Whilst, however, the law recognised the rights of children, society "shuffles off its obligations ... as far as it can ... upon a voluntary organisation". Although the recent circular of the Local Government Board had proclaimed the rights of children under the Poor Law, when society did take destitute children under its care, the prime consideration involved was cheapness in the methods needed for maintaining them. As a consequence of this, the establishments in which these children were housed bore a striking resemblance to semi-penal ones - Gorst had especially in mind the industrial schools.¹

This society which neglected the rights of children was, however, keenly aware of parental ones, and greatly encouraged them, so that it would not be responsible for the children, even where outside aid was needed. Gorst cited, in support of this point, the periodical movement of children in and out of workhouses with their parents - the movement being dependent on the financial situation of the parents. This system defrauded the children of all continuity in their development.²

Gorst then proceeded to examine the rights which he believed to be inalienably connected with the various stages of childhood, and the remedies necessary to preserve them. Thus in the case of children up to three years old, the main right of the child was to be fed. And if society was unable to

¹Ibid., p. 707-8.

²Ibid., p. 708.

provide the necessary milk, as the case was he maintained, for the poorer parents, then alterations in the curriculum for girls in schools should be made so that they did not remain ignorant, as their mothers were, of the dietary requirements for the successful rearing of babies. Gorst also urged that the supply of milk should be more efficiently organised.¹

In turning his attention to schoolchildren, Gorst reiterated his demands for the existence of a school medical and a school meals service. Both systems would, he maintained, reinforce rather than diminish the responsibilities of parents. In the case of medical inspection, for example: "... an immediate inquiry into the cause of a black eye, or a weal, would restrain much of the cruelty and harsh treatment which now goes unchecked and unpunished".² And a system under which the cost of meals was recovered from neglectful parents would, "... be as much a stimulus to parental responsibility, as medical inspection would be a stimulus to the kinder treatment of children in their homes".³ These rights of schoolchildren had received public recognition as a result of the agitation carried on in the House of Commons, and the question had now reached the practical stage of inquiry as to the best means of providing for them. Unfortunately, he stated:

"... the Government have done little to help in the elucidation of the problem. On the contrary, by appointing a Committee of junior officials to revise

¹Ibid., p. 709-10.

²Ibid., p. 711.

³Ibid., p. 713.

the conclusions of the former Committee of senior officials ... and ruling the application of public funds for the purpose of school meals as outside their scope of reference, the Board of Education has done its best to block the way to official action in the matter".¹

Gorst also implied that the Board of Education, if denying action over these aspects of child welfare, should look to the schools under its control and check that, even if only physically, they were conducive, and not derogatory, to health:

"Too often the conditions of school life not only fail to act as a preventive, but even make physical deterioration worse than it is through neglect at home. If, however, it is the duty of public authority to make school life healthy, the children have equally a right that school should be made a place of happiness".²

Nothing, however, could be achieved in these areas, Gorst affirmed, until, "... the conscience of society is awakened to the shameful injustice perpetrated on the younger and more helpless [children]".

"... Miserable as many are, it is not ... too late to save them. Good food and proper care",

he maintained,

"would undo most of the mischief done in infancy and develop them into strong and healthy men and women. But, like the Levite in the parable, we look at them, and pass by on the other side. We salve our consciences with some plausible maxim about parental responsibility and leave them to their fate. And later on we receive from our criminals, our lunatics, our cripples, our incurables, and our paupers the just reward of our deeds, the just punishment of the injustice of which they were victims in their helpless infancy".³

¹Ibid., p. 712-3.

²Ibid., p. 714.

³Ibid., p. 715.

Some five years earlier Elgar, on completion of the score of the Dream of Gerontius had inscribed it with a quotation from Ruskin:

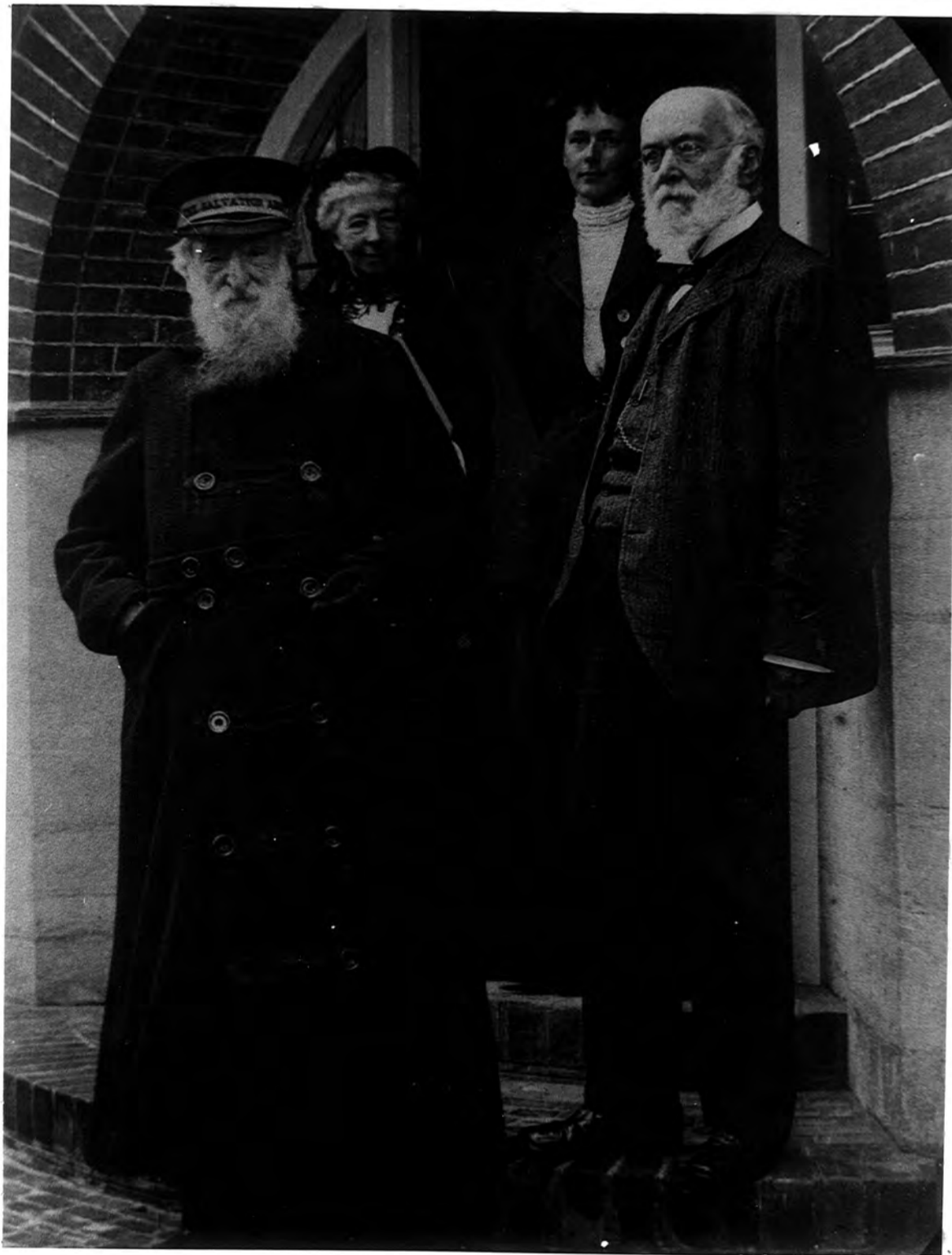
"This is the best of me; for the rest, I ate, and drank, and slept, and loved and hated like another: my life was as the vapour and is not; but this I saw and knew; this, if anything of mine, is worth your memory".¹

A quotation that could equally be applied to this article of Gorst's; for more than anything else he had written or proclaimed on this subject, it contained the essence of all his ideas on the subject of child welfare, and was written in such a rational and, somehow, eloquent manner that the article deserved the attention of the public. Here, if anywhere, was enshrined the true reformer in Gorst's personality, and the genuine friend of children of all classes revealed. These were the ideals he had been battling for for most of his life, but especially since 1890. By the summer of 1905 they had crystallised into a form recognizable as a constituent part of the current educational system of this country. And yet, in spite of all his toils, and the efforts of others in the same field, they remained as ideals rather than practicalities. He was to see their achievement within the next few years with the passing of the Education (Provision of Meals) Act of 1906,² the Education (Administrative Provisions) Act of 1907,³ and the Children's Act of

¹Quoted by Kennedy, M., Portrait of Elgar, p. 84.

²6 Edw. 7, c. 57.

³8 Edw. 7, c. 43.



General William Booth with Gorst, c. 1906.
In the background are Lady Gorst and her daughter, Constance.

1908.¹ What he was not able to do, however, was to have a hand in their passage through the House, for in the election of January, 1906 - following Balfour's resignation in December, 1905 - the electors of Cambridge kept the word of the Senate Committee and Gorst lost his seat.² The experience gained from 32 years membership of the House was not to be continued and was, in fact, denied him for the rest of his life. The seventy year old Gorst joined the ranks of those he had tried to help - the unemployed, for this is how he now saw himself: "I ... have lost my regular employment, and have to invent new methods of work".³

One of the new methods of work which he took up was the writing of a book, in which he felt he could freely express himself upon the topic of social reform:

"... I am writing a book called 'Public Health and Public Authority' ... I have the consolation of feeling that the Tory party by its own act emancipated me from the chains I have so long worn, and that I am now free, and can speak out".⁴

The book represented an almost natural conclusion to his speeches and articles on the subject of child welfare and reform in the preceding years that it is not sur-

¹9 Edw. 7, c. 67.

²"... My father lost his seat for Cambridge University, being turned out by an opposition tariff-reform Conservative", his son Eldon recorded. Gorst, Eldon, Autobiographical Notes, II, p. 105.

³Marvin Papers. J.E. Gorst to Mrs. E. Marvin, February 3, 1906.

⁴Ibid.

prising that by the time it was published in October, 1906, the title should have been changed to The Children of the Nation: How their Health and Vigour should be promoted by the State. It is interesting to note that, in spite of what he had said about the activities of the Labour Party, Gorst dedicated the book to the Labour Members of the House, "... in token of my belief that they are animated by a genuine desire to ameliorate the condition of the people".¹ The chains of the Tory Party had indeed been shed by Gorst.¹

Not unnaturally, the book covered much the same topics which he had been pronouncing upon since 1890, but more especially since 1899. Thus there were chapters on medical inspection, underfed children, children in employment, infant mortality, as well as ones on the physical aspects of schools, physical training, and ones which reflected his participation in the Berlin Labour Conference and the Departmental Committee on Poor Law Schools.² The views propounded in them were also the same ones which he had been

¹Gorst, J.E., The Children of the Nation. Gorst's belief in the ameliorating activities of the Labour Party was represented in a speech he made a year later to a meeting of the Independent Labour Party in Edinburgh: "... neither the Tory nor the Liberal Party had gratified the wishes of the people for social reform ... but now they had a strong Labour party acting as an admirable spur and whip which had already achieved great things". The Times, September 30, 1907. (He had also resigned his trusteeship of the arch-Conservative Primrose League in February, 1906.)

²Chapter 13, for example, dealt with child labour in factories and mines - a subject covered by the Berlin conference - whilst the next chapter dealt with children coming under the jurisdiction of the Poor Law Guardians. See p. 216-246.

stating in the years following his return to the backbenches. Thus his argument that there was a case for State intervention, in upholding the civil rights of children, reiterated the ones he had put forward in both the House and, for example, in his article on Children's Rights.¹ He also indicated that he was not putting forward this case purely on the grounds of either civic law or philanthropy, but also from a consideration of public safety,² public economy,³ and the national interest. The last of which, Gorst reflected: "... cannot be involved as an argument for attention to national health, without bringing upon its author the vague accusation of 'Socialism', which to a public man is a calumny as terrible as it is unanswerable".⁴ Nonetheless, it was, he maintained, in the interest of society:

"... that every man and woman who contributes to the production of wealth should, when sick, be made whole and efficient as quickly as possible, and that every child should be so brought up as to grow into a healthy man or woman fit to be a strength, and not a burden to the nation. The sick are of necessity during their sickness a pecuniary loss to society".⁵

¹Gorst, J.E., 'Children's Rights', The National Review, op. cit.

²Gorst, J.E., The Children of the Nation, p. 3: "... society has the right to curtail the liberty of the individual to deal with his own body as he likes, so far as may be necessary to prevent him becoming a source of disease or.. danger to the community".

³Ibid., p.5: "Epidemics in particular are not only dangerous, they are also very expensive, and inflict a serious pecuniary loss on the whole people".

⁴Ibid., p.6-7.

⁵Ibid., p. 7.

The prime responsibility for the maintenance of children rested with their parents and if they were unable to, then it was the duty of the State.¹ For it was a law of the land, and, therefore, not socialism.

Gorst was able to provide much more data in support of his arguments than he, naturally, had been able to do in either his speeches or his articles. He also expanded on some aspects of topics, which had received only a cursory treatment previously. In the chapter dealing with the problem of infant mortality he put forward more concrete examples of how such a phenomenon could be overcome from the educational point of view:

"New 'syllabuses of hygiene' and fresh special courses in the elementary schools are a very ineffective method of spreading the information required. The fact that the scholars in the elementary schools are only little children, and the listlessness and stupidity to which the drill of the school system reduces them, are insurmountable obstacles to the acquisition there of knowledge that will stick in their memories, and that they will have the capacity to apply, after they have left school, to the common affairs of life".

What was required, he claimed, was that girls over the age of fifteen should be "... tempted or compelled to attend evening classes or day nurseries" in the management of infants and other branches of domestic economy.

"Perhaps the spread of enlightenment",
he went on,

"may hereafter induce young men to give a preference as wives to girls who have acquired the domestic knowledge which adds so much to the comfort of a home. Such a practice would give a great stimulus to evening classes on domestic economy, and com-

¹Tbid., p. 9.

pulsion would probably become superfluous".¹

Unfortunately for Gorst's scheme, other facets of human nature appear to have a stronger motivational force in the choice of a mate and such classes have not proved the resounding success which he anticipated.

Gorst also believed that the establishment of infant nurseries, besides providing a useful service for the mothers of the children and the children themselves, could also be of some possible use for, "teaching older girls the rudiments of infant management and feeding", on the grounds that practice was infinitely superior for teaching purposes than the lecture in such a case.²

A visit to the Forest School at Charlottenburg in Germany during the summer of 1905 had so impressed Gorst that he devoted a chapter of the book to a description of both the School and the ideology behind it, as an example of what could be achieved in the way of providing for feeble-bodied children. The School had been conceived in 1904 by both the education and medical departments of the Charlottenburg Council:

"The Education department cherished the hope that through increased care for the children's health, which would be attained by stimulating the mind and strengthening the body through a life in the woods amidst life and air, the educational results would be much more satisfactory; the Sanitary department looked for a great improvement in the muscular and vital conditions of the sickly school children through transplanting them from the streets and alleys of the town to the healthiest environment that was attainable".³

¹Ibid., p. 25-6.

²Ibid., p. 43-4.

³Ibid., p. 154.

The school that had developed from these concepts was a sanatorium for ailing and convalescent children:

"... in the fresh, bracing air of the pine forest by Charlottenburg ... at which the pupils should receive special care for their bodily infirmities, and should at the same time go on with their education, so far as their health permitted".¹

The results that were available since the school had opened in August, 1904 indicated that children attending it did benefit both medically and educationally, to such an extent in fact that the Charlottenburg council were contemplating an extension of its use during the year, combined with putting it on a residential basis.² Gorst's conclusion about such a concept was that it should be adopted in England:

"... I marvelled at the administrative ability which had, at so small a cost, provided such a great portion of health and happiness to brighten at least the beginning of life to these poor children, so neglected in our country. It may justly be said to every sanitary authority in the United Kingdom-'Go, and do thou likewise!'.³

Another new concept which attracted his attention and which he believed would have beneficial results for the welfare of children, was that of the garden city. Gorst cited the example of Letchworth in Hertfordshire, and the concept embodied in it, as a sound one:

"The streets of the town will be broad avenues planted with trees, letting light and air into the heart of the city, and there will be paths, playgrounds, and open spaces, so as to make the place beautiful as well as healthy. In this city the worker will have a healthy home, and his wife and children will live in conditions nearly approaching those of country life".⁴

¹Ibid., p. 155.

²Ibid., p. 170.

³Ibid., p. 171.

⁴Ibid., p. 274-5.

This novel concept, which had first been conceived of in 1898 by Ebenezer Howard, became an economical as well as a social success when it was translated into a concrete one at Letchworth:

"By 1914 9,000 people were living where only 400 had lived before, and over £600,000 had been spent on new buildings ... Howard had proved that better living and working conditions could be provided for poorer people, and that this could be done by private enterprise on a profitable basis ... The town so built, moreover, was a balanced community, ranging over social classes and providing a high proportion of local employment".¹

Gorst's belief in the concept thus proved to be justified, and he, in fact, bought himself a cottage there in 1907.²

Apart from the Charlottenburg School and the garden city concept, Gorst's book was, as has been said, a consolidation of the views on the subject of child welfare which he had been making since his return from Berlin in 1890, but more especially since 1899. Consequently it did not have a large impact upon the public, being more in the way of a reminder of what he had stated and believed was necessary in the way of reforms than a new approach to the topic. Gorst, in fact, was on his way to New Zealand to represent the Government, as a Special Commissioner, at an International Exhibition in Christchurch, New Zealand, when the book was published.³ Nonetheless, the book was a useful

¹Read, D., op. cit., p. 35-6.

²Gorst, Sir Eldon, Diary, 1907, October 2.

³Gorst, J.E., The Maori King, Introduction by K. Sinclair, p. xxiii. For an account of his visit see also Gorst, J.E., New Zealand Revisited, and Cowan, J., The Old Frontier, p. 23-34.

reminder for both politicians and public alike that much needed doing and that the Edwardian era was not one for complacent views on this aspect of society.

The Children of the Nation had another significance in Gorst's life, in that it marked the beginning of a decline in both his political and reforming activities. He was still kept in touch with politics in the House through the presence of his son Eldon in England, from 1904 to 1907, as Assistant Under Secretary to the Foreign Office. Thus through dinner and luncheon engagements he renewed acquaintances with members of the Liberal Party.¹ He was also in demand by various reform-conscious bodies, but being in retirement, so-to-speak, the demand on him to address public meetings declined, as the years passed. In late May, 1907, he represented the Physical Education League at a conference in Berlin not so much because he believed in the aims of the League, but because he thought it would be a chance to air his views.²

It may have been the declining activity that was a motivating factor in his decision to stand for election in the General Election of January, 1910.³ His inheritance of the Castle Combe Estate on the death of his brother Edward in May, 1909,⁴ had enabled Gorst to give up his political

¹Gorst, Sir Eldon, Diaries, 1906-11.

²Marvin Papers. J.E. Gorst to Mrs. E. Marvin, January 29, 1907.

³In February, 1906, Gorst had told Edith Marvin, "I don't think I shall ever go into the House of Commons again. I had come to the conclusion that it was a waste of time". Marvin Papers. J.E. Gorst to Mrs. E. Marvin, February 3, 1906.

⁴"Uncle Edward" died whilst Gorst and most of his family were visiting Eldon in Egypt. Gorst, Sir Eldon, Diary, 1909.

pension. Nonetheless he stood as the Liberal Candidate for Preston. A candidature that was warmly greeted in the Lancashire Daily Post:

"We are persuaded that Sir John Gorst will have the unanimous and enthusiastic support of the Liberal and the Labour parties - more than anyone we can call to mind will he consolidate the progressive vote ... Sir John Gorst has laid the Liberal Party of Preston under a deep obligation by consenting to come forward at a time of life when most men would be wishful to repose; we fancy Preston Liberals will evidence their gratitude by working as they have never worked before. They have a magnificent candidate".¹

Gorst, in his acceptance of adoption speech, indicated that the real reason that he had decided to campaign as a Liberal candidate was because of the steps taken in social reform by the previous Liberal administration. He then took to campaigning vigorously during November and December, and continuing with his advocacy of the need for continued efforts in the field of social reform. The electors of his birth-place, however, did not respond sufficiently to his efforts and he was defeated. Gorst, therefore, had to return to his life as a Wiltshire squire.

In the following year his son Eldon, now Pro-Consul of Egypt, was operated on, when it was discovered that he had cancer of the pancreas and liver. He resigned his post the next day having, "decided to go down to Castle Combe to die as soon as I have sufficiently recovered from operation".² This happened a month later, and must have been a terrible blow for his father who had been so proud of him, both as a son and in terms of his career. Gorst had, however, sufficiently recovered from his grief by November to make what

¹Lancashire Daily Post, October 25, 1909.

²Gorst, Sir Eldon, Diary, 1911, June 10.

was to be his last pronouncement on education, in a letter to The Times. The contents revealed that he was still concerned for improvements to be made in many areas:

"Is not the present moment opportune for taking stock of our national provision for the education of the people of the United Kingdom?

"We are spending millions out of the Consolidated Fund, and exacting millions out of the pockets of the ratepayers in the provinces to be spent on what is called 'education'. The majority of those who care for the welfare of the people, and are experts in education, are of the opinion that the greater part of this money is, under the present system, wasted, and might as well, as far as education is concerned, be thrown into the sea. Physical growth of the children of the nation is, except in the more advanced of our great cities, insufficiently provided for; children are medically inspected and their ailments and defects officially noted and recorded. The terrible condition of the children of the poor and of some of the rich has been thereby revealed in the recent official report of Sir George Newman, the Chief Medical Officer of the Board of Education. Remedial measures, however urgently needed, are not compulsory by law, and in many cities and most counties are neglected. A starved and stunted race is at the present moment being allowed to grow up as a legacy to the next generation to deal with. In most elementary schools children are only drilled, not educated. The pernicious system of 'payment for results' practised by the Education Department up to 1895 still leavens the instruction given. Originality of teacher and scholar is sternly repressed. The new methods of self-education by work first and books afterwards, introduced into the schools of Bavaria and spreading all over Germany and elsewhere, is only partially known in British and Irish schools. It is generally confined to the kindergarten instruction of infants; its extension would imperil 'the grant'.

"The higher or secondary schools and the Universities are still fettered by medieval systems, which make the acquisition of learning, to be produced at examinations, the main work of students. We do not educate our scholars and students, nor do we permit them by independent research to educate themselves; we only prepare them for examination. There are, it is true, isolated teachers, both men and women, in the elementary and secondary schools and at the Universities who have struggled to shake off the incubus of centuries of custom, and have shown by brilliant example what education really should be. They are the exceptions

from whose successful experiments a better national system might be allowed, in the absence of official interference, to create itself. We have, at the present moment, a new Education Minister¹ untrammelled by any commitments in the past, we have local authorities everywhere, most of whom are far more fit than any central department to spend wisely and effectively the money voted by Parliament, and provided by rates. The time is thus ripe for a drastic revolution in the red-tape methods by which education is tied and bound, and the tyranny of the Board of Education over local authorities could now be relaxed or altogether removed. The spending of the national funds in real education, with restrictions only to secure honesty of administration, would provide the next generation with a body of youths and maidens fit citizens of our country".²

Gorst's letter reflected his thoughts about developments in education since he had been Vice-President, and he was not happy with the course they had taken compared with what he had hoped his efforts might produce. Even the decentralisation process achieved by the 1902 Act had not liberated education enough, for his liking, from the mandarins of Whitehall. But all he could do now was counsel those with the power to make changes. The fact that reforms would have to be modified in the light of practical experience was no reason for not embarking upon them:

"Our own reforms in Education, Sanitation, Franchise and Taxation, have been accomplished by successive steps of which practical experience had first proved the necessity. The certainty that, after experience of its working, a measure of reform will require extension and amendment is no reason for its postponement if its fundamental principle be sound".³

¹J.A. Pease had succeeded W. Runciman as President of the Board of Education.

²The Times, November 27, 1911.

³Rees, J.A. The ABC of the National Insurance Scheme, p. 6, Introduction by Sir J.E. Gorst.

Unfortunately for the children passing through the educational system, administrative opinion and financial conditions militated against the carrying out of this concept, and many of the reforms indicated by Gorst as being in need of achievement have still not completely materialised.

Gorst retreated into his life as an estate owner, passing his days in Castle Combe or London in the company of his children and grand-children. In January, 1914, his wife died and eight months later he upset his family by marrying Ethel Johnson, who had been his housekeeper in Letchworth and London for several years.¹ Gorst had by this time suffered from a heart attack and his vigorous life was curtailed. His last letter to Edith Marvin revealed a sadness brought on by a combination of health and the events of the war:

"It was sad that the weather changed just after we had arranged the expedition to Berkhamstead, and it has been impossible to go far since.

"I get out during (? days) to Richmond Park and Wimbledon Common but it generally rains before I get home again!

"... Nothing decisive has happened in the war ... but the waste of life ... is most melancholy. It makes peace very difficult... Everything good in German civilisation will be thrown back for years".²

¹Eva (Dolly), one of Gorst's daughters, demonstrated the family's dislike of Miss Johnson when, after Lady Gorst had died, she stated, "Father must get away from that dreadful woman". Personal communication from Miss Joan Clarkson.

²Marvin Papers. J.E. Gorst to Mrs. E. Marvin, December 14, 1914.

Gorst suffered another coronary thrombosis¹ before succumbing to an attack of influenza towards the end of his eightieth year. He died on April 4, 1916 in London, and was buried six days later, next to his first wife, in the peaceful church yard of Castle Combe. The last Vice-President of the Committee of Council on Education and friend of the children of the nation had reached his final resting point.

¹Gorst's health had declined considerably with the effects of these attacks to the extent that in writing to James Bryce to request a meeting he had to stipulate that no climbing of stairs should be involved. The atrocities of the war also had made their effect upon him: "The war has been a horrible blow to me - for I was as you know rather a philo-German - a propensity now entirely cured". Bryce MSS. U.B. 7. J.E. Gorst to J. Bryce, May 4, 1915.

CHAPTER NINETEEN

In an article about Gorst, written four days after his death, Arthur Baumann thought that his career illustrated, "... the fate of a politician who cannot make himself a good party man" and, as a consequence of this, "... for a man of first-rate mental calibre, his public life was an indisputable failure".¹ A perspective of Gorst's career which James has agreed with:

"... with his intimate knowledge of the law, the political machine, and the procedure of the House of Commons, he was a man to be feared by the leaders of the party. Yet Gorst's judgement was imperfect, and personal spite remained his impelling force. His career was a failure, and to the end of his life he harboured grudges against many people who, in his eyes, had destroyed his chances".²

This particular point of view was most forcibly expressed about Gorst's period of office as Vice-President of the Committee of Council on Education in an anonymous article, which appeared in Truth in 1901, and entitled 'Chaos in the Education Department'. The writer confessed to admiring Gorst's wit and envied his philosophy but thought that, "... as a Minister of Public Instruction he is simply pantaloons in a screaming harlequinade".³ Furthermore:

"He makes eloquent speeches full of platitudes on the subject of education, and then sticks the blunt ends of crowbars into pieces of useful educational

¹Baumann, A.A. 'Sir John Gorst', The Saturday Review, CXXIII, April 8, 1916, p. 345-6.

²James, R.R., op. cit., p. 81.

³'Chaos in the Education Department', Truth, August 15, 1901. Quoted in Kekewich, G.W., op. cit., p. 336.

machinery that have taken years of painful effort to construct. As a Ministerial torpedo or ram he is a great success. As a constructor of Education Bills, Codes, and Minutes he is a pernicious failure. In six years hardly one of his legislative proposals has got through the House of Commons".¹

The image of Gorst presented through these observations is a damning and negative one which, whilst true in certain aspects, conflicts with the evidence presented above and also with the observations of other commentators. For example, Noel had thought highly of Gorst early on in his career, as being, "... a gentleman, with an excellent manner, a legal education and great energy".² Feuchtwanger, concerned with Gorst's early career also, thought that he was "... too clear-sighted for the taste of many of these with whom he had to work ...".³ Of his later career, in the world of education, Kekewich published his observations which, allowing for Kekewich's animosity against the Salisbury Government and its philosophy - of which Gorst was a member - revealed Gorst in a better light than might have been expected:

"There was nothing dull about him. He was extremely clever and at times brilliant ... He was a kind of Conservative and clerical socialist, and he declined to talk to the order of the Cabinet ... He had a keen sense of humour, and delighted in administering pin-pricks to the Cabinet, for whom he entertained, I think, a whole-hearted and probably justifiable contempt. I believe his speeches to have been perfectly honest, but he paid dearly for his honesty. He was kept out of the Cabinet, as no doubt it was thought, and rightly, that he would be a disturbing element; but he was far

¹Ibid.

²G. Noel to B. Disraeli, Hughenden Papers, B/XXI, April 14, 1870.

³Feuchtwanger, E.J., Disraeli, Democracy and the Tory Party, p. 115.

abler than most Cabinet Ministers.

"... His views were advanced, and he was deeply sympathetic with the children, especially with those who for no fault of their own were educated in the workhouse and commonly designated 'pauper' children. These he very properly wished to make 'State' children without the pauper brand or the pauper's uniform upon them. Speaking generally ... his proper place, save for his clericalism, was on the Liberal and not on the Conservative benches".¹

Lowndes has said of Gorst's work in education, "we know today that he was right and the more one reads of his speeches the more one comes to think of him as a man born in advance of his time".²

The task of reaching some definite conclusions about Gorst's work in the field of education is not, on first sight, aided by these somewhat conflicting opinions about both him and his career. And yet, from the evidence which has been presented above, there can be little doubt that both the laudatory and derogatory remarks in these opinions represent different facets of the same man. It is also apparent, furthermore, that it was these particular aspects of his character which played such a large part in shaping his career.

Blake has characterised the Gorst of the 1870's and '80's as, "a pushing, ambitious and prickly character",³ and it is this last aspect of his personality which has, almost, formed the lowest common denominator in any assessment of him and his

¹Kekewich, G.W., op. cit., p. 100-5.

²Lowndes, G.A.N., op. cit., p. 73.

³Blake, R., op. cit., p. 144.

work.¹ It was undoubtedly the part of his make-up that Gorst's contemporaries were most aware of, but the question that needs to be asked is, why did it form such an integral part of his character? The answer would appear to reside in two other qualities which he possessed i.e. his abundant resources of energy and his undoubtedly first class mind. These two factors combined to make him an excellent party agent for the Tories in the period 1870-4, travelling round the country, generating enthusiasm, establishing new associations, etc. Unfortunately not all his colleagues possessed the same qualities nor enthusiasm - the latter a quality conspicuously absent from most of the party leaders - and they tended to become frustrating obstacles as far as Gorst was concerned. His inability to curb his impatience and tactless remarks soon earned him the sobriquet of crotchety. It was continually applied throughout his career in circumstances which were not necessarily similar to those of the party agent period, and which few people bothered to analyse. If they had they would have realised that far from being an inherent aspect of his personality, Gorst's crotchetyness was-unusually-founded on differences of political ideology, with Gorst usually possessing the more far-sighted one.

It was Gorst's continual contact with Disraeli during his

¹Bishop for example states that Gorst, "... was genuinely interested in education; unfortunately, this interest was too often subordinated to a desire for scoring off his political opponents and irritating his officials". Bishop, A.S., op. cit., p. 131. Allen claims that, "This critical attitude was particularly congenial to his nature and he could not, even when he had become a member of a Ministry, refrain altogether from exercising his caustic wit upon some of his colleagues". Allen, B.M., Sir Robert Morant, p. 106.

early career that led to his acceptance of the creed of Tory Democracy, as well as converting him to becoming almost a disciple of Disraeli. Furthermore, Gorst stuck fast to this political philosophy throughout his life and it was this fact, more than any other single one, which led to his independent attitude within the Conservative Party, especially after the dissolution of the Fourth Party. From being the loyal party man serving the leader in his attempt to provide unity within the divided ranks Gorst became a maverick, albeit not the only one. Gorst stated his reasons for his change of role throughout his career, but on no occasion more precisely than in his letter to The Times in 1907:

"Since the death of Mr. Disraeli, the orthodox Tory leaders have drifted far away from his principles: they have availed themselves of the popular enthusiasm which he created, to promote not the general good of the mass of the people, but the interests of their own class; they have gradually become the champions of vested interests and the promoters of monopoly and privilege".¹

This observation was borne out by an examination of the social conditions of the mass of society in the United Kingdom during the period 1875-1905, during which the Liberals were only in power for some nine years. It was, therefore, the difference between the trend of the Tory leaders and Gorst's belief in Tory Democracy that was the cause of the widening rift between them, and underlay his so-called crotchiness.

Gorst thus became, with Salisbury's assumption of power within the party and the 'defection' of Lord Randolph Churchill, the prophet without honour, in this case within his own party.

¹The Times, February 6, 1907.

Being a man of principle, Gorst stuck to his guns and continued, whenever possible, to argue for a return to the pathway laid down by Disraeli. It has been seen how this campaigning became more vigorous as the years passed by. It was reinforced by his visit to the Berlin Labour conference in 1890. In fact the visit resulted in Gorst's acceptance of the need for reform in a variety of areas, and this profoundly affected his outlook and the contents of his speeches both in and out of the House. Against this, however, was the fact that the leaders of the party did not have anything like a similar outlook. As Adelman has stated:

"... the Prime Minister's [Salisbury] brand of Conservatism, with its emphasis on the need for individual effort and strong government and its barely concealed distaste for state activity, democracy and progress, seemed to belong to a bygone age".¹

In view of this it is not surprising that Gorst was excluded from a Cabinet post in the last Salisbury administration. But what must have been particularly galling for Gorst was the fact that he had been put in charge of a department covering a field in which reform was essential for the well-being of the nation and yet was denied effective power to achieve it. It was especially frustrating when he considered the fact that his predecessor, A.H.D. Acland, had been a Cabinet member. The drafting of an Education Bill during the autumn of 1895, only a few months after he had taken office, and along the lines which he wanted, is a reflection of Gorst's power of persistence in the face of adversity.

¹Adelman, P., Gladstone, Disraeli and Later Victorian Politics, p. 71.

That power was sorely tried over Balfour's blunderings with regard to the 1896 Bill, and Gorst was relegated, in terms of authority, by the discredit which Balfour managed to redirect on to Gorst for the failure of the Bill. In the same way that Balfour's own administration was generally stigmatised as a failure because of its overwhelming defeat in the 1906 election,¹ Gorst's period of office as Vice-President was labelled a failure as a result of the fate of the 1896 Bill. The question is, was it? From the evidence it seems that the answer is no. Granted Gorst did not achieve the passage of any major education Bill during his period of office, but what he did accomplish was the passage by administrative means of what was set out, and more, in the Bill of 1896. As Lowndes has stated, with respect to the position in education just before the passage of the 1902 Bill, Gorst had accomplished much:

"... by administrative measures and minor legislation which appeared 'innocent' to bring about a position in which it could be represented that a final settlement did not change the existing order too drastically".²

When one considers the stormy passage which education had endured since 1870, in and out of the House, this was a considerable achievement. Credit is due to Gorst for forcing the issue of education upon both the Salisbury and Balfour administrations during 1895-1905, and for the achievement of solid results in circumstances in which little could have been reasonably expected. It is the more impressive when such factors as the leaders' basic antipathy towards education, and external ones like the Boer War and Ireland

¹Ensor, R.C.K. op. cit., p. 354.

²Lowndes, G.A.N., op. cit., p. 61.

are taken into account. Factors which were reflected in Balfour's remark that he would not have permitted any education Bill to be introduced in 1901 had it not been for the Cockerton judgement¹ - a situation which had arisen largely as a result of Gorst's instigation, and which led to the successful culmination of his efforts with the 1902 Education Bill.

The question which has to be asked is, could Gorst have achieved more during his term of office as Vice-President if he had subjugated his feelings more and had toed the party line? There can be little doubt that if he had learned to curb his tongue early on in his parliamentary career i.e. before he became Vice-President, and had been more flexible in his attitude towards the party leaders, his relationships with the latter when he did become Vice-President would have been more harmonious and thus possibly of more benefit. On the other hand, it can be argued that Gorst's adherence to his principles allowed him to become involved in social reform when the mainstream of the Conservative party had little time for such matters. For example, approximately half-way through his term of office Gorst started to examine in detail an aspect of educational reform i.e. the provisions and regulations concerning children of the poorer classes and children in employment. But although he drew the attention of both the public and the House to the plight of these children

¹See above, p. 470.

few actual measures of reform were introduced. It is true that in 1899 the first Act to deal with defective and epileptic children in England was passed.¹ But there is little to indicate that Gorst was involved in the drafting of this measure. He did also give his whole-hearted support to Robson's Act to amend the regulations concerning school attendance. But apart from these, Gorst's good intentions seemed to have remained grounded at the memorandum stage; a fact which, it will be remembered, Anson was quick to seize on during the exchange with Gorst in the debate of April 18, 1905.

Measures were introduced in the form of amendments to the Code for elementary schools e.g. the abolishment of payment by results in 1895, the introduction of the block grant system of payments in 1900. These were aimed at the liberalisation of the curriculum and the teaching of it. But almost as a prerequisite of this was the need for improvements in the provisions for teacher training. Nothing was done in this field, due mainly to the conclusion of a Departmental Committee reporting in 1898 in favour of the retention of the pupil-teacher system:² one that Gorst had little time for as his speeches and articles indicated.

This last point illustrates what lay at the foot of this

¹ 62 & 63 Victoria, Chapter 32, Elementary Education (Defective and Epileptic Children) Act, 1899.

² Report of the Departmental Committee on the Pupil-Teacher System. P.P. 1898, XXVI [c. 8761], p. 337-953.

apparent non-activity in fields where it was required. Administratively speaking, Gorst had been emasculated since the failure of the 1896 Bill. He could only carry out projects that did not require the approval of the Treasury or other Government Departments-as exemplified by his Committee at South Kensington, which resulted in the incorporation of Clause 7 in the 1897 Directory of the Science and Art Department. Larger measures required the intercession of the Duke of Devonshire on his behalf - an unsatisfactory arrangement, in spite of the cordial relations which came to exist between Gorst and the Duke during their term of office together. This state of affairs combined to set up a feeling of frustration in Gorst which resulted in his request to Salisbury for transference to another department, with the passing of the Board of Education Act by which he considered himself to have been relegated in position once again.

Salisbury's refusal to accede to his request no doubt made Gorst realise that the Vice-Presidency was to be his last position of office in a government, for the likelihood of his being retained by Balfour was remote. Thus from 1900 onwards Gorst seems to have concentrated on achieving the most he could for the recipients of the educational system regardless of the effect upon his career. Unfortunately time was running out, but he did manage to make definite, positive proposals with regard to the 1902 Education Bill which ensured at least the establishment of a rational, local system of educational administration. This was a point he had been battling for since 1895 and one which was adopted by Morant, Balfour, and Webb. Considering the fact that

this principle is one of the most important aspects of the 1902 Act it is somewhat ironical that this piece of legislation is usually remembered as the work of Morant and/or Balfour, since this arrangement has formed the foundation of the national educational system for the last seventy-two years.

There was another factor which militated against the achievement of positive results during his period of office. This was the attitude towards Education that prevailed in the House. Apart from Gorst, Bryce, Macnamara and a few others, the topic of education in a debate was seen by the majority of Members as a chance to indulge in a slinging match with their opposite numbers over the relationship of religion and religious teaching to the education provided in the schools. Gorst and Bryce, especially, tried to keep the debates confined to the subject in hand, and to achieve some form of progress, but demagogues like Lloyd-George made this an almost unattainable objective. Gorst's disgust with this behaviour was indicated in the Children of the Nation:

"These returns [on child labour] were laid before Parliament in 1899. They were fully explained and pressed upon the attention of the House of Commons in the official address of the then Vice-President when submitting the education estimates ... He spoke of little else, and endeavoured to bring home to the conviction of members Mrs. Hoare's argument that it was a waste of public money to attempt to give instruction at school to children so wearied by overwork. But the House ... refused to pay any attention to the subject, it went off into a discussion of alleged improper teaching of the Church Catechism to Nonconformist children, and of the exact personal relations, then subsisting between the Vice-President and his official superiors, and passed the miserable condition of overworked children by as unworthy of the consideration of the legislature in comparison with

party and personal squabbles".¹

If this general attitude of the House, and that of the party leaders in relation to both education and Gorst's position, are taken into account, it may be concluded that his actions as the last Vice-President of the Committee of Council on Education were successful ones, especially in view of their long term effect on the educational system of the country. On the other hand, it cannot be denied that the measures for which he alone was responsible were not such as to elevate him into the ranks of either statesmen or first class politicians. The nearest Gorst came to either of these statures was in his advocacy for reforms with regard to child welfare.

In both his articles and speeches on the topic Gorst revealed a clarity of thought which outstripped that of all but a few of his contemporaries. This can be seen from the fact that the remedies which he advocated with regard to both the school feeding of children and their medical inspection still constitute the foundations of our present systems in these areas. This fact was acknowledged by the White Paper of 1944 and, at the time, one which the second inter-departmental committee also acknowledged.²

¹ Gorst, J.E., The Children of the Nation, p. 99-100.

² "... the origins of the school medical service may be traced directly to the Report of the Interdepartmental Committee on Physical Deterioration," P.P. 1943-4, VIII, c. 6502, p. 63. Quoted in Gilbert, B.B., 'Sir John Gorst and the Children of the Nation', op. cit., p. 245. Report of the Inter-Departmental Committee on Medical Inspection and Feeding of Children attending Public Elementary Schools, P.P. 1906, XLVII c. 2779 , p. 147.

The actions of Gorst, and others, had ensured that this important matter was thrashed out in the open, with a beneficial result for succeeding generations of children.

This period of Gorst's life served to illuminate the fact that in his person both the parents and the children of the nation had a true friend. He had conceptions about both the educational system of the country and the welfare of its children that time was to demonstrate were the answers to some of the problems which had so bedevilled society in the nineteenth century. It is the sad fact about Gorst's career that he had to struggle for so long against the apathy and prejudices of his own party before they could succeed, and only then with the installation of a Liberal government. And to accomplish this he had to sacrifice his career. From this moment in time it is now acknowledged that this sacrifice was not in vain, but that both the educational system and the people of this country have reaped considerable benefit from it. Baumann had to acknowledge the fact that Sir John Gorst was a, "brave, conscientious, public-spirited man ...",¹ in spite of his remarks about his career. It is hoped that this thesis has contributed to a better understanding of Gorst, and has helped to redress the position ignobly accorded him previously in the history of the English educational system.

¹Baumann, A.A. op. cit., p. 346.

APPENDIX 1

Scheme for an Education Bill, by Sir John Gorst.

February, 1896.¹

1... In every County and County Borough an Education Board shall be appointed.

In County Boroughs having School Boards half the Education Board shall be appointed by the Municipal Council and half by the School Board.

In other County Boroughs, and in all Counties, the Education Board shall be appointed by the Municipal and County Council respectively.

(All questions of detail, numbers, period of holding office, experts, etc., are reserved for future consideration.)

2... The Education and Science and Art Departments may pay over to any Education Board, the whole or any part of the sums which are now payable, under the regulations of such Department for the time being in force, to the Managers of Schools within the District of such Education Board, and such sums shall be administered by such Education Board on behalf of the Department so paying them over, and shall be paid over to the Managers of such schools in accordance with the regulations of such Department for the time being in force, or such modified regulations as may be agreed on from time to

¹B.M. Add. M.S. 49791, f. 14-20.

time between such Department and such Education Board. (The object of this clause is to enable London Departments to be decentralised as rapidly as proves to be practicable; and to cast upon Local Boards the duty of supervising the details of Education Expenditure. The grant appropriated to each Education Board would be subject to no other increase than the automatic increase of population. The increase of the Education Grant from causes other than the automatic increase of population during the past dozen years has been half a million.)

3... A special Parliamentary Grant, for the purpose of increasing the efficiency of necessitous elementary schools, shall be distributed amongst the Education Boards in proportion to the number of children in average attendance at the elementary schools in their respective districts, and shall be applied by them in the following manner:-

- (1) The Education Board shall fix, with the approval of the Education Department, a scale for the minimum proportion of teachers to scholars, and for the minimum salaries of the several classes of teachers for the whole or for definite portions of their district, and shall, out of the special grant, pay to the Managers of every one of such schools a subvention of such amount as may enable such managers to raise the proportion of teachers to scholars and the salaries of the several classes

of teachers to such scale.

- (2) They may, out of any surplus, make grants to the Managers of Schools for the improvement of teaching appliances or for any other purpose approved by the Education Department, provided that in allotting such grants they shall have regard to the necessities of such schools only, and not to the fact of such schools being Board or Voluntary schools, nor to the particular denomination to which the Managers of such schools may belong.
- (3) The Managers of any school receiving such grant shall furnish to the Education Board such accounts and vouchers as shall show that such grant has been expended upon the purposes for which it was made.
- (4) The Education Board may nominate such number of persons as they may, with the consent of the Education Department, determine, to be Managers of any school receiving such grant; and any person so nominated shall be entitled, notwithstanding the provisions of any Statute, Trust Deed, Scheme or other Instrument, to be deemed to be a regularly constituted Manager of such school.
- (5) The Managers of any elementary school who may be aggrieved by the non-payment to them of a grant under this Section or the amount of grant paid may appeal to the Education Department, and the

Education Department may direct such sum as they adjudge to be due to be paid to such Managers by the Education Board, or they may themselves pay the sum due and deduct the same from subsequent payments made to the Education Board.

- (6) The Education Department may, from time to time, make rules for the allocation of grants under this Section, with the view of preventing the receipt of any grants under this Section by the Managers of any school who possess, or have, the means of acquiring, from sources other than such grants, the funds necessary for carrying out, in reference to such school, the purposes specified in this Section.

The money paid to County Councils under the Local Taxation (1890) Act might be dealt with in an Education Bill, and might be handed over to the Education Boards. But in order to justify such a provision, it would be necessary to give the Education Board powers in relation to secondary and technical education. The existing powers of rating under the Technical Instruction Acts might be made exercisable by the Education Board with the consent of the County Council. But without such rates and without any further contribution from the Exchequer, the Education Boards might, during the next few years, if armed with sufficient powers, make considerable progress in the co-ordination of Secondary

Education.

The following clause would carry out a proposal which has been suggested:-

No additional rate shall be levied in any School Board District in which the annual expense shall exceed the amount of - per child of the children in average attendance by reason of an increase in the average annual cost per child in the Board Schools of such District without the sanction of the Education Board of the County: in case an additional rate is so sanctioned the sum levied by such additional rate shall be sufficient to provide for a like increase in the average annual cost per child in all elementary schools in such School District, and the School Board shall pay over to the Education Board of the County such sum as is necessary to provide for such additional cost per child in schools other than Board Schools. The sum so received by the Education Board of the County shall be distributed by such Board in grants to schools other than Board Schools in proportion to their annual average attendance. The Education Board of the County may attach to the receipt of such grants the conditions specified in Section 12, they may withhold the whole or part of such grant with the sanction of the Education Department, from any individual school of which the financial condition is without such grant satisfactory. Any sum so withheld may be applied to

the general purposes of elementary education under the powers contained in this Act.

This is the clause to deal with the religious difficulty:-

In every public elementary school in which the religious instruction to be given is not prescribed by Trust Deed, it shall be the duty of the Managers to make provision for the giving of religious instruction of such a character as they consider to be generally desired by the parents of children attending such school: such religious instruction shall be given in accordance with the provisions of the Elementary Education Acts (except the Cowper Temple clause which is to be repealed). If the parents of a reasonable number of children attending any public elementary school, whether the religious instruction to be given is prescribed by a Trust Deed or not, shall require that during the hours of religious instruction separate religious instruction shall be given to their children, it shall be the duty of the Managers to make reasonable arrangements, so far as practicable, for the giving of such religious instruction as such parents may desire within the school, anything in any Trust Deed to the contrary notwithstanding. The decision of the Education Department as to what is reasonable or practicable in any case shall be conclusive.

These clauses are to avert a School Board in Country Districts:-

In any parish which has no School Board the Education Board of the County may with the consent of the Parish Council, direct a school rate not exceeding - in the £ to be levied in such Parish, and the sum so levied shall be paid over to such Board: the Board shall apply the sum so received in making grants to all elementary schools in such Parish in proportion to the average annual attendance in such schools. They may attach to the receipt of such grants the conditions specified in Section 3. The Education Board, may, with the sanction of the Education Department, withhold the whole or any part of the grant from an individual school of which the financial condition is without such grant satisfactory.

In any parish in which there is a deficiency of school accommodation the Education Department shall, instead of ordering the election of a School Board, give notice of such deficiency to the Education Board of the County, who shall supply such deficiency. They shall appoint a Board of local School Managers for such Parish, such local Board so constituted shall have, in the management of its schools, the powers and duties of an elected School Board, but shall be subject to the general control of the County Board and shall levy no School Rates without its sanction.

Clause.

21. Attendance at school.
22. Amendment of 52 & 53 Vict. c. 76. s. 1, as to aid of technical or manual instruction.
23. Calculation of average attendance.
24. Power of guardians to contribute to expenses of public elementary school.
25. Power of county council to lend for elementary school.
26. Limit of school board rate.
27. Religious instruction.

PART III.

General.

28. Definitions.
29. Transitional arrangements.
30. Commencement of Act.
31. Extent of Act.
32. Repeal of enactments in schedule.
33. Short title.

SCHEDULE.

A

B I L L

TO

Make further provision for Education in England and A D 1896.
Wales.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5

PART I.

County Education Authority.

1.—(1) Every county council shall appoint an education committee for the purposes of this Act, and the county council acting by that committee shall be and is in this Act referred to as the education authority for the county. Action of county council as education authority.

10 (2.) The number of the members of the committee shall be fixed by the county council.

(3.) The county council may appoint persons, whether members of the council or not, to be members of the committee, provided 15 that a majority of those members shall be members of the council.

(4.) A member of an education committee shall hold office for *three years*, and one third, as nearly as may be, of the members of an education committee shall retire annually at such time and in such order as may be fixed by the county council, and their places shall 20 be filled by a new appointment, but retiring members may be re-appointed.

(5.) Two or more county councils may combine for all or any of the purposes of this Act.

(6.) Provided as follows:—

25 (a.) A county council may submit to the Education Department a scheme for providing separate education committees for different parts of the county or for otherwise modifying or

[Bill 172.]

A 2

A.D. 1896.

supplementing the provisions of this section so as to adapt the constitution of an education committee to the needs of the county or of different parts thereof, and for making any supplemental provisions which appear necessary for carrying into effect the scheme, and if the Education Department 5 approve any such scheme, without modification or with any modifications agreed to by the council, the scheme shall have effect as if enacted by this Act, but shall be subject to revocation or alteration by a scheme made in like manner;

52 & 53 Vict.
c. 40

(b.) Where a county governing body has been constituted for 10 any county by a scheme made in pursuance of the Welsh Intermediate Education Act, 1889, the county governing body shall be the education committee for the purposes of this Act, and the county council acting through that governing body shall be the education authority for the county. 15

Duties and
powers of
education
authority.

2.—(1.) It shall be the duty of the education authority to supplement and not to supplant such existing organisations for educational purposes as for the time being supply efficient instruction.

(2.) As from the beginning of the financial year next after the 20 commencement of this Act,—

52 & 53 Vict.
c. 76.

(a.) The powers of a county council as a local authority under the Technical Instruction Act, 1889, shall, except as to raising money, be exercised through the education committee, and

53 & 54 Vict.
c. 60.

(b.) So much of the residue under section one of the Local 25 Taxation (Customs and Excise) Act, 1890, as is paid to the county fund of any county shall be administered through the education committee for that county, and be applied by them for educational purposes other than the provision or maintenance of elementary schools, and any question as to what 30 are such purposes shall be determined by the Education Department, and

(c.) Any portion of that residue not spent in any one year shall be accumulated, and may be used in subsequent years either as capital or as income. 35

(3.) The education authority for a county shall act as, and be substituted for, the school attendance committee for every school district in the county for which there is for the time being no school board and which is not a borough other than a county borough, and the expense of their so acting shall be a special 40 expense chargeable exclusively to the parishes for which they so act.

(4.) The powers of a county council in relation to industrial schools and reformatories shall, except as to raising money, be exercised through the education committee A.D. 1896.

(5.) The education authority for a county and the board of guardians of any union may, with the approval of the Education Department and the Local Government Board, make a contract in relation to the care and maintenance of all or any of the children chargeable to that union, and on any such contract being made, such of the powers and duties of the Local Government Board and the board of guardians respectively in relation to those children as are specified in the contract shall be exercised by the Education Department and the education authority respectively.

3.—(1.) The education authority for any county may undertake, on such terms as may be agreed on between the education authority and the Education Department, the administration on behalf of the Education Department of all or any of the duties of that Department in respect of all or any part of the money provided by Parliament for public education or for the Department of Science and Art so far as it is applied in aid of schools in that county, and in respect of securing or certifying the efficiency of schools in the county;

Transfer to education authority of certain powers of Education Department.

Provided that the rate per scholar payable in pursuance of any such agreement to the education authority for any county in any financial year on account of the ordinary annual parliamentary grant and the fee grant to public elementary schools in the county not being evening schools shall not exceed the rate of the said grants per scholar in those schools in the county during the twelve months ending on the *thirty-first day of July one thousand eight hundred and ninety-six*, except that in any county in which that rate is less than *twenty-nine shillings* per scholar, the rate may from time to time be raised to an amount not exceeding that sum under such conditions as the Education Department may determine.

(2.) An agreement under this section shall not come into operation until it has lain for not less than *one month* on the table of both Houses of Parliament.

(3.) Every such agreement shall provide for the observance by the education authority for the county of the terms of the agreement, and of the elementary day school code, for the inspection of public elementary schools in the county by officers of the Education Department, and for the forfeiture of a portion of the sums otherwise payable to the education authority in the event of non-observance of the conditions of the agreement or of that code, or

A.D. 1896
— of any school in the county being pronounced by the Education Department to be in any respect inefficient, either as respects buildings, sanitation, playgrounds, staff, course of instruction, or otherwise howsoever, or to be not conducted in accordance with the conditions relating to a public elementary school.

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(4.) The Education Department may on the recommendation of the education authority for any county modify any regulations of the Education Department so as to meet the special circumstances of that county.

Special aid
grant.

4.—(1.) *For the assistance of public elementary schools requiring special aid there shall be paid in every financial year out of monies provided by Parliament to the education authority for each county a special aid grant calculated at the rate of four shillings for each scholar who, during the preceding financial year, was either in a voluntary school in the county or in a school of any school board in the county which, but for this Act, would be entitled to a special parliamentary grant under section ninety-seven of the Elementary Education Act, 1870.*

33 & 34 Vict.
c. 75.

(2.) The portion of the special aid grant paid in any financial year in respect of scholars in voluntary schools shall be distributed by the education authority as special aid among the voluntary schools in the county in proportion to the number of scholars in those schools during the previous financial year, but the special aid for any school shall be reduced by the amount applied for the maintenance of the school during the said previous financial year from any endowment held in trust for the benefit of the school.

(3.) The portion of the special aid grant paid in any financial year in respect of the scholars in school board schools shall be applied—

(a) in giving to every school board any grant which becomes due to the board during that year under section ninety-seven of the Elementary Education Act, 1870; and

(b) in giving special aid for the schools of those or other poor school boards according as the education authority think and is most required on account of poverty.

35

(4.) The special aid under this section for any school shall be applied in such manner as the education authority direct for the purpose of improving the teaching staff as regards number, quality, or salary, and so far as it is not, in the opinion of the education authority, required for that purpose, for all or any of the following purposes, namely, the payment of the teaching staff, the provision of special teachers whether on the permanent staff or not, the

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improved education of pupil teachers, and the improvement of the educational fittings and apparatus of the school. A.D. 1896

(5.) If any surplus remains out of the portion paid in respect of scholars in voluntary schools, or of the portion paid in respect of
5 scholars in schools of school boards, after special aid has been given for the schools as provided by this section, that surplus shall be applied by the education authority at their discretion, in such manner and for such object for the benefit of elementary education in their county (whether by way of helping poor schools or otherwise) as the
10 Education Department may sanction.

(6.) The special aid grant shall be paid quarterly or at such other times as the Education Department, with the approval of the Treasury, may direct.

(7.) Where any body of persons (herein-after referred to as the
15 association) satisfy the education authority that they are appointed by the managers of several associated schools within the county to act on their behalf for the purposes of this section, and apply to the education authority for the payment to them of the special aid for the schools so associated, the special aid shall be so paid, and form
20 a common fund applicable for special aid for the associated schools, in accordance with a scheme approved from time to time by the education authority.

(8.) The association may represent for the purposes of this section either all the schools, or all the schools of a particular religious
25 denomination, in the county or any part of the county, or some of such schools.

(9.) The education authority may, as they think fit, recognise one association or more than one association of schools of a particular religious denomination; and the Education Department
30 may, on the application of the education authority, determine to what association of schools of any denomination any particular school of that denomination is to be deemed for the purpose of this section to belong.

(10.) The education authority shall by such inspection and
35 examination of the school and the scholars therein or otherwise as they think necessary ascertain that any special aid for a school is applied for the purpose or purposes specified in this Act for which it is given, and shall refuse any further payment unless it is so applied.

10 (11.) The education authority shall refuse payment of the special aid for a school unless the managers of the school give all the information and aid that the authority require for carrying into effect this section.

A.D. 1896. (12.) This section shall apply only to public elementary schools which are not evening schools.

Audit

5. The accounts of every school aided out of the special aid grant, if not otherwise required to be audited by the district auditor, shall be so audited, and the enactments relating to audit by district 5 auditors of the accounts of school boards and their officers, and to all matters incidental thereto and consequential thereon, shall apply accordingly, with such adaptations as may be made by regulations of the Local Government Board.

Duty of education authority to provide public elementary schools

6. Where the Education Department would but for this section 10 cause a school board to be formed for any school district, and have also published such notice in the district as is in the opinion of the Department sufficient to give an opportunity to apply in manner required by law for the formation of a school board for the district, and such an application has not been made within *one month* after 15 the publication of the notice, the Education Department shall, instead of causing a school board to be formed, make an order imposing the duty of supplying the deficiency on the education authority for the county comprising the district, and thereupon the Elementary Education Acts shall apply as if the education authority were the 20 school board for the district.

Constitution of school board for borough.

7. Where after any such notice an application is made for the formation of a school board in a borough, the Education Department shall by order declare the borough council to be the school board, and thereupon the council shall be the school board, but 25 shall, except for the purpose of raising money, act, in the case of a county borough by the education committee, and in any other case by a special committee constituted in like manner as the education committee.

Power of education authority to take over public elementary schools.

8.—(1.) A school board may enter into a provisional agreement 30 for the transfer of their school or schools to the education authority for their county in the event of the school board being dissolved, and thereupon, if such application is made as is required by law for the dissolution of a school board, whether within the time limited for making such applications or not, the Education Department may 35 by order dissolve the school board, and constitute the education authority their successors, and all property of the school board shall by virtue of the order be transferred to and vest in the education authority for all the estate and interest of the school board thereon, and subject to the rights and liabilities affecting that property. 40

(2.) Where in a district not having a school board such notice has been published as is in the opinion of the Education Department

sufficient to give an opportunity to apply in manner required by law for the formation of a school board, and such an application has not been made within *one month* after the publication of the notice, the managers of any public elementary school in the district may, in
 5 manner provided by section twenty-three of the Elementary Education Act, 1870, transfer the school to the education authority for the county. A. D. 1896
—
33 & 34 Vict.
c 75.

(3.) On any transfer being made in pursuance of this section, the Elementary Education Acts shall apply as if the education authority
 10 were the school board for the district.

9. Where the Education Department declare the school board for any school district to be in default or proceed as if the school board for a school district were in default, or declare that a school board for a school district have not properly performed any of their
 15 duties under the Elementary Education Acts, the Education Department may by order constitute the education authority for the county comprising the school district the school board for the district, and thereupon the Elementary Education Acts shall apply accordingly. Education authority to take the place of defaulting school board

10. An education authority shall delegate their powers as a school board for any school district in respect of the control and management of the schools to a local body of managers appointed— Exercise of powers through local managers

- (a) if the district is a county borough, whether united or not with any parish, by the education authority for the borough;
- 25 (b) if the district is a borough not being a county borough, whether united or not with any parish, by the borough council;
- (c) if the district is co-extensive with an urban district not being a borough, by the district council;
- (d) if the district is co-extensive with a parish, as to half by
 30 the parish council, or if there is no parish council by the parish meeting, and as to the other half by the education authority;
- (e) in any other case as to half by the education authority, and as to the other half by such of the said local authorities and in such proportions as the education authority may determine.

35 Subject as aforesaid, section fifteen of the Elementary Education Act, 1870, shall apply in like manner as if the local body were managers appointed under that section. 33 & 34 Vict
c 75

11.—(1.) All expenses incurred by the education authority acting as a school board for an school district shall be defrayed in the first instance as part of the expenses of the education authority, and shall be raised as expenses for special county purposes, and shall be charged exclusively to the school district, or, if and so far as the
 40 Expenses of education authority acting as school board.

A.D. 1896. county council so direct, to all the parishes for which the education authority so act.

(2.) All money borrowed by a county council for school board purposes shall be borrowed on the security of the county fund, but the loan shall be treated as a loan for a special county purpose. 5

Powers of education authority for education other than elementary.

12.—(1.) The education authority, for the purpose of promoting education other than elementary, may, amongst other matters,—

(a) aid any school to provide such education, or, with the consent of the Education Department, take a transfer of any school which provides such education and is not an elementary school; 10
and

(b) establish a school, and for that purpose provide land and buildings, whether by purchase, hiring, or otherwise; and

(c) establish and maintain scholarships or exhibitions; and

(d) supply or aid in supplying teachers; and 15

(e) make inquiries with respect to the sanitary condition of the school buildings (including boarding houses) of any school within their county; and

(f) make inquiries with respect to the education given by any school within their county, except a school which, in the opinion of the Education Department, is of a non-local character; and 20

(g) take such measures as they think fit for giving information to the public with respect to the result of such inquiries.

(2.) For the purpose of improving the efficiency of the teaching staff, whether in elementary or in other schools within their county, the education authority may with the consent of the Education Department, aid any establishment or organisation for the training of teachers. 25

(3.) The Education Department, on the application of the education authority, or of a school board, may, if they think fit, make an order transferring to the education authority for any county any school, or department of a school, within the county maintained by a school board and providing education which, in the opinion of the Education Department, is other than elementary, and may embody in the order any incidental or consequential provisions for adjustment of rights or liabilities. 30 35

(1.) The exercise of any powers under this section shall require in the case of an industrial, a day industrial, or a reformatory school, the consent of a Secretary of State, and in the case of a poor law school the consent of the Local Government Board. 10

(5.) The county council may guarantee, for a term not exceeding *five years*, any annual or other periodical payment required for the purposes of this section, and may charge on the county fund any sum required to fulfil the guarantee

A D 1896.

5 (6.) If the education authority make it a condition of giving aid under this section to any school that representatives of the authority be added to the trustees or other governing body of the school, and the trustees or other governing body assent to the condition, those representatives shall for all purposes be trustees or members of the
10 governing body of the school.

(7) Nothing in this Act shall authorise the rate to be raised in any one year by a council for the purposes of this section and of the Technical Instruction Act, 1889, to exceed the amount limited by that Act.

52 & 53 Vicr.
c 76.

15 13.—(1.) An education authority in the performance of their duties shall not, subject to the express provisions of this Act with respect to the special aid grant, give any preference or advantage to any school on the ground that it is or is not provided by a school board, or that it does or does not belong to or is or is not in
20 connexion with or under the management of any particular church, sect, or denomination, or that religious instruction is or is not given in the school.

Regulations
to be
observed by
education
authority in
performance
of duties.

(2.) The education authority shall take care that every school receiving from them any money is inspected and examined by
25 such persons and in such manner as may be approved by the Education Department with reference to the particular class of schools to which the school belongs, and shall satisfy themselves with respect to every such school—

30 (a) that the buildings are sufficient and suitable as regards size, sanitary accommodation, convenience, repair, and otherwise; and

(b) that the furniture, fittings, and school apparatus are adequate; and

(c) that there is an adequate staff of teachers; and

35 (d) that proper discipline is maintained, that the course of education is sufficient and suitable, that the fees, if any, are suitable, and that the teaching is efficient; and

(e) that proper accounts are kept showing the receipts and expenditure of the school; and

40 (f) that the school is conducted in accordance with such regulations made by or in pursuance of any statute, or made by the Education Department, as are applicable to the school.

A D 1896

(3.) Every education authority shall make such report and returns and give such information to the Education Department as the Department may from time to time require.

Appeal to
Education
Department

14. If the persons managing any school, whether as school board, governing body, trustees, managers, proprietors or otherwise, feel aggrieved by the action of an education authority under this Act, they may complain to the Education Department, and that Department, after communicating with the education authority, shall determine the matter, and the education authority shall comply with any order made by the Education Department with reference to the complaint. 5 10

Power for
Education
Department
to act in
default of
education
authority

15. If any education authority fail to perform any duty imposed on them by or under this Act, the Education Department may appoint any person to perform that duty, and the person so appointed shall for that purpose have the same powers and authorities as the education authority, and his expenses shall be defrayed as part of the expenses of the education authority. 15

Officers
expenses and
proceedings
of education
authority.

16.—(1.) The county council shall provide such officers, servants, buildings, furniture, and other things as are necessary for the execution of the duties of the education committee, and shall pay the expenses of executing those duties. 20

(2.) The power of raising money for the purposes of this Act shall be vested in the county council, and shall not be exercised through the education committee.

(3.) Any officer appointed in that behalf by the Education Department or the Charity Commissioners may attend any meeting of the education committee, and take part in the proceedings, but shall not have a right to vote. 25

(4.) Save as otherwise provided by this Act, the enactments relating to the committees of a county council shall apply to the education committee, but the Local Government Board may make regulations for adapting the provisions with respect to expenditure and audit to the expenditure of a joint committee of two or more county councils. 30

Educational
endowments

17.—(1.) The education authority for a county shall for the purposes of the Charitable Trusts Acts, 1853 to 1891, be deemed to be persons interested in any educational endowment administered or applicable in their county. 35

(2.) An education authority may submit proposals for a scheme under the Endowed Schools Acts, 1869 to 1889, with respect to an educational endowment administered or applicable in their 10

county, and thereupon the Charity Commissioners shall proceed in like manner as with proposals submitted by a joint education committee under section three of the Welsh Intermediate Education Act, 1889, and that section shall apply as if the education authority were a joint education committee.

A D 1896.

52 & 53 Vict.
c 10.

(3) The Charity Commissioners may, on the application of an education authority, make orders for adapting to the provisions of this Act the provisions of any scheme made by the Commissioners, and any such order shall have effect as if it were part of the scheme.

10 13. Any regulations made by the Education Department for the purposes of this Act shall not come into force until they have lain for not less than *one month* on the table of both Houses of Parliament.

Regulations
by Educa-
tion Depart-
ment.

PART II.

15 *General Amendments of Elementary Education Acts.*

19.—(1) *The amount of the ordinary annual Parliamentary grant given in any year to any public elementary school not being an evening school shall not exceed the amount per scholar given to the school in respect of the said grant during the twelve months ending the thirty-first day of July one thousand eight hundred and ninety-six, or the amount, in the case of an infant school or infant class, of seventeen shillings, and in any other case of twenty shillings, per scholar in the school during the year in which it is given, whichever is greater.*

Limit of
annual
Parliamen-
tary grant
and substitu-
tion of money
limit.

25 (2) *There shall be repealed as respects England and Wales, so much of section nineteen of the Elementary Education Act, 1876, as enacts as one of the conditions for obtaining the annual Parliamentary grant that "such grant shall not in any year be reduced by reason*
30 *" of its excess above the income of the school if the grant do not*
" exceed the amount of seventeen shillings and sixpence per child in
" average attendance at the school during that year, but shall not
" exceed that amount per child, except by the same sum by which
" the income of the school derived from voluntary contributions,
" rates, school fees, endowments, or any source whatever other than
35 *" the Parliamentary grant, exceeds the said amount per child"*

39 & 40 Vict.
c. 79

20.—(1) The amount of any rate which is assessed in a parish (whether by the overseers or by any other authority) on the occupier of the schoolrooms, offices, and playground of a public elementary school shall be paid by the overseers of
40 the parish, and be obtained by them out of the fund out of which

Payment of
rates on
schools.

A.D. 1896. the expenses of the school attendance committee are paid, or if the school is within the district of or maintained by a school board, out of the local rate out of which the expenses of the board are paid, and shall be so obtained whether by deduction from any sum payable by them, or otherwise, in such manner as may be provided by general orders of the Local Government Board.

(2.) Where any authority from whom the amount of a rate is obtained under this section pay part only of the expenses of the school attendance committee or school board, they may, whether they are or are not themselves the overseers, deduct the amount from any sum payable by them to the school attendance committee or school board.

(3.) A rate in this section means a rate the proceeds of which are applicable to a public local purpose.

Attendance
at school.
56 & 57 Vict.
c. 51

21. On and after the *first day of January one thousand eight hundred and ninety-eight* the Elementary Education (School Attendance) Act, 1893, shall have effect as if "twelve" were substituted therein for "eleven":

Provided that this section shall not apply in the case of any child who at the said date is, under the byelaws then in force in the school district in which he resides, exempt, wholly or partially, as the case may be, from the obligation to attend school.

Amendment
of 52 & 53
Vict. c. 76.
s. 1 as to
aid of tech-
nical or
manual
instruction.

22. The restriction contained in section one of the Technical Instruction Act, 1889, on supplying or aiding the supply of technical or manual instruction to scholars receiving instruction at a public elementary school shall not prevent the attendance of such scholars at instruction given to other persons, nor prevent the use, for the purpose of giving technical or manual instruction to such scholars, of any building or apparatus belonging to an education authority, if the building or apparatus is not used for the general purposes of an elementary school.

Calculation
of average
attendance
51 & 55 Vict.
c. 56

23. For the purpose of the fee grant under the Elementary Education Act, 1891, and of this Act, average attendance shall be calculated in accordance with the elementary day school code.

Power of
guardians to
contribute to
expenses of
public
elementary
school

24. The guardians of any union may contribute towards such of the expenses of providing, enlarging, or maintaining any public elementary school as are certified by the Education Department to have been incurred wholly or partly in respect of scholars taught at the school, who are either resident in a workhouse or in an institution to which they have been sent by the guardians from a workhouse, or boarded out by the guardians.

25. The persons having power to borrow money for the purposes of a public elementary school maintained by a school board or held on a charitable trust, may borrow that money from a county council, and a county council may lend any such money, and may
 5 if necessary, without the sanction of the Local Government Board, and irrespectively of any limit of borrowing, raise the money by loan, subject to the like conditions and in the like manner as any other loan for the execution of their duties, and subject to any further conditions which the Local Government Board may by
 10 general or special order impose :

A.D. 1896.

Power of county council to lend for elementary school.

Provided that where money is borrowed under this section on the security of a school site or school house the site or school house shall not be sold for the purpose of enforcing the security except to—

- (a.) a school board, or
 15 (b.) an education authority acting as a school board ; or
 (c.) persons who undertake to carry on the school as a public elementary school.

26. A school board for a district shall not without the consent—

- (a) if the district is a borough, whether united or not with any
 20 parish, of the council of the borough ; and
 (b) if the district consists of any parish or parishes co-extensive with an urban district not a borough, of the council of the district ; and
 (c) in any other case of the county council of the county
 25 comprising the district ;

Limit of school board rate.

receive from the rating authority, in any school board year, a sum for the annual maintenance of the public elementary schools provided by the board, not being evening schools in excess of the higher of the following limits, namely—

- 30 (a) the sum to which the existing rate per scholar of annual maintenance, when multiplied by the number of scholars in the public elementary schools provided by the board, not being evening schools, during the previous school board year amounts ; or
 35 (b) a sum equal to *twenty shillings* per scholar in those schools during that year ;

and the existing rate means the rate per scholar in the school board year ending next before the *passing of this Act* of the annual maintenance of the schools together with such addition as is
 40 necessary for including the increase in annual maintenance caused by such automatic rise of salaries or such pensions or other allowances to superannuated teachers as may arise under any scale

A.D. 1896. in force on the *thirty-first day of March one thousand eight hundred and ninety-six.*

For the purpose of this section "annual maintenance" means, in relation to a school not an evening school, the annual cost incurred on account of the school for the salaries, allowances, and emoluments of the teachers, for any pensions or other allowances given to superannuated teachers, and for insurance, fuel, lighting, books, and stationery, and for repairs, whether of buildings or furniture, and "school board year" means the year for which the accounts of a school board are made up.

Religious instruction.

27.—(1.) One of the regulations in accordance with which a public elementary school is required to be conducted shall be that if the parents of a reasonable number of the scholars attending the school require that separate religious instruction be given to their children, the managers shall, so far as practicable, whether the religious instruction in the school is regulated by any trust deed, scheme, or other instrument or not, permit reasonable arrangements to be made for allowing such religious instruction to be given, and shall not be precluded from doing so by the provisions of any such deed, scheme, or instrument.

(2.) Any question which may arise under this section as to what is reasonable or practicable shall be determined by the Education Department, whose decision shall be final.

PART III.

General.

Definitions.

28. In this Act, unless the context otherwise requires,—

The expression "county" includes a county borough, and references to the county fund include in the case of a county borough the borough fund or borough rate:

The expression "prescribed" means prescribed by regulations of the Education Department:

The expression "child" has the same meaning as in the Elementary Education Act, 1876:

The expression "Education Department" includes that Department when acting through the Department of Science and Art:

The expression "elementary day school code" means the minutes of the Education Department in force for the time being in respect to public elementary day schools.

39 & 40 Vict
c. 79

- The expression "ordinary annual parliamentary grant," means the annual parliamentary grant ordinarily made in respect of all public elementary schools which are not evening schools, and does not include the special grant made under section ninety-seven of the Elementary Education Act, 1870, section nineteen of the Elementary Education Act, 1876, or section two of the Education Code (1890) Act, 1890 :
- 5 The expression "financial year" means the financial year for Imperial finance :
- 10 The expression "voluntary school" means a public elementary school not provided by a school board :
- Any reference in this Act to the number of scholars in a school during a financial year or other period means the number of scholars in average attendance at the school during
- 15 the school year which ended in the said financial year or other period :
- The expression "Elementary Education Acts" means the Elementary Education Acts, 1870 to 1893 .
- 20 Other expressions have the same meaning as in the Elementary Education Acts, 1870 to 1893.
- 29.—(1.) The first payment of the special aid grant shall be made in respect of the quarter ending the *thirty-first day of March one thousand eight hundred and ninety-seven.*
- (2.) The provisions of this Act with respect to the limit of the
- 25 ordinary annual parliamentary grant shall not apply in the case of any grant becoming due before the commencement of this Act.
- (3.) The Education Department, with the concurrence of the Treasury, may at any time during the first *twelve months* after the
- 30 passing of this Act make such adjustments as they may deem necessary or expedient for the purpose of carrying into effect the provisions of this Act with respect to grants, and direct the making of any payments required for the purpose of any such adjustment.
30. This Act shall come into operation on *the first day of January next after the passing of this Act*
- 35 31. This Act shall not extend to Scotland or Ireland.
32. The enactments specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.
33. This Act may be cited as the Education Act, 1896.

A D. 1896.

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33 & 34 Vict

c 75

39 & 40 Vict.

c 79.

53 & 54 Vict.

c 22

33 & 34 Vict

c 75

56 & 57 Vict

c 51.

Transitional
arrange-
ments-Commence-
ment of
ActExtent of
Act.Repeal of
enactments
in schedule.

Short title.

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