

# THE BRITISH STATE

by James Harvey and  
Katherine Hood

*An examination of the modern  
capitalist state, how it works,  
who runs it and in whose interests*



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The modern state has become a vast and ramified organization. It exercises its influence over many aspects of the life of its citizens, including such spheres as industry and commerce which formerly were considered outside the realm of State interference. The State today also seeks not only to control the actions of its citizens, but also to mold and direct their judgments and ideas.

Basing itself on a detailed examination of the entire structure and operation of the State in Britain, the authors check the classical Marxist theory against the facts and trends as they find them. In the course of this study they submit to critical review other current theories of the State, including the idea of the "Welfare State" and Social-Democratic concepts of the capitalist state growing over into the socialist state.

While their main concern is with the British State, in all its aspects—from Parliament to the BBC—the study throws considerable light on the role of the modern state in other highly developed capitalist countries.

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JAMES HARVEY and KATHERINE HOOD

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## CHAPTER I

# THE RIVAL THEORIES

SINCE the end of the war there has been a persistent campaign to persuade the British people that they are a free nation forming, together with the United States of America and other countries in Western Europe and the Empire, part of the free world where the people enjoy advantages of democratic government which are denied to the inhabitants of socialist countries. Many have been all the readier to accept this standpoint because we in Britain undoubtedly enjoy many hard-won civil liberties of the greatest value. There is freedom from arbitrary arrest and a wide measure of freedom of speech; we can organise trade unions and political parties and periodically elect a Parliament which helps to frame the laws and is a forum where the executive government can be criticised and all kinds of grievances aired. This Parliament has indeed been so important in our history that to many people the terms "Parliament" and "democracy" are almost synonymous, and they would say that our country, which has the oldest Parliament in the world, has also achieved a more perfect democracy than any other.

It is the purpose of this book to endeavour to look below the surface at the real content of British democracy; to make an examination of the British State, how it works, who runs it and in whose interests; and from all this to see what conclusions can be reached about the way forward to socialism in Britain.

The starting point for an examination of the British political system must be the recognition that it exists on the basis of a capitalist economy. In Britain the greater part of industry, trade, finance and the land is the private property of a small minority of the population—the capitalist class. It has been shown that 10 per cent of the population over 25 years of age own 80 per cent of the private capital in England and Wales, and that 1 per cent of the population own 50 per cent of the capital.<sup>1</sup> The control of British industry and finance is becoming more and more concentrated into the hands of a small number of

<sup>1</sup> Kathleen Langley, "The Distribution of Capital in Private Hands," *Bull. Inst. Stat.*, December 1950 and February 1951.

immensely powerful monopolies, combines and financial organisations: in 1955-6 over a third of all company profits were made by the four hundred firms whose trading profits were a million pounds or more.<sup>1</sup> They also control the major part of the means of propaganda—the press, the cinema, and commercial television. The activities of this small class of big capitalists—we shall call them the “monopoly capitalists” in the rest of this book—whose investments range all over the world, are directed towards one central aim—profit; the use of the economic resources which they control is determined, not by the needs of the people, but by the opportunities for making a profit. This ownership of the means of production gives the capitalist class a grip over the lives of millions of wage and salary earners—the working class—who have no choice but to work for them and constantly enrich them.

It is in this context that the issue of freedom must be judged. The founders of the socialist movement in this country were never in any doubt that freedom for the working class meant freedom from the economic domination of the capitalist class. So long as the people were not masters of the land, the factories or the wealth which they themselves produced, it could not be said that the people ruled.

Today there is probably widespread agreement among socialists that Britain cannot become an entirely free country until the profit-making system which leads to poverty, unemployment and war has been abolished, and the means of production have been taken out of the hands of the monopoly capitalists so that they can be used for the benefit of the people instead of for the profit of the few. But it is widely believed that the people have the means to solve these problems, provided that they make full use of the political rights they have already gained, without making fundamental changes in existing institutions. Moreover, it is felt that revolutionary changes in the State might very well lead to some kind of absolute rule backed by an all-powerful secret police. It follows that the advance to socialism should be made step by step within the existing political framework.

This may be described as the social-democratic theory of the State. As one of its supporters, Mr. Dennis Healey, has written:

“By choosing the phrase ‘social democracy’ to distinguish their policy from that of other parties, socialists assume that society has already realised political democracy.”<sup>2</sup>

<sup>1</sup> Table 30 in 100th Inland Revenue Report.    <sup>2</sup> *The Future of Socialism* (1956), p. 27.

The British people are governed by an elaborate apparatus composed of Parliament, the Monarchy, the Cabinet, the Civil Service, the Armed Forces, the Police, and the Judiciary; and together these institutions make up the modern State. The social-democratic theory accepts the widely-held liberal view that the State is a piece of neutral machinery, impartial in the conflict between workers and capitalists; it therefore considers that the existing State can be used for the purpose of creating and organising a planned socialist society just as well as it has hitherto been used for organising capitalist society. This view was clearly stated by Earl Attlee, writing in 1938:

"The system of government and administration in this country has been evolved through the centuries and adapted from time to time to new conditions. . . . With this machinery . . . we can make such changes as we desire."<sup>1</sup>

If the State is impartial in the conflict between capital and labour, it can be thought of as an organ which represents the interests of the nation as a whole. In the early days of the Labour Party, Ramsay MacDonald devoted a good deal of attention to the question of the State, and according to him:

"Socialists should think of the State and political authority not as the expression of majority rule or of the rule of any section, but as the embodiment of the life of the whole community."<sup>2</sup>

Forty years later Mr. Herbert Morrison put the same view in another way when he said in a talk to civil servants:

"Again, the British people have a view of the State which is very different from that held in some parts of Europe. . . . Our State . . . is simply the expression of ourselves as a group trying to do things together in a fair and orderly manner."<sup>3</sup>

And Mr. John Strachey gives an up-to-date formulation of the same theory in a rather more elaborate style:

"An all-embracing, all-penetrating climate of opinion must be the end product of our democratic processes and institutions.

<sup>1</sup> *The Labour Party in Perspective* (1937), p. 169.

<sup>2</sup> *Socialism and Government* (1909), Vol. I, p. 91.

<sup>3</sup> *Peaceful Revolution* (1949), p. 111.

Immersed in this pervasive medium, each of our institutions becomes a different thing. Crown and Parliament, Prime Minister and Cabinet, Army, Navy and Air Force, taxation and representation, political parties and electoral methods, judicial and educational systems—all of them, even when they retain their traditional forms, change their social content as and when they become filled with the impulses of that vast majority of the people who are now at last beginning to play a real part in public affairs.”<sup>1</sup>

The theory of the State which is held by these leaders of the Labour Party is in fact much older than the Labour Party itself. It was the view which was held—no doubt unconsciously—by the trade union leaders in the middle of the nineteenth century who followed the political leadership of the Liberal Party; it was spread more widely by the propaganda of the Fabian Society in the eighteen-eighties, and was carried over into the Labour Party after its formation in 1900 by prominent members of the Independent Labour Party like Ramsay MacDonald. It is wholeheartedly believed by the right-wing leaders of the Labour Party today and is undoubtedly widely accepted among the rank and file of the labour movement as well.

A study of history led Marx and Engels to exactly the opposite conclusion. It led them to the discovery that the State only came into being when society became divided into classes, and to the theory that while there is one class which exploits another, the State is the instrument for maintaining the domination of the ruling class. “It is impossible to compel the greater part of society to work systematically for the other part of society without a permanent apparatus of coercion”, is how Lenin expressed it. And William Morris, founder of the Socialist League and one of the greatest of our socialist pioneers, described the British State in more homely language when he said in 1888:

“The magistrate, the judge, the policeman, and the soldier are the sword and pistol of this modern highwayman, the capitalist. . . .”<sup>2</sup>

The difference between these opposed theories of the State can be put in another way. According to the social-democratic theory, all the various democratic rights which the British people possess—the right to vote, to form trade unions and political parties, to freedom of

<sup>1</sup> *Contemporary Capitalism* (1956), p. 177.

<sup>2</sup> Lecture entitled “True and False Society” (1888).

speech and so on—give them the power to exercise effective control over the State apparatus, and make it representative of the popular will. According to the Marxist view, on the other hand, while all these democratic rights are of the greatest value because they have enabled the working class to build up the modern labour movement and continually to strengthen it, they are essentially *concessions* which the working class in the course of prolonged and hard-fought struggles has wrested from a reluctant capitalist class, and they have not prevented the State from continuing to function as the instrument of the capitalists.

Some social democrats do not deny that the Marxist theory fits the facts in certain capitalist countries. Britain, they claim, is different; a democratic country can only function properly if its citizens possess the spirit of political compromise, and the British have that spirit in a highly developed form. Thus G. D. H. Cole has suggested that in advanced industrial countries, such as Britain, "with a strong tradition of political compromise", it may be possible for the working class to achieve socialism without having to make revolutionary changes in the State machinery.<sup>1</sup> The Marxist view, on the other hand, is that Britain is not fundamentally different in this respect from other capitalist countries, although the British State certainly does possess some unique characteristics.

The theory of the State is of the greatest practical importance, because the most far-reaching conclusions about the advance to socialism depend on it. If the State is already representative of the whole nation, it must follow that any expansion in the activities of the State, whether in the form of nationalisation, extended social services, or additional controls over private industry, is a step towards socialism. Mr. Morrison put this very clearly when he said in 1950 that socialism was

"the assertion of social responsibility for matters which are properly of social concern. . . . The assertion of social responsibility, and therefore the principle of socialism, is also effected in all the work of economic planning and control, the social provision for the young and the old, the sick and the unemployed, education and housing. . . ."<sup>2</sup>

And Mr. Aneurin Bevan, referring to the national health service

<sup>1</sup> *The Meaning of Marxism* (1948), p. 198.

<sup>2</sup> Labour Party Conference, 1950.



introduced by the Labour Government, has described it as "a piece of genuine, undiluted socialism".<sup>1</sup>

This is the traditional, evolutionary view which was championed so effectively by the Fabian Society in the past. As the State has gradually extended its functions, it was argued, so has progress towards socialism been gradually made within capitalist society. Edward Pease, secretary of the Fabian Society for twenty-five years, wrote in his history of the Society:

"The Fabians regarded socialism as a principle already embodied in the constitution of society, gradually extending its influence. . . ."<sup>2</sup>

If this is so, it follows that the task of a socialist government is simply to continue—no doubt at a faster rate than before—the good work of expanding social services and nationalising industries which had already been started by previous Conservative and Liberal Governments; and it is not required to make any basic changes in the existing machinery of the State.

On the other hand, if the Marxist theory is correct—and we believe it is—and the existing machinery of the State is an instrument which has been evolved to preserve capitalism, it cannot be used for the entirely different purpose of creating a planned economy based on the principle of production for use. There will have to be a fundamental transformation of the State in order to build a socialist society. It follows that until the people under the leadership of the working class begin to transform the old capitalist State into their own socialist State, which they can use to organise a planned economy and to prevent any attempts at violent revolt by the capitalist class, they cannot begin to build socialism.

The kind of fundamental transformation which is required will become clear in the course of this book as the various organs of the British State are examined in turn.

<sup>1</sup>*Reynolds News*, May 6, 1951.

<sup>2</sup> *History of the Fabian Society* (1916), p. 240.

## CHAPTER II

# THE MARXIST THEORY AND THE BRITISH STATE

### I. THE THEORY IN OUTLINE

MARX and Engels held that, in order to understand the State in capitalist society, it was necessary to approach the problem historically and see how the State first arose.

Historical study shows that the State has not existed from all eternity. In early tribal society, where economic development had not yet reached the stage where society could produce a surplus, the conditions for the exploitation of man by man did not exist. This is the stage of human society described by Marx as "primitive communism"; and a careful study of such societies has shown that there did not then exist any special apparatus for the subjugation of people by force. There were no permanent armed forces, police, prisons or law courts.

"We find the predominance of custom, authority, respect, the power enjoyed by the elders of the tribe . . . but nowhere do we find a special category of people who are set apart to rule others."<sup>1</sup>

It was only at a comparatively recent stage of human development, when the techniques of production were sufficiently advanced to produce a surplus of wealth above the level of bare subsistence, so that a minority of the population began to accumulate private property and society began to divide into antagonistic classes—it was only then that the State came into existence.<sup>2</sup>

Every new class which has raised itself to the position of the ruling class—whether slave-owning, feudal, or capitalist—has established a different kind of State apparatus, of which the essential purpose has been the same: to safeguard, through the exercise of coercive power, its right to exploit the labour of the oppressed class—slaves, peasant serfs, or wage-earners as the case may be. When in turn the working

<sup>1</sup> Lenin, *Lecture on the State* (1919).

<sup>2</sup> Engels wrote a fascinating study of the rise of private property and the State in his *Origin of the Family, Private Property and the State* (1884).

class raises itself to the position of the ruling class it also creates a new form of State, a socialist State, which for the first time in history represents the interests of the vast majority of the population. The building of a planned socialist society, based on the public ownership of the means of production, puts an end to the exploitation of man by man, and the gradual disappearance of the capitalist class ends the division of society into antagonistic classes. The coercive machinery of the State becomes less and less necessary as socialism is established, so that the way is prepared for the withering away of the State. In the words of Engels:

“The society which organises production anew on the basis of a free and equal association of the producers will put the whole State machinery where it will then belong—into the museum of antiquities, next the spinning wheel and the bronze axe.”<sup>1</sup>

The term “dictatorship of the proletariat” was used by Marx to describe the new form of State which the working class would have to establish in order to begin the building of a socialist society. Although the word “dictatorship” is nowadays associated in the minds of most people with the absolute power exercised by a single individual, it is clear from the whole of Marx’s writings on the State that this was the very last thing he had in mind. He meant that the working class, being the great majority of the population, would need to use the coercive power of the socialist State against the capitalist class, just as the latter had always used the coercive power of their State—which he called the dictatorship of the bourgeoisie, whether it took the form of an absolute monarchy, a military dictatorship or a parliamentary democracy—against the working class. Lenin emphasised again and again in his writings on the State<sup>2</sup> that nothing could be more dangerous or misleading than to imagine that socialism could be established at a single blow. On the contrary, the transition to socialism would require a whole epoch, and in many ways the construction of a socialist society would be even more difficult than the task of winning the revolutionary struggle for political power which preceded it, for there was a danger that the defeated capitalists would at first resist even more strongly than they did before the revolution. For this reason

<sup>1</sup> *Origin of the Family* (1884).

<sup>2</sup> Lenin’s principal works on the State, where the Marxist theory is fully expounded, are *The State and Revolution* (1917) and *The Proletarian Revolution and the Renegade Kautsky* (1917).

Lenin insisted that the working class had to have at its disposal powerful and reliable armed forces and police in order to safeguard the revolution and to prevent the capitalist class from resorting to violence.

But the function of the dictatorship of the proletariat, or of the socialist State, is not solely, or even mainly, the organisation of a coercive apparatus. Its principal task is the construction of a planned socialist economy in which the exploitation of man by man will be abolished and the creative abilities of the people set free to develop the productive resources of the nation for their own benefit. In the view of Marx and of Lenin this could only be done by means of the widest participation of the people in all the work of running the socialist State. Thus the element of dictatorship—the use of coercion where necessary against the capitalists—would exist side by side with a great expansion of democracy for the working class. In comparison with a capitalist democracy, where the minority rules over the great majority, the dictatorship of the proletariat would be an altogether new and higher type of democracy—a socialist democracy, where the great majority of the population would rule over the capitalist minority. Moreover, the gradual assimilation of the capitalists into the ordinary working population would in course of time render the coercive apparatus less and less necessary, and the State would begin to wither away.

This is a brief outline of the Marxist theory, and the question we have to decide is whether it applies to this country and helps towards an understanding of the existing State and the way forward to socialism. In the next chapter we shall begin to examine the various organs of the British State and to test the theory against the facts. First of all, however, it is necessary to make a few general observations about the historical evolution of the State in Britain.

## 2. THE CONTINUITY OF THE BRITISH STATE

One of the most striking features of the British State is that some of its most prominent institutions have an apparently unbroken history stretching far back into the Middle Ages. There is probably no other country in the world which possesses State institutions of so ancient an origin. The first Parliament was summoned by Edward I; the origin of the English legal system and of the common law has to be sought in the reign of Henry II or even earlier; and the monarchy embodies a continuous tradition which—apart from the break of eleven years after the execution of Charles I—reaches right back to the Anglo-Saxon kings.

In all this there is a marked contrast with other countries. In France there was a sharp break at the French Revolution when the entire State apparatus was remodelled on fresh lines; and in Italy, Germany and other European countries all traces of feudal institutions have long since disappeared. From these facts it is sometimes argued that a State which has so long and continuous a history must thereby have developed into an instrument which is peculiarly well adapted to the needs of the British people. Thus Mr. Herbert Morrison, giving a list of assets enjoyed by Britain but not by many other nations, placed second on the list:

“a settled constitution going far back into history, but evolving freely to meet our most up-to-date needs.”<sup>1</sup>

In this way the historical continuity of some institutions of the British State is used in support of the social-democratic theory—that the State serves the interests of the nation as a whole and not those of the capitalist class alone.

But the mere fact of historical continuity does not prove anything of the sort. It is obvious that, while the old feudal institutions have retained something of their original form, they have all undergone tremendous changes in the past six hundred years; and the important question that has to be answered is: what have they changed into? Only a thorough study of the way in which these institutions function in modern conditions, which we endeavour to undertake in the following chapters, can provide the answer to that question. In other words, the historical continuity of the British State is consistent with either the social-democratic or the Marxist theory.

It would indeed be a fascinating task to begin with a historical study of the development of the British State into its present form in order to understand how all the various institutions of which it is composed have come to be moulded into their present shape. But this would require a whole book to itself.

Before leaving the subject of continuity, however, two points must be made. First, some of the organs of the British State—such as the armed forces, the civil service, the police and the secret police—are essentially products of the modern industrial capitalism of the past hundred and fifty years, or of an even shorter period; and nearly all the other organs, such as the House of Commons, the Cabinet, the

<sup>1</sup> Speech at Edinburgh, *The Times*, January 29, 1951.

monarchy, and the local authorities, have undergone great changes within that time. This recent history, whenever it throws a revealing light on the way in which some part of the State now functions, has been included in the relevant chapter of this book.

Secondly, the monarchy and the House of Lords were abolished in 1649 and only restored in 1660. The significance of the civil war which led up to this sharp break in the continuity of the State is still the subject of profound difference of opinion. Historians of the Marxist school believe that before the civil war the British State was a feudal State serving the economic and political interests of the feudal land-owners, and that the civil war was essentially a class struggle in which the Parliamentary forces led by Cromwell represented the rising capitalist class, while the Royalists fought on behalf of the declining feudal aristocracy. The capitalist class used its victory to transform the State into a capitalist State, creating a political structure within which capitalism could freely develop. Thus the capitalist State, which is still in existence today, has not evolved gradually from some dim and distant Anglo-Saxon and medieval past. On the contrary, it was only established by means of a revolutionary struggle which did not stop short of civil war until its aims were achieved.<sup>1</sup>

### 3. THE BOURGEOIS-DEMOCRATIC STATE

We have seen that a fundamental change in the class content of the State may occur while a certain continuity of form is preserved. It is also evident that a particular kind of State, whether slave-owning, feudal, capitalist or socialist, may assume a great variety of forms in different countries or at different stages in its development. Thus in classical Greece the different forms of State were known as tyranny, oligarchy and democracy; the differences between these forms were extremely important, but all these States remained instruments for securing the domination of the ruling class of slave-owners; and the democratic State of Athens in the fifth century B.C. was the most famous of all the slave-owners' States.

The form of capitalist States varies widely from country to country and at different periods in the same country. The economic functions performed by the modern British State are very different indeed from what they were a hundred years ago; and we shall return to this question later on. There is also a striking difference in the degree to

<sup>1</sup> The best account of this period from this point of view is Christopher Hill's *The English Revolution, 1640* (Third edition, 1955).

which the democratic rights of voting, freedom of speech and freedom of association have been gained by the working class: these rights may have become highly developed as in Britain and other capitalist States in Europe at the present time, or they may have been swept away altogether as in a fascist dictatorship; while there are many countries which occupy an intermediate position in this respect. Thus the State in Britain may be described as a capitalist democracy or, to use a more technical and accurate term, as a "bourgeois-democratic State"—that is to say, the working class has gained many valuable democratic rights, but these are subordinated to the property rights of the capitalist class. As we hope to show in the remainder of this book, it is these property rights which are primarily protected by the State, whereas it is mainly through the strength of the labour movement and of public opinion that democratic rights have been won in the past and can be defended in the future.

To say that a fascist dictatorship and a bourgeois democracy are different forms of a capitalist State is not for one moment to deny the immense advantages of the latter for the working class. This is so obvious that it needs no elaboration. The wider are the democratic rights which the working class enjoys, the more easily can it become strong enough to win political power and establish a socialist State.

The history of the way in which all these democratic rights were gained is far too complex to be examined here in detail. There can be no doubt, on the one hand, that the working class itself had to engage in many prolonged and hard-fought struggles to win them. There can equally be no doubt that an important section of the ruling class, the liberal manufacturers, who were led in the middle of the nineteenth century by such outstanding figures as John Bright, also played a significant part. The result was that a great liberal tradition was gradually built up in the last century in Britain.

But there were many limitations on these democratic rights in a society dominated by private property in the means of production. Above all, the ruling class retained control of the entire machinery of the State. It did not neglect to build up reliable armed forces, an effective police force and an efficient administrative machine; and in all the organs of the State the key positions at the top were—and still are—held by persons loyal to the ruling class. The fact that these democratic rights were essentially in the nature of concessions to the working class, which did not touch the political power of the capitalists, was well understood by many liberals in the nineteenth century. Thus the

importance of making concessions of this kind was stated in the frankest possible terms by Bagehot, author of the penetrating book on the British Constitution which was written just before the passing of the Second Reform Bill in 1867. In his introduction to the second edition published in 1872 he said:

"... in all cases it must be remembered that a political combination of the lower classes, as such and for their own objects, is an evil of the first magnitude; that a permanent combination of some of them would make them (now that so many of them have the suffrage) supreme in the country; and that their supremacy, in the state they now are, means the supremacy of ignorance over instruction and of numbers over knowledge. So long as they are not taught to act together, there is a chance of this being averted, and it can only be averted by the greatest wisdom and the greatest foresight in the higher classes. They must avoid, not only every evil, but every appearance of evil; while they have still the power they must remove, not only every actual grievance, but, where it is possible, every seeming grievance too; they must willingly concede every claim which they can safely concede, in order that they may not have to concede unwillingly some claim which would impair the safety of the country."<sup>1</sup>

The motives of the British ruling classes have never been more honestly set forth.

Many social democrats would probably agree that, when the working class first began to gain the right to vote in the nineteenth century, political power remained in the hands of the capitalist class. They would agree that Engels was right when he wrote, soon after the passing of the Second Reform Bill in 1867, that the ruling class had learnt how "to rule directly by means of universal suffrage"; for in those days the working class was offered only the alternative of voting for one of two political parties led by representatives of the ruling class—Liberals or Conservatives. But they argue that the whole position has been transformed by the rise of the Labour Party and the great increase in the influence of the labour and trade union movement in the present century; and that the institutions which make up the British State have, in the words of Mr. John Strachey quoted in the previous chapter, "changed their social content as and when they have become filled with the impulses of that vast majority of the people

<sup>1</sup> Bagehot, *The British Constitution* (World's Classics Edition of 1949), p. 272.



who are now at last beginning to play a real part in public affairs". It is the aim of this book, by examining in turn each of our State institutions, to see whether there is any evidence in support of this theory.

#### 4. FROM COMPETITIVE TO MONOPOLY CAPITALISM

It is not enough, however, to say that in Britain there is a bourgeois-democratic State; for the character of the State is continually changing and the direction in which it is changing is extremely important. As we shall see later, the ruling class has in the course of the present century turned against the democratic traditions of its liberal past. This turn is closely linked with the profound changes which have taken place from the expanding, successful and competitive capitalism of the middle of the nineteenth century to the monopoly capitalism and imperialism of the twentieth, which has been accompanied by ever-growing difficulties for the British capitalist system.

Fundamental changes have taken place in the organisation of British industry since the end of the nineteenth century, when the fierce competition which generally prevailed in each industry began to give way to agreements for regulating prices and output and to a variety of forms of monopoly association designed to restrict competition. Since then the domination of an industry by a single great capitalist combine or by a small group of all-powerful firms has become the general rule. Unilevers, I.C.I., the giant oil companies, the Vickers Group in the armament industry, the great motor vehicle and aircraft manufacturing firms, are well-known examples of the great trusts which control a large part of the economic resources of the nation. This process of industrial concentration has been accompanied by a similar process of amalgamation in the field of banking and finance. The result is that, comparing the present-day position with that prevailing in the last century, there has been a tremendous concentration of economic power into the hands of a relatively small group consisting of the directors of the largest capitalist combines and financial institutions.<sup>1</sup>

During the same period the principles of free trade which prevailed in the nineteenth century have been abandoned and the monopoly capitalists have become increasingly dependent on the exploitation of the people living in the colonial empire, where British investments and trade are partially protected from foreign competition. The fact

<sup>1</sup> *Monopoly*, by S. Aaronovitch (1955), is a valuable study of the most powerful firms which dominate British industry today.

that a large part of the former British Empire has gained its independence since the Second World War has only made the monopolies more dependent than before on the profits they derive from the remaining colonies, which have a population of some 80 million, and more determined than ever to maintain as long as possible their control over the economic resources of colonies moving towards independence and of semi-colonial areas like the Middle East.

During the period of competitive capitalism in the nineteenth century there was a tremendous expansion in the productive forces of the country. The imperialist stage of capitalism, on the other hand, has been a period of growing economic and political crisis. Ever since the end of the First World War Britain has passed from one crisis to another, and the temporary solution of each crisis has only prepared the way for another in the future. The monopoly capitalists strive to solve their difficulties in the only ways known to them—at the expense of the colonial peoples, of the British working class, and of the capitalists of foreign countries. Thus imperialism is a period of growing class struggles at home, of rising liberation struggles in the colonies, and of terrible wars between the imperialist powers for the redivision of the world. All these basic conflicts were intensified by the Russian revolution in 1917, when capitalism ceased to be the sole and unchallenged social system in the world, and by the spread of socialism to China and other countries after the end of the Second World War.

It is true that British capitalism has shown an ability to maintain full employment and to develop to a certain extent the productive resources of the country in the special conditions which have prevailed since the end of the Second World War. But none of the basic conflicts which we have outlined above have been solved, and they have found their expression in the unprecedented burden of armaments and in the succession of financial crises that have followed one another throughout the post-war period.

In this brief survey we have simply endeavoured to describe the principal changes which have been taking place in the British capitalist system during the imperialist period—dating roughly from the turn of the century—and which must be taken into account in any attempt to understand the modern British State.<sup>1</sup>

<sup>1</sup> For a more thorough account of imperialism, see John Eaton's *Political Economy* (1949), Chapter IX, and the whole of R. Palme Dutt's *The Crisis of Britain and the British Empire* (revised edition, 1957).

## 5. MONOPOLY CAPITALISM AND THE BRITISH STATE

(1) *Growth of State Monopoly Capitalism*

The change from competitive to monopoly capitalism has had a profound impact on the British State. As the economic power and wealth of the monopolies has grown, the State has ceased to be the "executive committee" of the bourgeoisie as a whole (as Engels called it). It has become more and more subordinated to the dominant group of great monopolies, and has become an instrument which they use not only against the workers, but also against the smaller capitalists and the independent producers.

Faced with growing difficulties, the monopolists have been driven to extend the use of the State on an ever-increasing scale, both as an instrument for coercion and for the purpose of regulating the economic life of the country. This has led to a great expansion of the armed forces, along with a great strengthening in the power and efficiency of the police and the secret police; and to a tremendous increase in the size of that part of the State apparatus concerned with industry and finance.

Thus it is characteristic of the monopoly stage of capitalism, both in Britain and in all other capitalist countries, that it gradually develops into "state monopoly capitalism". Lenin described this development in these words:

"Imperialism—the era of bank capital, the era of gigantic capitalist monopolies, the era of the transformation of modern monopoly capitalism into state monopoly capitalism—has particularly witnessed an unprecedented growth in the strengthening of the 'state machine' and an unprecedented growth of its bureaucratic and military apparatus."<sup>1</sup>

According to the Marxist view, therefore, the immense growth in the State machine over the past fifty years is a response, not to the needs of the British people, but to the requirements of the small group of powerful businessmen and financiers who stand at the head of the great combines and trusts which own the decisive share in the nation's economic resources, and who are guided only by the motive of maximum profits. Too much emphasis cannot be placed on this explanation of the expansion of the State, and it is one of the central features

<sup>1</sup> *State and Revolution* (1917).

of the Marxist theory. There are certainly a great many people who do not in the least accept it, and who believe that the nationalisation of some of the basic industries, together with the great extension of the social services in modern times, proves that the State has been transformed into a "welfare State" serving the interests of the common people. We can only ask any reader who takes this view to consider carefully all the evidence collected in the following chapters of this book.

## (2) *The Turn against Democratic Rights*

There is a second fundamental trend underlying all the major developments in the British State during the imperialist stage of capitalism—a growing hostility on the part of the ruling class towards the democratic rights and liberties of the people.

The turn against democracy has been common to all the great capitalist powers, although it has taken widely different forms in accordance with the national traditions and circumstances of each country. It assumed its most direct and brutal expression in the form of the fascist dictatorships which came to power in Italy, Germany and Spain in the inter-war period, when all the democratic rights of the working class in these countries were suppressed outright. Since the end of the Second World War, the traditional civil liberties in the United States, especially freedom of speech, have been gravely curtailed by the imprisonment of leading Communists under the Smith Act, and by the witch-hunting, blacklisting campaigns against progressives of all shades of opinion employed in the government service, in education, in industry and in the field of entertainment. The developments in Britain have taken a rather different course. The existence of a strong and vigilant labour movement and of a long-standing respect for democratic rights which is deeply rooted among the British people has meant that the turn against democracy has been mostly a process of undermining rather than direct attack.

Some of our traditional liberties have been directly curtailed by the passing of new reactionary laws dating from the end of the First World War (considered in Chapter XI) and the powers of the police have consequently been increased in many directions; to this extent there has been a direct attack and it is extremely important. Freedom of speech has also been undermined by the purge of civil servants suspected of "Communist associations" which was instituted by the Labour Government in 1948, and which has greatly strengthened the influence

of the secret police—though witch-hunting in general has not been carried to such lengths as in the United States. But the turn against democracy has also taken a wide variety of other forms, some of which are not obvious and are not so widely appreciated as they should be. There is the decline in the role of the House of Commons and the increasing power of the Cabinet and of the permanent civil service, the powerful trend towards centralisation in the administrative apparatus of the State along with the serious decline in the independence of the elected local authorities, and the concentration of the press, broadcasting and television in the hands of a very small number of powerful groups. These are only some of the most prominent examples of the tendency to concentrate political power in ever-fewer hands parallel with the trend towards the concentration of economic power in an ever-smaller number of giant combines and trusts.

The turn against democracy on the part of the ruling class does not mean that there has been a continuous decline in the democratic rights of the people throughout the period of imperialism. On the contrary, there have been some important gains, such as the advance towards universal suffrage and the winning of votes for women in the decade after the First World War. But advances of this kind had to be fought for and gained by means of popular pressure and the growing influence of the labour movement.

The attitude of the capitalist class towards democracy has indeed been perfectly consistent. They fought for an extension of democratic rights in the last century—though in a half-hearted, inconsistent manner—in order to dislodge the landed aristocracy from their exclusive control of all the key positions in the State apparatus; but they have become increasingly hostile to these rights and liberties in the course of the present century, as the growing strength of the working class movement in turn threatens their own exclusive control of the State. Therefore they have lost no opportunity—as succeeding chapters will show—of strengthening in every possible way all the coercive and administrative organs of the State, and of undermining and curtailing the democratic rights of the people.

## 6. THE IMPERIAL STATE

If the fear of democracy by the monopoly capitalists has taken a variety of indirect forms in Britain, it has frequently been direct and brutal in the colonies. The strivings of the peoples of Malaya, Kenya, British Guiana and Cyprus for national independence were

at first met with savage repression. Such democratic liberties as the peoples possessed were swept away as soon as they conflicted with the maintenance of British domination, and all the weapons of a fascist dictatorship have been brought into use whenever necessary—the suspension of Habeas Corpus, concentration camps, suppression of freedom of speech and of the press, abolition of the right to vote and the right to organise trade unions, and the imposition of collective fines.

The bitterly anti-democratic outlook of the British ruling class was revealed with exceptional clarity in British Guiana. In April, 1953, in the first election based on universal suffrage, the People's Progressive Party won an absolute majority in the Lower House on a programme of broad political and social reform. It was not by any means a socialist programme. Moreover, the powers of the elected government were severely limited under the Constitution, for the Governor controlled finance, law and the police, while external affairs were in the hands of the Colonial Office. Yet the government had only been in office for a few months, and had hardly begun to carry out its programme, when the British Government suddenly announced (October 9, 1953) the discovery of a "Communist plot" to seize power in the colony. The Governor immediately suspended the Constitution and troops were sent in to enforce his decision. But the White Paper subsequently published by the British Government signally failed to produce any evidence of a Communist plot, and even *The Times* declared: "The Communist plot is not exposed in the White Paper with the clarity and completeness that many in the country expected."<sup>1</sup>

There can be only one conclusion from all this. The limited democratic rights of the people of British Guiana were swept away as soon as they appeared to the Colonial Office to threaten the interests of the British minority of sugar planters and property owners. Moreover, the Colonial Secretary, Mr. Lyttleton, made a surprisingly blunt statement of the Government's attitude at the time:

"Her Majesty's Government are not willing to allow a Communist State to be organised within the British Commonwealth. Our friends can take that as a definite statement; our enemies can attach to it all the importance I think they should."<sup>2</sup>

Thus he made it perfectly clear that any other colony which dared

<sup>1</sup> October 21, 1953.

<sup>2</sup> At the Conservative Party Conference, October 9, 1953.

to follow the example of British Guiana would suffer the same fate.

A really comprehensive study of the nature of the political power wielded by the British monopoly capitalists would have to include the State apparatus throughout the colonial empire—the Colonial Office, the Governors and the administrative machinery, the various colonial constitutions, the organisation of the police and the judicial systems; but all this is outside the scope of this book, which is confined to that part of the British State which operates inside Britain. But it is vitally important to remember that the British State is an integral part of the imperial State apparatus which controls the colonial peoples as well as the British people. The ruling class has not yet treated the British people in the way they have dealt with the peoples of Kenya, Malaya, Cyprus and British Guiana. But the fear and hatred of democracy displayed by the ruling class in the colonies is a fact of fundamental importance which must be borne in mind throughout any study of the State in Britain. Moreover, the character of the State apparatus has been profoundly influenced, and in some respects determined, by the fact that Britain has been the centre of a colonial empire, as we shall see in the chapters on the armed forces, the police, and the foreign and home civil service.

### CHAPTER III

## POLITICAL PARTIES AND THE CONSTITUTION

AT intervals of not more than five years the British people have the right to elect a House of Commons from the rival candidates put forward by two or more political parties; and if dissatisfied with the record of the Government, they can return a majority of the Opposition party's candidates, thus enabling an alternative government to be formed. It is widely believed that in these conditions the existence of two major political parties, capable of alternating in power, ensures that the government is broadly representative of the nation.

This belief is undoubtedly a very plausible one. So there is every reason for beginning an examination of the British State with a study of the political parties which occupy the forefront of the political scene.

### I. THE TWO-PARTY SYSTEM

Ever since the gradual introduction of universal suffrage began in 1867 British politics have been dominated by two major parties: Conservative and Liberal until 1918, Conservative and Labour since about 1923, with a short transitional period in between when the Labour Party was replacing the Liberal Party as the official Opposition party. This tendency for elections to be dominated by two major parties, with other parties playing a very minor role, is so striking a feature of British politics that it has become known as the "two-party system".

The domination of two main political parties, and two only, has influenced the development of the British Constitution so profoundly that it can almost be said that the two-party system is one of the unwritten conventions of the Constitution.

The Constitution tolerates the existence of other political parties besides the two principal parties. But since all the main features of the Constitution have been evolved by a Parliament controlled by two parties, it inevitably functions in such a way as to strengthen the domination of these two parties. As Sir Ivor Jennings has said:



"... the whole constitution, from the electoral process to Parliamentary procedure, assumes the two-party system; and because it assumes that system it assists in maintaining it."<sup>1</sup>

The entire procedure in Parliament is regulated by agreement between the two main parties who form the Government and the Opposition. The official Opposition is treated with the greatest consideration—and this example of British habits of toleration and respect for minorities is held up for universal admiration. The Opposition has the right to select the subject for debate on the twenty-six "supply" days when the financial estimates are under discussion; and a great many other matters are arranged by the whips behind the scenes. Jennings has rightly emphasised that the *most important* feature of the procedure of the House of Commons is this practice of arranging the debates by agreement between Government and Opposition:

"The most important elements in Parliamentary procedure are the discussions 'behind the Speaker's chair' or 'through the usual channels'."<sup>2</sup>

Deliberate steps have been taken in recent years to enhance the role of the Opposition. Thus in 1937 the post of Leader of the Opposition was created, carrying a salary of £2,000 a year. And the desirability of running the affairs of State by two parties alternating in government is carried to such lengths that even the architecture of the House of Commons is dominated by this conception and M.Ps. are forced, by the shape of the House, to associate themselves either with the Government or the Opposition. The total effect of all these Parliamentary proceedings is very greatly to enhance in the eyes of the public the position of the two parties which form the Government and the Opposition.

The B.B.C., which is an integral part of the British State, also plays an immensely important role in fostering the domination of the two main parties. At a general election they receive between them an overwhelming proportion of the generous amount of time allocated to political broadcasts. In the elections since the war the Liberal Party has been allowed a certain amount of time, while all other parties have been almost totally excluded from the air. Thus in the 1950 election the Communist Party, with 100 candidates, got precisely ten minutes. In

<sup>1</sup> *Parliament* (1939), p. 504.

<sup>2</sup> *Cabinet Government* (1951), p. 464.

the 1951 election, having under 50 candidates in the field, the Communist Party got no time at all. Between elections the B.B.C. also invites the Conservative and Labour Parties to give a fair number of political broadcasts, with an occasional one for the Liberals. Thus, in the name of political neutrality, toleration of the views of the opposing party, the British sense of fair-play and so forth, the most influential means of propaganda in the country is almost completely monopolised by the two major parties.<sup>1</sup>

But the principal instrument on which the two main parties rely to preserve their domination is the British electoral system.

## 2. THE BRITISH ELECTORAL SYSTEM

There is a widespread illusion among the British people that their electoral system is a model of democratic procedure. In fact, it is not an exaggeration to describe it as one of the most unrepresentative electoral systems hitherto devised in any capitalist country with a fully developed Parliamentary democracy. It is largely the product of the Reform Bill of 1867, when the first step was taken towards universal suffrage. Each step in the slow evolution of the electoral system—a vote for everyone over twenty-one was not achieved until 1928—has taken place by means of a process of bargaining and compromise between the two main parties. It is perhaps not surprising that the Parliamentary leaders of the two parties have worked out a system designed to perpetuate their own influence rather than to give effect to the wishes of the British people.

The essence of the British electoral system is the single-member constituency. If there are only two candidates, the one who gets the majority of the votes cast is elected. But if there are three or more candidates it is perfectly possible, and it not infrequently happens, that the successful candidate polls only a minority of the total votes cast in the election. To take an extreme example, if the successful candidate obtains 10,001 votes and the other two candidates get 10,000 each, he will have secured election with the support of only one-third of those who voted.<sup>2</sup>

At a general election this system can produce a result which is the exact opposite of the intention of the majority of the electorate. Thus

<sup>1</sup> This is further examined in Chapter XVII.

<sup>2</sup> In 1950, 30 per cent of the entire House were elected on a minority vote. The Tory member for Caithness and Sunderland obtained only 36 per cent of the total vote in the constituency.

in the 1951 election the Conservative Party actually secured 222,000 fewer votes than the Labour Party; and there were over 700,000 votes cast for Liberal, Irish Nationalist and other candidates. The Conservative Party, therefore, secured only a minority of the total votes cast in the election. Yet it won a clear majority of the seats in Parliament (320 seats, compared to Labour's 293 and 6 Liberal). The majority of the electorate voted against the Conservatives; but the Conservative leaders had the constitutional right to form the government for the next five years.

The same thing happened in 1924. The Conservative Party polled 7,450,000 votes, which was less than half the total of 16,065,000; yet they won a substantial majority in Parliament and remained in office for five years. In fact, the Conservative Party secured an undue proportion of seats in relation to votes at every election between 1918 and 1935. On the other hand, the Labour Party benefited in the same manner in the 1945 election. Out of a total poll of 25,018,393 the Labour Party got 11,985,733 votes; but they won the huge majority in Parliament of 186 over all other parties. The single-member constituency produces, therefore, this result: whichever of the two major parties gets the highest vote is likely to obtain a clear majority in Parliament, even though it represents only a minority of the voters. The British electoral system functions so as to produce a Parliamentary majority for one of the two main parties; it does not function, and is not intended to function, so as to produce an accurate reflection of the popular will. The votes given to the smaller parties are largely wasted.

The 1950 election provides a striking illustration of this. The Conservatives polled 12.5 million votes and got 298 seats; the Liberal party polled 2.6 million votes, but got only 9 seats. The Conservative Party obtained one seat for every 41,955 votes, whereas the Liberal Party had to get 291,283 votes in order to obtain a seat. The fear of wasting their votes on the smaller parties has a profound effect on the electors. They know that the main issue at an election is whether the next government is going to be Labour or Conservative, and the more evenly matched these two major parties are, the more the elector fears to waste his vote on one of the smaller parties. This applies with particular force to the Communist Party; many of those workers who prefer the policy of the Communist Party to that of the Labour Party nevertheless tend to vote for the latter in order not to split the working-class vote and thus increase the danger of a Conservative victory. The fear of splitting the vote puts a pistol at the head of the voter

and places a very powerful obstacle against the rise of any small party.<sup>1</sup>

Any reasonable system of proportional representation would provide a more accurate reflection in Parliament of the voters' intentions than the present system, because candidates would be elected in proportion to the votes they received and the small parties would obtain their share of seats in Parliament. Yet proportional representation has consistently been rejected by the leaders of the two major parties; it was rejected by the Conservative and Liberal Parties before the First World War, and has been rejected with equal consistency by the Conservative and Labour parties since then.

The system of single-member constituencies which are supposed to have an approximately equal electorate creates the necessity for a periodical revision of boundaries to keep pace with changes in population. Ever since the redistribution of 1948, which was carried out under the Labour Government's Representation of the People Act, there has been a heavy bias against the Labour Party, because there are more safe Labour seats than safe Conservative seats and more Labour votes are wasted in piling up huge majorities in the safe working-class constituencies.<sup>2</sup> It has been reliably estimated that in order to win a majority Labour must obtain at least half a million, or 2 per cent more votes than the Conservatives.<sup>3</sup> In the years immediately preceding 1948 this bias was counteracted by the great decline in the population of a number of safe Labour seats in the East End of London and elsewhere. But all these Labour constituencies with small populations were abolished in 1948.

The requirement that every Parliamentary candidate must deposit £150 which is forfeited unless he gets at least one-eighth of the total

<sup>1</sup> This is not an insuperable obstacle, as is shown by the rise of the Labour Party and the decline of the Liberal Party. But in its early days the labour movement did suffer severely from the reluctance of many workers who had traditionally voted Liberal to risk letting the Conservative candidate in through splitting the progressive vote. Thus all the 28 candidates put forward by the I.L.P. in the 1895 election were beaten, and most of them fought three-cornered fights against Conservative and Liberal candidates. After the formation of the Labour Party in 1900, however, it quickly gathered strong support in many working-class areas. Moreover, the programme of the Labour Party—which was not to adopt socialism as its aim until 1918—did not differ fundamentally from that of the Liberal Party, and the Liberals hoped by a policy of compromise to keep it so. At the 1906 election, therefore, when 29 Labour M.P.s. were first elected, the Liberals did not contest a number of seats where there were strong Labour candidates. The result was that only five of the 29 successful candidates were elected in three-cornered contests; and only one (Keir Hardie) had a straight fight against a Liberal.

<sup>2</sup> In the 1950 election, of the majorities over 20,000, 42 were Labour and only 8 were Conservative.

<sup>3</sup> Butler, *Electoral System in Britain* (1953), p. 196.

vote also discriminates harshly against the small parties. The two main parties lose hardly any of their deposits; but the small party must face a heavy financial loss from this cause at a time when, being small, it is least able to bear it.<sup>1</sup>

The single-member constituency and the £150 deposit are not features of the electoral system which, like some parts of the Constitution, have their roots deep in the past. The traditional British constituency returned *two* Members of Parliament from the beginnings of Parliament in the thirteenth century—two knights from each county and two burgesses from each borough—right up to the latter part of the nineteenth century. The crucial date was 1885, the year when the Liberal Government's Redistribution Bill was passed. This Bill made the single-member constituency normal throughout the country, leaving only the City of London, the Universities and 23 large cities with two-member constituencies. The two-member constituencies were reduced to 12 in 1918 and finally abolished in 1948. The other important obstacle to a small party, the £150 deposit, is even less traditional than the single-member constituency, as it dates only from the Representation of the People Act, 1918. It is precisely during the period when the working class has gained the right to vote that the electoral system has been developed to the special advantage of the two main parties.

Thus the British electoral system, although it is based on a democratic franchise, functions so as to produce a thoroughly unrepresentative House of Commons and in recent years has not infrequently produced a government based on a minority of the total vote; it is seriously biased against the Labour Party; and it discriminates fiercely against minority parties. The electoral system reinforces the effect of Parliamentary procedure, which was examined earlier, in exerting a continuous, powerful yet subtle pressure towards the consolidation of the two-party system and in making the position of the two main parties as impregnable as possible.

### 3. ATTEMPTS TO JUSTIFY THE TWO-PARTY SYSTEM

What are the arguments in favour of the two-party system? We cannot do better than quote the opinion of its foremost supporters,

<sup>1</sup> The stock argument for the deposit is that it stops freak candidates. But such candidates are rare in municipal elections, where no deposit is required. And when the Communist M.P. Piratin tabled an amendment to the Representation of the People Bill, 1948, which would have replaced the £150 deposit by 500 signatures on the nomination form, the amendment was not even discussed.

leading politicians from both parties. The Rt. Hon. L. S. Amery, after a lifetime of experience as a Conservative M.P. and Cabinet Minister, published in 1947 his *Thoughts on the Constitution* which has been widely recognised as an authoritative Tory interpretation of the constitution. He recognises frankly the severe restriction on the freedom of choice of the elector which the two-party system imposes:

"At a general election the voter is not in a position to choose either the kind of representative or the kind of government he would like if he had a free choice. There is a Government in being which he can confirm or else reject in favour of the alternative team. The candidates—the only candidates worth taking seriously—are either supporters of the team in office or its rivals for office. It is within those narrow limits that his actual power is exercised" (p. 16).

But the merits of the system are as follows:

"The two-party system is the natural concomitant of a political tradition in which government, as such, is the first consideration, and in which the views and preferences of voters or of members of Parliament are continuously limited to the simple alternative 'for' or 'against'. It is, indeed, only under the conditions created by such a tradition that there can be any stability in a government dependent from day to day on the support of a majority in Parliament" (p. 17).

In an official Labour Party pamphlet Mr. Morrison expressed a similar opinion on the merits of the system:

"Like the United States, ours is naturally a two-party country, which I think is a good thing, because this leads to greater coherence and responsibility in government and opposition and the work of Parliament."<sup>1</sup>

These statements are typical of those which are always made in support of the two-party system; it is not claimed that it gives the elector any real freedom to choose the kind of representative he would like to send to Parliament; it is simply declared that it does tend to give a clear majority to a single party and thus ensure strong and stable governments. This argument is normally supported with a reference to

<sup>1</sup> *Our Parliament and How it Works* (Labour Party Educational Series, No. 4), 1953, p. 29.

the traditional instability of coalition governments in France.<sup>1</sup> But there are other countries, such as Belgium and Scandinavia, where systems of proportional representation are in operation and where stable governments have remained in office for long periods even though no single party has a Parliamentary majority. Moreover, recent coalition governments in Britain (1915-22 and 1940-45) were not particularly unstable. An institution of such overwhelming importance as the two-party system really cannot be justified by such an argument. It smacks too obviously of special pleading. The real justification for the system cannot well be proclaimed in public by its champions—that it has hitherto helped the capitalist class to overcome the dangers inherent in a universal franchise where the overwhelming majority of the electorate belongs to the working class.

#### 4. CHARACTERISTICS OF THE MAIN POLITICAL PARTIES

The central feature of the two-party system has always been that the leaders of the two main political parties have accepted without question the capitalist foundations of society. Marx pointed out that in his day the British people only had the right to decide every three or six years which members of the ruling class were to misrepresent them in Parliament. Ever since then the fixed purpose of the ruling class, in face of the growth of a powerful working-class movement and of all the other changes that have taken place, has been to ensure that "Parliamentary democracy" continued to function so as to offer the electors the same type of limited choice that they had in the days of Gladstone and Disraeli.

The significance of the two-party system has never been more clearly described than by Balfour in his Introduction to Bagehot's book on the Constitution:

"Our alternating cabinets, though belonging to different parties, have never differed about the foundations of society. And it is evident that our whole political machinery presupposes a people so fundamentally at one that they can safely afford to bicker; and so sure of their own moderation that they are not dangerously disturbed by the never-ending din of political conflict. May it always be so."<sup>2</sup>

Balfour should have known what he was talking about, for he had

<sup>1</sup> Morrison, *op. cit.*, p. 30, is a good example.

<sup>2</sup> Bagehot, *The English Constitution* (World's Classics Edition of 1949), p. xxiv.

been Conservative Prime Minister from 1902 to 1906 and a leading Tory statesman for nearly fifty years when he wrote this in 1927. According to him the entire British Constitution—"our whole political machinery"—has been evolved on the basis of two capitalist parties alternating in government; their conflicts have always been moderate, because they have "never differed about the foundations of society". Whatever may have been their immediate differences over policy, the leaderships of the two political parties have always been in agreement on basic questions of home and foreign policy. As Harold Laski put it:

"Since 1689 we have had for all effective purposes, a single party in control of the state. It has been divided, no doubt, into two wings [but] its quarrels . . . have always been family quarrels in which there has always been room for compromise."<sup>1</sup>

It is evident from the context in which he was writing (in 1938) that Laski was referring only to the Conservative and Liberal Parties. But the leaders of the Labour Party have been just as loyal to the main institutions of capitalist society as have the leaders of the other parties. They have so far behaved in Parliament as a "loyal opposition" in the sense used by the shrewd American writer Lowell in 1912:

"The expression 'His Majesty's Opposition' . . . embodies the greatest contribution of the nineteenth century to the art of government, that of a party out of power which is recognised as perfectly loyal to the institutions of the state and ready to come into office without a shock to the political traditions of the country."<sup>2</sup>

The main political parties have another characteristic in common which is the inevitable result of this loyalty: their parliamentary leaders have always been free from control by the rank and file of their party. However much they may have paid homage in public to the principles of democracy, they have never tolerated the application of these principles to the relations between themselves and their followers. This applies in a more obvious fashion to the Conservative and Liberal Parties than to the Labour Party, yet, as we shall see in a moment, the constitution of the latter is in this vital respect just as authoritarian as the constitutions of the older parties.

<sup>1</sup> *Parliamentary Government* (1938), p. 94.

<sup>2</sup> *The Government of England* (1912), Vol. I, p. 451.



A glance at the historical development of the Conservative and Liberal parties helps to explain their present constitutions. In the eighteenth century the Tory and Whig parties were nothing more than groups of M.Ps. within Parliament. There was no national organisation whatever. But the extension of the franchise from 1832 onwards forced them to extend outwards and downwards from Parliament, gradually becoming nationwide organisations designed to secure, by hook or by crook, the maximum number of votes at periodic general elections. Between 1832 and 1884 the principal method was wholesale bribery and corruption, supplemented by economic pressure and social influence. After the passing of the Ballot Act, 1872, and the stringent Corrupt Practices Act, 1884 (reflecting the democratic influence of the working class exerted through the Radical M.Ps. in the Liberal Party), bribery and economic pressure—though never wholly abandoned—became less effective, and the modern system of wholesale deception, comprising a mixture of promises, flattery, jingoism and irrational appeals to emotion, and put over by mass propaganda methods aided by the popular press, was developed. By the end of the century the Conservative and Liberal parties had become powerful propaganda instruments designed to foster those ideas, illusions and beliefs among the common people which best suited the purpose of their parliamentary leaders. A national election machine was built up based on local associations in the constituencies, and the holding of an annual conference of delegates from local associations became in time a necessary feature of both parties. But the actual power to determine policy always remained with the parliamentary leaders.<sup>1</sup> This was the inevitable outcome of the social

<sup>1</sup> It is extremely interesting that in both the Conservative and Liberal parties there was at one stage in their evolution a clash between the rank and file of the party and the parliamentary leadership. In the Conservative Party, Lord Randolph Churchill (father of Sir Winston) began his career as an ardent champion of "Tory Democracy" and of the rights of the party conference and the National Council elected by it; and he challenged the authority of the Central Committee of the party, which was a non-elected body composed mainly of the parliamentary leaders, in whom all power then resided. His campaign was so successful that, having gained the election at the annual conference in 1884 of 22 candidates recommended by him out of 30 seats on the National Council, and having been himself elected as chairman of the National Union against the opposition of the party leaders, he became officially accepted as one of the parliamentary leaders, and thereafter took no further steps to have the constitution of the party altered so as to transfer any power whatever to the annual conference. According to R. T. Mackenzie (*British Political Parties*, 1955, p. 168) the background of his campaign was the dissatisfaction of the manufacturers, small businessmen and professional people, who were then flooding into the Conservative Party, with the narrow clique of aristocrats who monopolised the leadership.

A similar conflict between the rank and file and the parliamentary leadership of the Liberal Party took place at about the same time. In 1887 and again in 1891 the annual

composition of both parties. Their parliamentary leaders represented the numerically small ruling class, whereas the mass of their supporters came from the middle and working classes. In view of the potential antagonism between their interests and those of their leaders there could be no democracy for the rank and file.

In fact the leaders of the Conservative Party obey the orders, not of the mass of their ordinary members in the constituencies, but of the big businessmen on whom the party depends for its finance. As Mr. Baldwin said in 1926:

"We need funds and I look to the City of London to give a lead in providing that support which as business men they should be prepared to give, in view of our efforts to make their business safe."<sup>1</sup>

And launching his appeal for a £1,000,000 fighting fund in 1947, Lord Woolton said:

"It is a new thing for the Conservative Party to make a public appeal for money. . . . In the past the Party has been shy of asking for money, and has collected for its Central Fund from a few hundred people."<sup>2</sup>

Under the Constitution of the Conservative Party the relation between the ordinary members and the parliamentary leaders can only be described as one of outright dictatorship. All power is concentrated in the hands of the leader of the party. He personally appoints the holders of the key positions in the Central Office: the chairman of the Party Organisation, the two vice-chairmen—one a woman and the other responsible for all questions of parliamentary candidature—the two honorary treasurers and the chairman and vice-chairman of the Policy Committee.

"The decisions of the Party Conference and of the various organs of the party are 'conveyed' to him so that he may be kept constantly

conference, which possessed some of the powers which Randolph Churchill had wanted to confer on the Tory conference, adopted popular election programmes which subsequently caused embarrassment to the parliamentary leaders. So in 1895 its powers were suitably diminished.

<sup>1</sup> *Daily Telegraph*, February 2, 1926.

<sup>2</sup> 1947 Conservative Annual Conference Report, p. 77.

aware of the moods and opinions of his followers. But the Leader is in no way bound by these resolutions. . . ."<sup>1</sup>

This was officially confirmed in the Conservative Party's 1949 Report of the Committee on Party Organisation: "Endorsements and pronouncements on party policy are the prerogative and the responsibility of the Leader." There are no means whatsoever for the Annual Conference or the Executive Committee of the National Union of Conservative and Unionist Associations to control the activities of the leader and his parliamentary colleagues whether they form the Government or the Opposition. The Leader does not even normally attend the annual conference, except to deliver a speech at the end of the conference which is not open to discussion.

The origin of the Labour Party was entirely different from that of the Conservative and Liberal parties. They began as groups of M.Ps. already inside Parliament and only subsequently extended outwards into national organisations. The Labour Party was founded in 1900 to enable the working-class movement to send its own representatives into Parliament. It was conceived by its founders as a party which would unite the trade union movement with all the different socialist parties, and at its inception the Independent Labour Party, the Fabian Society and the Social-Democratic Federation (the Marxist party) were all affiliated to it. It was therefore natural that the Labour Party should contain within it two conflicting forces: the right-wing reformist leaders who sought to improve capitalism rather than abolish it; and the left-wing, militant socialists wishing to struggle against capitalism and replace it by a socialist society.

From the very beginning, however, the Labour Party was dominated by the right-wing leaders, although the growth of a more militant outlook among the working class during the First World War caused the party to include in its new constitution of 1918 the socialist aim of public ownership of the means of production, which had not previously formed part of its programme. But in 1921 the right-wing leaders persuaded the party to refuse the affiliation of the newly-formed Communist Party, although the British Socialist Party had been an affiliated organisation from 1916 up to 1920, when it joined with other socialist groups to form the Communist Party.

Since then the right-wing leaders have reinforced their position by

<sup>1</sup> R. T. Mackenzie, "Party Organisation" in the symposium, *The British Party System*, edited by S. D. Bailey (1952).

means of all kinds of bans and proscriptions directed against Communists and any person or organisation associated with them. In 1924 Communists were excluded from individual membership of the party, and in 1925 affiliated trade unions were prohibited from electing Communists as their delegates to annual conferences of the Labour Party. Vigorous action has repeatedly been taken against members of the party or local Labour Parties who have associated with Communists in one way or another. The right-wing trade union leaders have extended this discrimination from time to time to various trade unions, which have prohibited the election to office of any member who is also a Communist. (The powerful Transport and General Workers Union made a rule to this effect in 1949.) These measures have destroyed the original character of the Labour Party as a political party representing all trends within the working-class movement, have imposed an artificial gulf between the left wing of the Labour Party and the Communist Party, and have thus strengthened the position of the right-wing leaders.

Hand in hand with their acceptance of capitalism, these leaders have accepted all the conventions of British parliamentary democracy. The constitution of the Labour Party provides great opportunities for the rank and file to influence the leadership, but it leaves the Parliamentary Labour Party—which is made up of all the Labour M.Ps.—a free hand in Parliament. In this vital respect the Labour Party constitution fully reflects the outlook of the right-wing leaders and accords with their actual practice. Morrison, who was Leader of the House of Commons for almost the whole of the period of the 1945-51 Labour governments, published in 1954 a revealing book permeated through and through with unqualified admiration of the British Constitution and the two-party system. He there makes the authoritative pronouncement:

“Neither the Party Executive nor the Party Conference claims the right to instruct a Labour Government when it is in office. Nor is there anything in the Party Constitution giving the Conference or the Executive power to instruct the Parliamentary Labour Party when in opposition.”<sup>1</sup>

When the party is in opposition the policy to be pursued in the debates in the House of Commons is broadly determined at meetings

<sup>1</sup> *Government and Parliament* (1954), p. 140.

of the Parliamentary Party. But Morrison makes it absolutely clear that when the Labour Party takes office, even the Parliamentary Party has no power to exercise any control over the Cabinet:

"Neither party when in power would accept the view that its Parliamentary party could instruct or control the Cabinet. This is constitutionally correct, for it is important to maintain the doctrine that the Government is responsible to the House of Commons as a whole and, through Parliament, to the nation. If the Parliamentary party of the Government, in formal meeting assembled, could control the Government in detail and determine its policies before they were announced to Parliament, certainly the most undesirable situations would arise."<sup>1</sup>

When the Labour Party was in office between 1945 and 1951 the Annual Conference passed resolutions in three successive years in favour of the abolition of the tied cottage. But the Labour government took no action to implement the resolutions, and at the 1948 Conference Mr. Bevan, then Minister of Health, said:

"It is quite impossible for a conference of 1,100 people, even if it were constitutionally proper, to determine the order in which the Parliamentary Labour Party and the Government introduces legislation in the House of Commons. It is for the conference to lay down the policies of the parliamentary party, and for the parliamentary party to interpret those policies in the light of the parliamentary system. Any other procedure would merely confuse the whole situation."

Neither the Annual Conference nor the National Executive of the Party has any right to elect the leader of the Party, who exercises the enormous powers of Prime Minister when the party takes office; this is a matter solely for the Parliamentary party. Thus it is justifiable to conclude that the independence of the parliamentary leadership of the Labour Party is assured under its present constitution.

This independence has always been considered to be a constitutional principle of the first importance by Conservative and right-wing Labour leaders alike. Back in the eighteenth century and long before the days of mass political parties, the famous parliamentarian Burke (who fought for very moderate parliamentary reforms, but who once

<sup>1</sup> *Government and Parliament* (1954), p. 135.

described the British people as "a swinish multitude") had insisted on the independence of a Member of Parliament from his electors. In his celebrated speech to the freemen of Bristol he told them bluntly that if they elected him to Parliament he would obey no instructions from them on how he should speak or vote in the House of Commons. The official Conservative Party leaflet on the adoption of candidates quotes Burke's words:

"Your representative owes you not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion . . . authoritative instructions, which the Member is bound blindly and implicitly to obey, though contrary to the dearest convictions of his judgment and conscience, are utterly unknown to the laws of the land, and against the tenor of our constitution."<sup>1</sup>

In modern times the doctrine is stated in a variety of forms. Thus the Conservative elder statesman Amery has declared that Ministers, when they take office, assume a first and dominant responsibility to the Crown "as representing the unity and continuity of the life of the nation and of the Empire for defending the wider national and imperial interest".<sup>2</sup> Amery says nothing of any responsibility towards the people who elected those Ministers.

The growth of a powerful left-wing movement within the Labour Party in recent years has led various Conservative writers to place increasing emphasis on the constitutional necessity for a political party to give a free hand to its parliamentary representatives. Thus *The Economist* frankly declared in November, 1952, after the National Executive Committee of the Labour Party had successfully taken disciplinary action against the Bevanite group, whose popularity with the constituency Labour Parties had been growing:

"It is not objectionable that within the Labour Party the oligarchy has triumphed over the zealous rank and file. *The case for decision by counting heads applies to the community as a whole, not to a political party.* The function of the parties in a parliamentary democracy is to present on the issues of the day a point of view acceptable to about 50 per cent of the electors. That can never be the view of the active ranks of party workers; it must be worked out by the full-time

<sup>1</sup> See R. T. Mackenzie, *British Political Parties* (1955), p. 253.

<sup>2</sup> *Thoughts on the Constitution* (1947), p. 31.

politicians who combine party principles with a lively appreciation of national circumstances and political possibilities. *In this sense a good party in a democracy is necessarily itself an oligarchy.*" (Our italics.)<sup>1</sup>

And *The Times* justified the increasingly autocratic nature of political parties in these terms:

"35,000,000 people cannot govern. Nor can they have the experience and knowledge even to control their governors, except in the broadest terms. A democracy, in short, must breed an oligarchy—and that is precisely what the leaders of the Conservative and Labour Parties are today."<sup>2</sup>

But it is the social-democratic version of this doctrine that has the greatest importance for the labour movement. This version is formulated by Morrison when, in the passage quoted above concerning the necessity for the independence of the Cabinet, he insists on the importance of "maintaining the doctrine that the Government is responsible to the House of Commons as a whole and, through Parliament, to the nation". Behind this doctrine is the idea that the party which forms the Government must rule by a process of compromise with the Opposition. It was Ramsay MacDonald who stated the logical consequences of this doctrine most clearly:

"The Socialist has taken over from the individualist Radical the expression and thought of 'majority rule', and has been misled, in consequence, regarding his idea of Democracy and of State authority. An election is held, a majority is secured by one party or another, and a Ministry is formed to carry out a programme of election pledges. But the programme may not be carried out, and may never be carried out on the lines of the platform speeches, because the governing authority is not responsible to its majority alone but also to its opposing minority. It becomes the representative of the whole."<sup>3</sup>

Thus election promises are made only to be subsequently broken in the name of "becoming the representative of the whole". In reality Morrison and Ramsay MacDonald were simply claiming the right to pursue inside Parliament the fundamental social-democratic policy of

<sup>1</sup> November 1, 1952.

<sup>2</sup> Leading article on July 19, 1954.

<sup>3</sup> *Socialism and Government* (1909), Vol. I, p. 79.

collaboration with the capitalist class. The doctrine of the independence of the Parliamentary Labour Party is nothing but a justification for neglecting the interests of the rank and file of the Labour Party and of all those who have voted Labour at election after election. For in practice all the sacrifices of principle and the compromises have to be made by the Labour Party and not by the Conservatives.

#### 5. THE STRUGGLE FOR DEMOCRACY WITHIN THE LABOUR MOVEMENT

Let us briefly summarise the conclusions we have so far reached. The British Constitution, being a product of the two-party system, creates favourable conditions for the two main political parties to dominate the House of Commons and to alternate in power as the Government and His Majesty's Opposition. The system has resulted in an unrepresentative House of Commons, where the party holding the majority of seats has often gained less than half the votes, and important minority opinion is either very much under-represented or totally excluded; and the Members of Parliament who form the Government and the Opposition in turn are not subject to democratic control by the rank and file of the parties to which they belong.

So long as the two-party system functions in this way, Parliament is bound to remain, as it always has been hitherto, an instrument of capitalist rule which is utilised with great ingenuity and traditional skill for deceiving the people into thinking they have given their consent to the government because it won a majority of seats at the last election.

All things considered, the two-party system has served the British ruling class very well in the past. But the smooth working of the system is absolutely dependent on one vital condition—the continued domination of the Labour Party by the right-wing leaders. It is only too obvious that the Tory press and all their friends in high places are filled with alarm at any signs that the grip of the right-wing social-democratic leaders on the party machine is weakening. The most important development in British politics in recent years has been the advancing strength of the militant section of the labour movement based on the activity of the Communist Party and the left-wing members of the Labour Party, and reflected in the growing opposition votes at successive Trades Union Congresses and Annual Conferences of the Labour Party. The policy of the right-wing leaders of collaboration with the Tories has been systematically attacked and the basis for



a socialist home and foreign policy put forward, including demands for extensive nationalisation of the key industries in Britain, friendship with the colonial peoples in place of continued colonial wars and exploitation, and friendship with the socialist countries in place of the war alliance with the United States founded on the Atlantic Pact. If the left-wing became the majority in the trade unions and the Labour Party, the two-party system would be transformed into its opposite; the present shadow-boxing between the Front Benches, serving to conceal the fundamental identity of their outlook, would give place to the real battle of two parties openly representing the two opposed classes in society contending for power.

The undemocratic features of the Labour Party are a serious obstacle to the advance of the left-wing movement. But the constitution of the Labour Party is not fixed and unchangeable. If the left-wing grew sufficiently strong, it could put an end to the two major defects which we have described in this chapter—the independence of the parliamentary leadership from control by the rank and file of the party, and the discrimination against Communists and all who want to work with them. The fight against the influence of the right-wing leaders is therefore bound up with the struggle for democracy *within* the Labour Party and the trade unions. The successful outcome of this struggle could at long last make the electoral system serve the interests of the working people of Britain instead of the monopoly capitalists, and thus realise the fondest hopes of the Chartists who fought so bravely for universal suffrage as a means to a better order of society.

All previous experience proves that victory can only be achieved where there is unity between all the forces of the left. Unfortunately, the labour leaders have used all the means at their command and especially the unceasing vendetta against the Communist Party, to prevent the building of a united movement of the left. In this aim they have been greatly helped by the discrimination exercised by the electoral system against minority parties. They have also received the whole-hearted assistance of the entire apparatus of capitalist propaganda, the millionaire press, the cinema, sound broadcasting and now television, which have in the past fifty years been developed to a previously unimaginable extent for the purpose of systematically deceiving the working class.<sup>1</sup> Nevertheless, the British labour movement, which has won so many glorious victories in the past, can certainly overcome all the obstacles which stand in the way of a broad

<sup>1</sup> See Chapter XVII.

united movement, and thus create the prospect of a successful return to the House of Commons of a majority of M.Ps. determined to build socialism in Britain.

We must now consider the role to which the House of Commons has been reduced under the two-party system as it has hitherto functioned, and the changes which a socialist government would have to make.

## THE HOUSE OF COMMONS

## I. THE DECLINE OF THE HOUSE

IN the middle of the last century the House of Commons was a centre of real political power where important decisions on policy and legislation were made. Since those days the growth in the power of the Cabinet based on the development of the modern party system has brought about a fundamental change. The House continues to occupy the centre of the political stage; but it has long ceased to be a centre of political power. All important decisions are nowadays made in secret behind the scenes. This decline in the power of the House of Commons, and the corresponding decline in the importance of the individual Member of Parliament, has taken place precisely during the period when the organised labour movement has grown into a major political force and has won the right to send its own representatives into Parliament.

It is a characteristic of the British State that every attempt has been made to conceal the fact of this decline from the general public. The entire procedure of Parliament is contrived so as to create the impression that important questions are being determined after full and public debate; but closer examination reveals that in almost every case the House of Commons is simply being asked to give its approval to a decision which has already been taken beforehand.

The decline in the position of the House of Commons can be illustrated from the history of electoral reform. The Reform Bill of 1867, as first introduced into the House, fell a long way short of household suffrage. In the course of the prolonged debates and complicated manœuvring which followed, the Bill was greatly amended and finally emerged as a much more radical measure of reform than either the Conservative government or the opposition Liberal leaders had originally intended. In striking contrast with these proceedings, the Representation of the People Bill of 1918 followed the lines laid down by the Speaker's Conference held in secret in 1917, at which leaders of all parties were represented, and no important changes were made in the Bill after its introduction into the House of Commons.

The same procedure consisting of secret discussions at a Speaker's Conference preceding the Bill was followed in all essentials by the Labour government when the Representation of the People Act of 1948 was passed.

In many other great issues of the nineteenth century, such as Catholic Emancipation in 1829, the Repeal of the Corn Laws in 1847, or the Don Pacifico Incident of 1851, a decisive number of votes was capable of being turned in the course of the debate.<sup>1</sup> In the case of the Don Pacifico incident, the high-handed action of the Foreign Secretary, Palmerston, in ordering a naval blockade of Greece in retaliation for alleged harsh treatment of a British citizen living in Athens, was subjected to a three-day debate in the House of Commons, the outcome of which was in doubt until the very last moment.

What a sad comparison the House of Commons has presented in recent years! To take a single example only, the unprecedented decision of the Labour government to permit the occupation of Britain by the armed forces of a foreign power in peacetime was first announced, not in Parliament, but in a joint statement issued to the press by the British Air Ministry and the United States Air Force on July 17, 1948, giving the impression that American bombers were on a temporary training visit to British airfields.

## 2. THE DICTATORSHIP OF THE CABINET

The discipline of the modern party machine is such that the Cabinet is sure of an automatic majority on any major issue of policy or legislation. This situation, sometimes described as "the dictatorship of the Cabinet", is freely recognised by all constitutional authorities. "Through the party system, it is the Government that controls the House or Commons", writes Jennings,<sup>2</sup> and elsewhere he sums up the present position in these words: "Parliament cannot govern. It can do no more than criticise."<sup>3</sup> The rise of the disciplined party machine has reversed the constitutional relation between Ministers and Parliament. "As Ministers they may be subject to the control of the House of Commons; as party leaders, they are in a position to control the controllers."<sup>4</sup> Thus the government can carry through a policy which is against the wishes of a majority of the House of Commons. A striking example of this occurred during the debates on the Education

<sup>1</sup> J. W. Keeton, *The Passing of Parliament* (1952), p. 60.

<sup>2</sup> *Cabinet Government* (1951), p. 360.

<sup>3</sup> *The British Constitution* (1950), p. 75.

<sup>4</sup> Lord Campion and others, *Parliament: A Survey* (1952), p. 26.

Bill in 1944. Mrs. Cazalet-Keir, a back-bench Conservative M.P., moved an amendment to establish the right of all women teachers to equal pay, which was carried by a majority vote of the House against the wishes of the government. A few days later Mr. Churchill, asking the House as a matter of "confidence" to reverse their decision on equal pay, secured his inevitable automatic Conservative majority against the amendment.

The strength of the government is powerfully reinforced by the right of the Prime Minister to secure a dissolution of Parliament at any time. It is a well established constitutional convention that the Crown is bound to grant a request from the Prime Minister for a dissolution. This is a right which belongs to the Prime Minister personally. He is not expected to call a meeting of the rank and file M.Ps. belonging to his party and obtain a majority decision in favour of a dissolution; indeed, it would be completely unconstitutional for him to do so. This places immense power in the hands of the Prime Minister; for so long as the convention holds,<sup>1</sup> he can always quell an incipient revolt by the rank and file of his party by means of the threat of a dissolution. However intensely the back-benchers may dislike a particular aspect of the policy of their government, they dare not vote against it for fear that the Prime Minister would resign and bring about a general election in conditions which would almost certainly be very unfavourable for their party. The effectiveness of this threat of a dissolution was seen time and again during the Labour governments of 1945-51, when the more left-wing back-benchers, however strongly they disagreed with the government's policy, never dared to carry their difference to the point of voting in the Opposition lobby.<sup>2</sup>

The consequence of this effective dictatorship of the Cabinet is that it can act first and seek approval afterwards. Important government decisions are normally announced in the House of Commons and may subsequently be debated at great length. This procedure tends to conceal from the general public the fact that the decisions have almost invariably been taken, and usually acted upon, before the debate.

The relationship of the Executive to the House of Commons can

<sup>1</sup> Like all constitutional conventions, there can be no certainty that it will always be observed in the future.

<sup>2</sup> The position in Britain is very different from some capitalist parliamentary democracies, where the Prime Minister has no right to a dissolution, Parliament being elected for a fixed term of years. This is roughly the position in France, where deputies in the National Assembly have in consequence more influence on policy than British M.Ps.

be conveniently considered under four main heads: executive activity, legislation, finance, and the formation of a government.

### *Executive Activity*

By this is here meant the administrative operations of the Home Civil Service, the direction of foreign relations and colonial affairs by the Foreign Office and Colonial Office respectively, and the control of the armed forces by the War Office, Admiralty and Air Ministry. The entire executive activities of the State are carried on under the supreme direction of the Cabinet. The House may criticise what is being done and ask for information—though the government is not obliged to give it—but the approval of the House is never necessary for any decision, however important. Thus the government can declare war—though in this extreme instance it “ought” to summon Parliament immediately.<sup>1</sup> “It can enter into treaties without Parliamentary sanction and accept obligations even when legislation is necessary. Secret treaties were made in 1898 and 1900 and not published till 1918.”<sup>2</sup> Parliament was throughout kept in complete ignorance of the famous secret “conversations” which were carried on between British and French military experts from 1906 until 1914 and which formed an indispensable part of the preparations for the imperialist war of 1914-18. Even the Cabinet knew nothing of these conversations until 1912.<sup>3</sup>

At the height of the war in 1943 a vitally important agreement on collaboration in atom bomb research and development was concluded between Mr. Churchill and Mr. Roosevelt at Quebec. One of the clauses provided that the United States and Britain would never use the atom bomb against a third country without each other's consent. This agreement was in fact abrogated by the United States by the passing of the MacMahon Act in 1946. Mr. Morrison subsequently declared that the other members of the War Cabinet were not informed of the agreement either before, during or after the discussions. It appears that Mr. Attlee, who was then Deputy Prime Minister, and the other Labour members of the War Cabinet did not become aware of the agreement until after the formation of the Labour government in 1945.<sup>4</sup> The existence of the agreement was first publicly disclosed in *The Private Papers of Senator Vandenberg*, published in the United States in 1947. The full text of the agreement was only revealed to

<sup>1</sup> Jennings, *Cabinet Government* (1951), p. 448.

<sup>3</sup> See p. 122, where this is further discussed.

<sup>2</sup> *Ibid.*, p. 448.

<sup>4</sup> *The Times*, April 9, 1954.

the House of Commons on April 6, 1954—nearly eleven years after it had been entered into.

Labour governments have treated Parliament with no less indifference than Conservative governments. As already mentioned, United States atom-bombers arrived in England in 1948 without any previous discussion in Parliament. No more important treaty can ever have been signed than the North Atlantic Treaty of 1949, involving Britain in a war alliance with America directed against the Soviet Union and virtually supplanting the United Nations in the West; yet it was signed first and only subsequently reported to Parliament. The first decisive increase in the post-war rearmament programme was made without consulting Parliament. On July 26-7, 1950, the House of Commons debated exhaustively and voted an increase of £100 million on the arms estimates of £780 million. Parliament then went into recess, and on August 3 the government announced that the rearmament programme would be increased to £3,400 million in the next three years. This announcement followed the dispatch of a note from the United States government on July 26 demanding an immediate reply to proposals for increased British rearmament.<sup>1</sup>

The House of Commons is not consulted about appointments, however important they may be; the heads of the armed forces, the chiefs of the Civil Service, the chairmen of boards of nationalised industries, ambassadors and colonial governors, as well as judges of the High Courts, are all appointed without reference to the House. The relation of the House of Commons to the Executive was neatly summed up by Mr. Lloyd George when he said: "Parliament has no control over the Executive; it is pure fiction."<sup>2</sup>

### *Legislation*

A hundred years ago a big proportion of Parliamentary Bills were drafted and introduced by private members. A successful private member's Bill of any importance is an extreme rarity nowadays; the legislative time of the House is so completely monopolised by the government that a private Bill has no chance of reaching the Statute Book unless the government is prepared to find time for it.

All the work of preparing a government Bill is done by the permanent civil servants in the department responsible for the Bill. It is these officials who play the key role in advising the Minister concerned

<sup>1</sup> R. Palme Dutt, *Crisis of Britain and the British Empire* (1953), p. 414.

<sup>2</sup> Quoted by Harold Butler, *Confident Morning* (1950), p. 58.

and drafting a Bill in accordance with the policy of the government.

There are broadly two stages in the life of a Bill: the period of preparation *before* it is published and introduced into Parliament; and its subsequent progress through Parliament. The first of these two stages is by far the most important, for it is during this preliminary period that the indispensable secret consultations take place with any industrial, commercial, financial or other interests that may be affected. The Federation of British Industries is likely to be consulted about a Bill which affects industry in general; the Association of British Chambers of Commerce regarding trade; the National Farmers' Union regarding agriculture; and in addition, the General Council of the T.U.C. is normally consulted if the Bill affects conditions of labour. In this way the senior civil servants responsible for the Bill maintain the closest possible touch with the interests concerned during the decisive first stage in the Bill's preparation.

A particularly striking example of the way in which this can operate occurred in the preparation of the Conservative government's Bill for the denationalisation of road transport which became law in 1953. In 1951 the Road Haulage Association appointed a special committee on denationalisation. It had ten meetings with the Minister of Transport and numerous meetings with the Ministry officials and with members of both Houses of Parliament. It drew up a memorandum with three demands, two of which were incorporated in the Bill. At the invitation of the committee the Minister attended a meeting of the Hauliers' National Council for a full and informal discussion on the Bill. Following representations made by the Association, the Transport Bill was issued in a revised form. The Association then immediately drew up a *new* list of amendments and discussed these with the Minister. Mr. Ernest Davies, the Labour M.P. who drew attention to all this, said that he had never heard of a more blatant case of "sectional interests lobbying a Minister of the Crown and achieving their objects".<sup>1</sup>

When a Bill is actually introduced into Parliament there is opportunity for the moving of amendments—though the scope for amendments is often narrowly restricted by the preamble to the Bill and the Standing Orders of the House of Commons, as any militant M.P. soon discovers. But in practice the Minister in charge of the Bill adheres tenaciously to the agreements reached previously with private interests and all except minor amendments are generally voted down

<sup>1</sup> *Hansard*, May 22, 1953.



by the government's automatic majority. The vast majority of Bills emerge from the elaborate process of second reading, committee stage, report stage and third reading in substantially their original form. The only exception to this general rule is where a campaign organised *outside* Parliament is powerful enough to force the government to make serious modifications. Thus the Conservative government was compelled to remove some of the most vicious features of the Incitement to Disaffection Bill of 1934 after a highly effective campaign organised by the National Council of Civil Liberties.<sup>1</sup>

Nevertheless, the passing of any Bill, even a relatively minor one, through all its stages in both Houses of Parliament is a very slow process. Opposition M.Ps. may put down hundreds of amendments which may absorb long hours of debate even though few of them are accepted by the government. The immense expansion in the activities of the State during the period of imperialism has led, therefore, to a very great increase in the volume of "delegated legislation" which issues from the various government departments in the form of "Statutory Instruments", numbering in recent years over one thousand a year. M.Ps. have the right to challenge a Statutory Instrument by moving a "prayer" for its annulment, but in practice the opportunities for praying against them are extremely limited and confined, on an average, to 1.6 days of parliamentary time per session.<sup>2</sup> A government department may only legislate by means of a Statutory Instrument when there is an Act of Parliament conferring the necessary authority; but so long as the bounds of this authority are not exceeded, delegated legislation amounts to the virtually uncontrolled making of laws by government departments, and demonstrates the immense powers wielded by the senior permanent officials in the civil service.

The most extreme and dangerous form of delegated legislation was reached in the Emergency Powers Act, 1920, which was passed during the miners' strike when the militancy of the working-class movement was at its height after the First World War. It provides that a "state of emergency" may be declared if at any time it appears that any body of persons is likely to take action which will interfere with the distribution of food, water, fuel or light, or with the means of locomotion, or will deprive the community of the essentials of life. A proclamation of a state of emergency can even be made when Parliament is not sitting,

<sup>1</sup> For a full account of the changes in the Bill see *British Liberty in Danger*, by Ronald Kidd (1940), pp. 58-68.

<sup>2</sup> *Third Report of the Select Committee on Procedure*, 1945-6, p. xi.

though it must be summoned within five days. Once the proclamation is made, the government has virtually unlimited power to make regulations for preserving the peace and maintaining supplies. They come into force as soon as they are made, though they will lapse after seven days unless approved by Parliament. Subject only to this safeguard, therefore, the government can in effect rule by decree with powers wide enough to suppress practically all our civil liberties. The operation of the Act which was used in the Miners' Lock-out of 1921, as well as in the General Strike of 1926, is further examined in the final section of Chapter XI on the decline of civil liberties.

### *Finance*

Financial initiative is the sole prerogative of the Cabinet. This means that an ordinary M.P. cannot move any amendment to a Bill, or make any proposal, which would result in an increased financial charge on the Exchequer; nor can a private member make any proposal for increased taxation.

While each government department formally lays its annual estimates of expenditure before the House, many such estimates receive automatic approval because there is not enough parliamentary time to debate them all. Debates on estimates, when they do take place, are simply an opportunity for the Opposition to indulge in general criticism of the administration of the department concerned. The estimates are often set out in such a generalised form that it is difficult for an M.P. to discover the amount proposed to be spent on any particular item. It is even perfectly permissible, apparently, to conceal money required for one purpose under a completely different heading. For example, the Post Office Vote of £75 million for "capital expenditure on telephones, telegraphs and postal services" in 1952 included £25 million which, it was finally admitted under pressure, really belonged to the rearmament programme, and Mr. Gammans, the Postmaster-General, revealed that this had been the practice for years past.<sup>1</sup> The almost unbelievable state of ignorance in which M.Ps. are kept was well illustrated when Mr. Churchill, disclosing in the House of Commons on October 23, 1952 that Britain's first atom bomb explosion at Monte Bello had cost something over £100 million, admitted that as an old parliamentarian he was "rather astonished" that this sum "could be dispersed without Parliament being made aware of it".

<sup>1</sup> *Manchester Guardian*, June 14, 1952.

It is true that in each session the House appoints a Select Committee on Estimates with wide powers to cross-examine officials and call for production of documents, and very occasionally the Committee produces a useful report exposing some administrative scandal.<sup>1</sup> But the Committee has no power to scrutinise estimates *before* they are spent and recommend changes to the House; it can only investigate how they have been spent and make reports *after* the event, criticising extravagance or inefficiency.

Since finance is the key to the control of administration, nothing demonstrates so clearly the subordination of the House of Commons to the Cabinet as its utter helplessness in this respect. It is probably true to say that the British House of Commons exercises less control over finance than the representative assembly of any other major capitalist democracy.<sup>2</sup> What a lamentable contrast with the great days of the seventeenth century, when the power of the House of Commons to refuse Charles I the funds he needed was one of the most powerful weapons in the hands of the capitalist class in its revolutionary struggle against the feudal monarchy!

#### *Formation of a Government*

After a general election the Monarch chooses his or her Prime Minister—by convention the leader of the majority party—and the Prime Minister, having chosen the Ministers who are to compose the government, presents them for the approval of the Monarch who, incidentally, may exert some influence on the choice.<sup>3</sup> The House of Commons is not consulted, let alone asked for its approval, at any stage of the proceedings; nor is the majority party itself. As Mr. Amery points out, a Prime Minister may include in his cabinet a Minister whom the rank and file of his party would never elect.<sup>4</sup>

When in opposition the Parliamentary Labour Party elects by secret ballot its Leader, Deputy Leader, Chief Whip and twelve members who together form the so-called "shadow cabinet" responsible for leading the Party in opposition. But when the Labour Party has taken office the constitutional precedents have invariably been scrupulously

<sup>1</sup> A good example was the Eighth Report of the 1952-3 session, exposing the shocking state of disrepair of large numbers of the nation's schools.

<sup>2</sup> "... the House exercises less control over finance than any Parliamentary Assembly I have seen." Sir Harold Butler in *Confident Morning* (1950), p. 61. As head of the International Labour Office for many years, he must have had experience of many different assemblies.

<sup>3</sup> See p. 76.

<sup>4</sup> Amery, *op. cit.*, p. 21.

observed and there has been no nonsense about the election of a Labour Cabinet.

The foregoing survey, brief though it has been, has given some indication of the lengths to which the subordination of the House of Commons to the Executive has been carried during the present century. This is the position which has been reached after the domination of the House of Commons over the past hundred years by the leaderships of the Conservative and Liberal Parties and of the Labour Party as well; any one of these parties might have reversed the trend but none has attempted to do so.

### 3. A FORUM FOR CRITICISM OF THE GOVERNMENT

The House of Commons does not, as we have seen, control the Cabinet, the civil service or the armed forces. It is essentially a forum for criticism of the government, for the ventilation of grievances, and for the extraction of information.

The typical ambitious M.P. has never worried about this; for him the House of Commons is but a stepping stone towards ministerial office when his party is in power. From time to time, however, proposals have been made by back-bench Labour M.Ps. to set up committees which would have powers to exercise some degree of control over the various government departments. The strongest move in this direction was made by a group of I.L.P. members in the 1920s led by Fred Jowett of Bradford, who had a fine record as a militant working-class leader in Bradford and was a member of the City Council for many years. He was struck with the contrast between the impotence of a back-bencher in the House of Commons and the opportunities which a local councillor gets to participate in the actual work of administration of a local authority through membership of its various committees. His ideas, however, received no more support from the Labour leaders in the House, headed by Ramsay MacDonald, than they did from the Conservative and Liberal leaders. Then and since, such proposals have always been rejected on the ground that nothing should ever be done to diminish the authority of the Cabinet.<sup>1</sup>

None the less, the opportunities that the House provides for questioning Ministers and criticising the government are democratic rights which, used in a militant fashion, can be of the greatest value to the working-class movement. Precisely for that reason they are subject

<sup>1</sup> See the biography of Fred Jowett, by Fenner Brockway, *Socialism Over 60 years*.

to numerous limitations which have been becoming steadily more severe in recent years, in line with the general attack on civil liberties arising from the deepening crisis of British imperialism.

During Question Time in the House of Commons, questions may be asked by any member on many aspects of the administration. But there is no means of compelling a Minister to give an honest and truthful answer, and the civil servants who draft the answers for Ministers are past masters in the art of pretending to reply without in fact supplying any information of value. An ex-civil servant has neatly defined the perfect answer as follows:

"It might be said cynically, but with some measure of truth, that the perfect reply to an embarrassing question is one that is brief, appears to answer the question completely, if challenged can be proved accurate in every word, gives no opening for awkward 'supplementaries', and discloses really nothing."<sup>1</sup>

One of the most disgraceful series of "perfect parliamentary answers" occurred during the Spanish Civil War of 1936-9. It was common knowledge that Germany and Italy, contrary to the non-intervention agreement, had from the beginning sent armed forces and munitions in decisive quantities to General Franco, and this was openly admitted by Hitler and Mussolini after the war was over. The British Conservative government must have been perfectly well aware of all this; yet in order to justify the policy of banning the supply of arms to the Spanish government and thus giving undercover support to Franco, both Mr. Eden when Foreign Secretary and, after his resignation, Mr. Butler as Under-Secretary of State for Foreign Affairs, steadfastly refused to admit that there was any evidence of any breach of the non-intervention agreement. The "perfect parliamentary answer" is, in fact, nothing but an exercise in deception.

Furthermore, questions are prohibited altogether on a variety of subjects, and a Minister is always entitled to refuse to reply on the ground that "the disclosure of information would not be in the public interest".<sup>2</sup> Thus questions about M.I.5 and the other secret police organisations are prohibited.<sup>3</sup> When the B.B.C. was set up in 1926, in the form of a Board of Governors supposed to be immune from political interference, the Postmaster-General—the Minister who

<sup>1</sup> Dale, *Higher Civil Service* (1940), p. 105.

<sup>2</sup> Jennings, *Cabinet Government* (1951), p. 369.

<sup>3</sup> See also p. 149.

supervises the B.B.C.—was exempted from answering questions about individual programmes or any other aspect of day-to-day administration. Only questions relating to general policy, such as the programme of capital expenditure, can be asked. In practice this rule has been so strictly interpreted that it has largely destroyed the value of parliamentary questions as a means of finding out anything about the most powerful propaganda organ in the country. The operation of this rule was greatly extended during the Labour government of 1945-50, when it was applied to all the new Boards set up to control the nationalised industries. The result is that a very important sector of the State apparatus has been given special protection against parliamentary questioning and criticism.

Parliamentary questions certainly provide excellent opportunities for drawing public attention to injustices and exposing bureaucratic behaviour on the part of officials, but where a matter calls for thorough investigation they can be no substitute for a serious enquiry by a Select Committee with full powers to cross-examine officials and call for documents. Yet the party leaders in Parliament have invariably exerted all their influence to prevent the setting up of such committees, and to confine within the narrowest limits the activities of the few Committees that are set up. The feeble powers of the Select Committee on Estimates have already been described.

The fate of an exceptionally moderate proposal to enlarge the powers of the Committee on Statutory Instruments is typical. The functions of the Committee are narrowly confined to the purely legal constitutional angle of ensuring that a Minister has not exceeded the power that was conferred on him by statute. In 1945 Lord Champion, then Clerk of the House, suggested that the Committee should have the wider power of investigating the administrative policy which was the subject of any particular Statutory Instrument. But this proposal was rejected by the Labour government on the ground that this would enable the Committee "to enquire into all phases of Government administration within the very wide field covered by delegated legislation".<sup>1</sup>

The House of Commons offers to M.Ps., and particularly to those occupying the Government and Opposition front benches, who invariably grab the major share of any important debate, unlimited opportunities for propaganda. Indeed, one of the principal functions of the House at present is to act as a powerful propaganda instrument in

<sup>1</sup> *Report of Select Committee on Procedure, 1945-6.*

the hands of the dominant leaderships of the two major parties. Any attempt to give back-bench M.Ps., through their membership of Select Committees, powers to make serious enquiries into the working of the State administration is most strenuously resisted.

#### 4. "PARLIAMENTARISM"

Even more significant than the limitations on the powers of enquiry of the House of Commons is the *voluntary restraint* which the Opposition is expected to impose on itself in conducting its criticism of the government. There are two fundamentally different ways of utilising the House of Commons: the "parliamentary" way and the revolutionary way. Hitherto the Labour Party leaders have conformed in general to the "parliamentary" way.

The essence of the "parliamentary" style of criticism is to discredit the government in the eyes of the electors so that the Opposition may win the next election. The narrowest party advantage is all that counts. The Opposition does not normally expect that a debate will have the smallest effect in bringing about an *immediate* change in government policy; everyone knows that the outcome of any vote is a foregone conclusion in view of the government's automatic majority. The only possible way to compel a change in government policy on an important matter is to combine exposure of that policy inside the House with extra-parliamentary pressure. The Conservatives have always understood this perfectly well when they have been in opposition. The encouragement by prominent Conservative politicians of the Curragh Mutiny in 1914 is one example, and the organisation of the "flight from the pound" to bring down the Labour government in 1931 is another. The Labour Party leaders, on the other hand, when in opposition have always regarded parliamentary criticism as a *substitute* for mass action by the working class outside Parliament. When the Conservative government announced its intention of making cuts in the social services in 1952, no amount of debating in the House of Commons could possibly prevent the cuts taking place. But when the South Wales miners took industrial action by refusing to work Saturday shifts, they were roundly condemned by Mr. Morrison:

"I feel sure that the general view of the Labour movement . . . would be that efforts at industrial coercion against an elected Parliament which is acting within the limits of the Constitution

would be wrong in principle, difficult and ill-advised in practice, and damaging to the Labour movement.”<sup>1</sup>

And Mr. Tom Williamson, general secretary of the Municipal and General Workers, spoke even more strongly, saying that the action of the miners was “. . . anarchy of the most dangerous kind, the negation of social democracy . . .” and that it would be “condemned by the vast majority of the people of this country as a blow at the sanctity of democratic and constitutional government . . .”.<sup>2</sup>

Where there is no outside pressure or threat of pressure, opposition in Parliament amounts to nothing more than verbal warfare, mere shadow-boxing or sham fighting, which has the effect of lulling the people into inactivity by creating the false illusion that their interests are being cared for in the House of Commons. “There is a great deal to be said for sham battles”, said Mr. Macmillan, when as Minister of Housing and Local Government he was piloting the Housing Repairs and Rents Bill of 1954 through the House. “They are much more agreeable than real ones. . . .”<sup>3</sup> This is what Lenin called “parliamentarism”, which tends to convert Parliament into a talking shop where the people are deceived:

“... the whole history of bourgeois democracy, particularly in the advanced countries, has transformed the parliamentary tribune into the principal, or one of the principal, arenas of unprecedented fraud, of the financial and political deception of the people, careerism, hypocrisy, and the oppression of the toilers.”<sup>4</sup>

The entire procedure, customs and atmosphere of the House of Commons is designed to encourage parliamentarism: the subtle manner in which the great traditions of the House, which were largely built up in the course of historic class struggles against the feudal monarchy in the seventeenth century, have been perverted so as to lose their original revolutionary meaning and give the false impression that Parliament represents the common interests of the entire nation; the absurdly polite forms of address which M.Ps. are compelled to adopt when referring to one another; the way in which the debating chamber of the House of Commons, when rebuilt after the war, was

<sup>1</sup> *Manchester Guardian*, February 23, 1952.

<sup>2</sup> *The Times*, March 6, 1952.

<sup>3</sup> *Hansard*, February 22, 1954.

<sup>4</sup> *Theses on the Fundamental Tasks of the Second Congress of the Communist International*, 1920.



deliberately made too small to contain enough seats for all the M.Ps. in order to preserve the traditional "club" atmosphere; and the comfortable social surroundings and easy good fellowship of the House, which can soon infect an M.P. with what Mr. Hugh Dalton has aptly described as "parliamentary creeping paralysis".<sup>1</sup> As Mr. Aneurin Bevan has written:

"In one sense the House of Commons is the most unrepresentative of representative assemblies. It is an elaborate conspiracy to prevent the real clash of opinion which exists outside from finding an appropriate echo within its walls. It is a social shock-absorber placed between privilege and the pressure of popular discontent."<sup>2</sup>

Parliamentarism does not only deceive the people and betray their interests. It also changes the outlook of a militant working-class leader who, lacking a clear understanding of the class struggle and the role of the State, comes under its influence on being elected to Parliament. As far back as 1887 Keir Hardie, dealing with the workingmen who had entered Parliament as Liberals and were known as Lib-Labs, wrote as follows:

"If the truth be told the working man representative has not hitherto been much of a success in Parliament. . . . He thinks more of his own reputation in the eyes of the House than of the interests of his suffering brethren in mill and mine. He desires to be reckoned a gentleman, fit to take his place as a member of the 'finest club in the world'."<sup>3</sup>

Membership of the House has the effect of drawing a working-class M.P. into essentially ruling-class surroundings and into a life which is utterly remote from the lives of his working-class electors. He mixes on terms of social equality with Tory company directors, bankers and employers, who have always understood how to welcome and encourage a working-class leader who shows signs of understanding their point of view. The first working man ever to achieve Cabinet office was John Burns. Having started as a militant socialist and a member of the Social-Democratic Federation, he won national fame as one of the leaders, with Tom Mann and Ben Tillett, of the great Dock Strike of 1889, and entered Parliament in 1892. In 1906 he was

<sup>1</sup> *Call Back Yesterday* (1953), p. 157.

<sup>2</sup> *In Place of Fear* (1952), p. 7.

<sup>3</sup> Article in *The Miner*.

included in the Liberal Cabinet as President of the Local Government Board, where he soon became noted for the enthusiasm with which he adopted the ultra-Tory outlook of the permanent officials, defending the harsh administration of the Poor Law against which the labour movement had long been campaigning. His first reaction after taking office was noted by Beatrice Webb in her diary:

“‘They are all so kind to me,’ he said, in glowing appreciation—‘especially the great employers, just the men who might have objected to my appointment.’”<sup>1</sup>

John Burns was only the first of a long line of Labour office-holders which has continued to this day. The supreme exponent of parliamentarism, Ramsay MacDonald, openly deserted to the Conservatives in 1931 and thus demonstrated for all time the logical consequences of this outlook. Unfortunately, the lesson was not learnt and parliamentarism has remained deeply rooted in the leadership of the Labour Party.

#### 5. A TRIBUNE FOR REVOLUTIONARY LEADERSHIP

The opposite tradition, however, the tradition of using the House of Commons as a tribune from which to wage an uncompromising campaign of exposure against capitalist government and to rally the working class into action, has never been absent for long from the back benches of the House. The first Socialist M.P., Keir Hardie, splendidly exemplified this tradition in many great campaigns, as when he organised mass demonstrations of the unemployed in 1905-6 at the same time as he fought for their interests inside the House of Commons. In the early 1920s a number of I.L.P. members—before they became respectable—staged some militant demonstrations inside the House, refusing to observe the niceties of parliamentary etiquette.<sup>2</sup>

Moreover, the impatience of the rank and file with the traditions of parliamentarism keeps breaking through, and back-bench M.Ps. speak out even though the front bench is silent. In the 1945-50 Parliament the two Communist M.Ps., William Gallacher (1935-50) and Phil Piratin (1945-50), ably assisted by the four Independent Labour M.Ps. and on occasions by left-wing back-benchers, systematically criticised the Labour government's policy of cold war against the Soviet Union

<sup>1</sup> *Our Partnership* (1948), p. 330.

<sup>2</sup> W. Gallacher, *The Rolling of the Thunder* (1947), p. 41.

and all the fatal consequences that flowed from it. Furthermore, when the feeling in the labour movement is strong enough, the leaders of the Parliamentary Labour Party may be compelled to launch a vigorous attack on the government; and then the political repercussions are immediately felt, for an uncompromising opposition in the House inevitably tends to arouse the activity of the labour movement outside. When the Conservative government under Mr. Anthony Eden committed its wanton act of aggression against Egypt in October, 1956, after the nationalisation of the Suez Canal, the energetic opposition of the Parliamentary Labour Party, which both reflected the strong feelings in the labour movement and in turn stimulated a more active opposition throughout the country, including a massive demonstration in Trafalgar Square, was an important factor in bringing the aggression to an early halt.

There can be no question that a group of Labour and Communist M.Ps. using the House of Commons as a forum for rallying round them the active support of the workers in factory, mine and mill, would lend immense additional strength to the labour movement. And a parliamentary majority of such M.Ps. could not only establish a government determined to build a socialist society, but would also bring about a fundamental change in the character of the House of Commons. Under the existing two-party system the House is the instrument of the Parliamentary leadership of the majority party—whether Conservative or Labour—over whom the ordinary members of the party have no real control. In Chapter III we saw that the struggle for democracy within the labour movement is an essential part of the process of winning a socialist Parliamentary majority. Whatever the precise composition of this majority, therefore—though it is reasonable to assume that it will consist largely of Labour and Communist M.Ps.—the elected M.Ps. will be responsible, through the democratic machinery of annual conferences and otherwise, to the rank and file of the parties to which they belong; who in turn will be closely linked with the working class and all other sections of the population forming the great popular movement which will have elected the socialist majority. The House of Commons will be transformed into a body which will for the first time in its history genuinely respond to the wishes of the majority of the people.

A socialist government would be able to enhance still further the representative character of the House of Commons by abolishing the undemocratic features of the present electoral system. The £150

deposit required from candidates ought to be abolished, and the voting age might be lowered to eighteen. Above all, a system of proportional representation should replace the present single-member constituency, thus according fair representation to all political parties in the House of Commons, improving the position of minority parties and making easier the foundation of new parties.

What part could the House of Commons play in controlling the machinery of government? In a socialist society this task will become even more important than it is at the present time, because all the main problems of a planned economy will come under review, and the consideration of the national economic plan for the forthcoming period will be one of the major functions of the House of Commons—in striking contrast to the existing state of affairs, where many of the vital decisions on the development of our economic resources are taken by the monopoly capitalists without any reference to Parliament. The House of Commons could be transformed into a genuinely representative assembly; but it does not in the least follow that it would automatically be able to exercise an effective control over the work of administration and finance. Under the existing system of “Cabinet dictatorship” it is not in a position to do this. A socialist House of Commons would therefore have to undertake a far-reaching revision of the existing method of working in order to ensure that it could achieve a measure of real control over the executive apparatus of the State. Capitalist governments have always firmly resisted the appointment of permanent committees of M.Ps. with the right to investigate the activities of any government department, on the ground that this would tend to undermine the authority of the Cabinet. Thus if a socialist House of Commons were seriously determined to strengthen its position in relation to the executive, it might well decide to appoint powerful committees of M.Ps., armed with the power to examine officials and call for documents, each committee being charged with the task of supervising and investigating the affairs of a government department or group of departments.

A socialist House of Commons would also have to preserve and extend the existing opportunities for public criticism of the government in the House. The present restrictions on the questions that M.Ps. may ask about the B.B.C. and the nationalised industries should be lifted, so that the whole sphere of governmental activity would be open to criticism and debate in the House.

The right of the Prime Minister to advise the Crown to dissolve

Parliament at any time he wishes places very great power in his hands, and is an important factor in strengthening the position of the Cabinet. In a socialist society the decision to dissolve must surely be taken by the House of Commons itself.

Many other changes will no doubt be needed as well. But these are surely some of the steps which a socialist government will have to consider seriously in order to strengthen the position of the House of Commons in relation to the executive and to reverse the decline in its influence which has been taking place during the past hundred years of capitalist rule.

Returning to our examination of the existing State apparatus, we have seen that the House of Commons, as it now functions, does not control the armed forces, the police or any part of the executive apparatus of the State. An investigation of who does control the executive organs of the State is therefore essential for understanding the nature of political power in Britain. Before proceeding to this, however, there are two institutions possessing important powers to interfere with the House of Commons—the monarchy and the House of Lords—which call for attention.

## CHAPTER V

### THE MONARCHY

“THE use of the Queen, in a dignified capacity, is incalculable. Without her in England, the present English Government would fail and pass away”.<sup>1</sup>

Walter Bagehot wrote these words in 1867 at a time when the industrial capitalists were in fact only just beginning to appreciate the uses to which the monarchy could be put. For a generation, the rising industrial bourgeoisie had been largely indifferent and some even hostile to the monarchy. Once firmly in the saddle, the attitude changed, as it began to be realised that the monarchy could be exploited to hold the Empire on the one hand, and to hold back the working-class movement at home on the other.

When in 1871 Disraeli created Queen Victoria Empress of India, it was the first step towards the building up of the prestige of the monarchy as we know it today. This build-up has gone parallel with the growth of the Empire, and with the growth of universal suffrage. So that seventy years after Walter Bagehot analysed the use of the monarchy, Mr. Stanley Baldwin was able to say:

“The Crown in this country . . . stands for far more than it has ever done in history . . . being as it is not only the last link of Empire that is left, but the guarantee in this country . . . against many evils that have affected and afflicted other countries.”<sup>2</sup>

The ruling class today uses the monarchy in two ways: firstly, as an ideological weapon for maintaining the stability of the régime; secondly, as a direct means of interference in political events. In addition, because of its constitutional rights, the monarchy is potentially a reserve weapon, should the occasion arise.

#### I. THE MONARCHY AS A PROPAGANDA WEAPON

Among these uses the propaganda aspect is by far the most important. In the first place, the pageantry and glamour, built up with the

<sup>1</sup> Bagehot, *The English Constitution* (1867), World's Classics Edition of 1949, p. 30.

<sup>2</sup> Speech on December 10, 1936, on the occasion of Edward VIII's abdication.

aid of the highly developed techniques of modern press advertising, catches the popular imagination and helps to divert public attention away from questions awkward for the government. While still Duke of York, George V was sent on a tour of India. "I must say," he wrote to King Edward VII on January 8, 1906, "that although we had very hard work our stay in Calcutta was a great success politically. Our visit too was most opportune, as the feeling was very strong against the Government owing to the partition of Bengal, and it made them think of something else."<sup>1</sup> No doubt the visits made by Queen Elizabeth to different parts of the Empire have had the same object in view. Pageantry at home has the same purpose, as *The Times* was quick to observe at the suggestion that the lavish allowances commanded by the Royal Family should be curtailed:

"Close palaces, curtail processions, and bring royal hospitality down to simple levels, and nothing would be achieved except a negligible saving and the spread of unwanted drabness in the life of the people. To ask the Queen to live—as the more enthusiastic believers in equality have done—in the social style of other young wives and mothers is to seek to rob the Crown of power to fulfil its proper function."<sup>2</sup>

This view was supported by Mr. Attlee:

"We on this side of the Committee believe that it is right to have a certain amount of pageantry, because it pleases people, and it also counteracts a tendency to other forms of excitement".<sup>3</sup>

Supplementing the grandeur and the pageantry there has been another development in the last forty years. The habit of coming down to earth in order to move among the poorest, shaking hands and chatting with workers, was first developed by George V in recognition of the growing challenge from the working-class movement. In the First World War such visits had a very direct object in view, as Mr. Lloyd George made clear in his *War Memoirs*:

"It would be hard to overestimate the value of the national service rendered by the Sovereign's visits to the munition areas and

<sup>1</sup> Harold Nicholson, *King George the Fifth* (1952), p. 87.

<sup>2</sup> *The Times*, July 1, 1952.

<sup>3</sup> *The Times*, July 9, 1952.

the personal relations he established with the workers there. . . . Nothing could be happier than the spontaneous resolve of the king to go about among them, to shake them by the hand, talk with them. . . . He voiced the hope that 'all restrictive rules and regulations would be removed, and that all would work to one common end and purpose'. This was a very courageous gesture on the king's part to help forward the solution of the very difficult problem of suspending trade union restrictions which at that time were seriously hampering output."<sup>1</sup>

Since that time, visits to working-class areas, chats with working-class people, the patronage of Labour and trade union leaders, has become more and more prevalent. These visits and the publicity surrounding them are intended to demonstrate the affinity of the royal family with the common people. This affinity is constantly stressed in the press, radio and all ruling-class propaganda organs. Witness the broadcast to housewives made by Field-Marshal Sir William Slim, then Chief of the Imperial General Staff:

"Towards the end of the war my wife and I had the honour, in one day, to be received by two elderly ladies each in her own home. One was Queen Mary in Marlborough House; the other was the mother of the soldier who drove my car in Burma, at her house, in the much-bombed East End of London. I suppose you might say they were at opposite ends of the pole—if you bother much about such things—but believe me, in courtesy, kindliness, pride in their country, in courage and in humour, they were sisters—just British" (July 6, 1952).

This sort of thing is part of our regular daily diet. It was not always so, but has grown up with the growth of the labour movement. Its object? To suggest that we are all one happy family, to insist on the unity of the nation as a whole, and thus to present ruling-class interests and ruling-class policies as coinciding with those of the whole people.

## 2. THE POLITICAL ROLE OF THE MONARCHY

Is the monarchy only a useful figurehead? How much power has the monarchy got? These are not questions on which eminent constitutional lawyers agree—they only agree on one thing: that the monarchy has a good deal more power than is commonly supposed.

<sup>1</sup> Vol. I, pp. 317ff.



The Bill of Rights established the principle that the king reigned solely with and by the consent of Parliament. In 1701 the Act of Settlement laid it down that Ministers should be responsible for the acts of the Sovereign, which meant that in general he could not act except on the advice of his Ministers.

In spite of this there remain certain discretionary powers in the hands of the monarch, known as the Royal Prerogative.

Hitherto one of the most important of these discretionary powers has proved to be the duty of appointing the Prime Minister. When a Prime Minister dies or resigns the monarch has to choose his successor. The choice is limited by the fact that the new Prime Minister must be able to command a majority in the House of Commons and must be able to form a Cabinet. The fact remains that neither Parliament nor the majority party has the right to elect its own Prime Minister. And this means that where the leadership of the majority party is in doubt the reigning monarch exercises decisive influence. There are some notable examples of this. When Mr. Gladstone retired in 1894, Queen Victoria passed over what were considered to be the superior claims of Sir William Harcourt, and made Lord Rosebery Prime Minister. When Mr. Bonar Law, Conservative Prime Minister, resigned on grounds of health in 1923, King George V decided not to appoint Lord Curzon, who had been acting as Deputy Prime Minister during Bonar Law's illness, but instead to appoint Mr. Stanley Baldwin, who had been acting as leader of the House of Commons, as the new Prime Minister.

Much more significant than either of these cases was King George V's action in 1931. In August of that year the Labour Cabinet which had held office for two years with the support of the Liberal Party in the House, was faced with an unprecedented financial crisis, and with extreme pressure from the Treasury officials and the banks, to put through drastic economy measures including cuts in unemployment pay. The Labour Cabinet decided to invite Mr. Ramsay MacDonald, the Prime Minister, to tender his resignation to the king. MacDonald agreed to this, went to the Palace and submitted the resignation of the government. The expectation was that the king would invite Mr. Baldwin to form a Conservative government with Liberal support. On the suggestion of Sir Herbert Samuel, leader of the Liberal Party, however, the king invited MacDonald to continue in office at the head of a newly formed coalition government which would put through the necessary economies. Thus was the National Government

formed which hurriedly put through the National Economy Act and then went to the country. In taking this step the king made no attempt to ascertain the views of other members of the Labour Cabinet; in practice, only Mr. Snowden and Mr. Thomas agreed to enter the new government, which was repudiated by the Labour Party as a whole. There is no doubt, however, that the defection of these three leaders and the fact that they associated themselves with the Conservatives was the main cause of the very heavy loss of seats for Labour at the subsequent election.

The most recent example of the choice of Prime Minister by the Monarch was that of Queen Elizabeth in 1956, who appointed Mr. Harold Macmillan instead of Mr. Butler who had been acting as Deputy Prime Minister.

The choice of Prime Minister is one of the most important of the independent functions of the Monarchy, because it *has* to be undertaken and at certain times a genuine choice is forced upon the monarch. What other powers does he or she possess?

No Bill can become law until it receives the Royal Assent. Nobody but the Queen can summon Parliament, or dissolve Parliament. Nobody but the Queen can confer peerages.

It is usually assumed that these powers are a mere formality, because of the general principle that the Queen can only act on the advice of her Ministers; therefore in performing all these functions she has to carry them out according to the wishes of the government in office. The fact remains that leading constitutional theorists and writers have from time to time insisted that the monarch has in certain circumstances the "constitutional right" to disregard this advice. Thus Professor Dicey has argued that it would not only be perfectly constitutional in theory for the Queen to dissolve Parliament, but might be justifiable in practice "if there exists fair reason to suppose that the opinion of the House is not the opinion of the electors". Though the Royal Assent to a Bill has not been refused since the time of Queen Anne, Sir William Anson advised King George V, when consulted by the latter, that the king undoubtedly had the power to refuse his Assent to a Bill; in making his decision it was for him to determine whether the Prime Minister's advice reflected the will of the nation. In truth it is no legal bar which has prevented these powers being used in recent times, but political expediency.

The great value of the monarchy to the ruling class has been, as we have seen, its façade of neutrality, its pretence of representing the

whole nation. Once the monarchy took sides openly on a matter of political controversy, these pretences would be severely undermined, and with them the great advantage of a monarchy from the point of view of the ruling class. In Mr. Asquith's words, the Crown would become "the football of contending factions".<sup>1</sup>

Nevertheless, during the first few years of George V's reign, when there was a Liberal government in office, Conservative leaders put great pressure on the king to disobey the advice of his Ministers and exercise his powers independently.

### 3. THE CREATION OF PEERS

The first of these occasions was during the long struggle of the House of Commons with the House of Lords, which is outlined in the next chapter. The power of the monarch to elevate persons to the peerage will remain an important one so long as the House of Lords remains in existence and has any political power left.

According to the usual convention, the Sovereign never makes anybody a peer without the advice of his Ministers, but always raises individuals to the peerage when so advised.

After the Liberal victory in 1906, the Lords proceeded to reject or amend out of recognition a number of Liberal Bills, culminating in Mr. Lloyd George's Finance Bill which was rejected in the autumn of 1909. Mr. Asquith, the Liberal Prime Minister, asked for a dissolution and a general election was held in January 1910, resulting in the return once more of a Liberal government. In April 1910, Mr. Asquith introduced a Bill proposing drastic curtailment of the Lords' right to veto Bills. It was clear that if the Lords rejected this Bill, Mr. Asquith's only way out would be to request the king to create peers—in other words, to elevate a sufficient number of Liberal supporters to the peerage to even up the opposition in the House of Lords.

King Edward VII died a couple of weeks after Mr. Asquith's Bill had been introduced. Just before dying he had let it be known that he was against the wholesale creation of peers if it could be avoided, and several eminent persons, including the Archbishop of Canterbury and Lord Rosebery, were contending that if the king was asked to create peers he should refuse to do so.

King George V came to the throne in the middle of this crisis; he urged the Prime Minister to come to a compromise with the opposition. Discussions were indeed opened, but broke down. In November

<sup>1</sup> Harold Nicholson, *op. cit.*, p. 224.

1910, therefore, Asquith again asked for a dissolution while at the same time asking the king to promise that if the Liberals were again returned to office he would if necessary create sufficient peers to get the Parliament Bill passed. The king was strongly opposed to giving any such promise, and his advisers were split upon its desirability. In the end, after much argument, he gave a secret pledge to Mr. Asquith that he would do so, should the Liberals again win the election. At the General Election of December 1910, the Liberals were again returned. The Parliament Bill was again introduced, again amended out of recognition by the Lords and in July 1911 Asquith asked the king to create peers. The king asked that instead the Bill be again submitted to the Lords; at the same time he let it be known that if it was rejected he would create peers. The Lords gave in with a very bad grace, and no creation of peers was necessary. Throughout all this struggle there was great pressure on the king to disregard the advice of his Ministers, and whether to do so or not was exercising his mind to a very great degree.

#### 4. THE ROYAL ASSENT AND THE POWER TO DISSOLVE

The question whether the king can refuse his Royal Assent to a Bill came up in an acute form soon after.

Insisting that the king was the final guardian of the constitution, the theorists argued that his duties and responsibilities were greatly increased as soon as the powers of the House of Lords had been curtailed. And this argument was used to try and persuade the king to block the passage of the Home Rule Bill for Ireland. The Bill was introduced in 1912; and simultaneously Sir Edward Carson, leader of the Ulster Conservatives, started to organise against it. "Even in 1912 it was clear to many observers that the Home Rule controversy might threaten the realm with the abhorrent prospect of civil war; and even at that early date there were some who sought to persuade the king that, should such a danger materialise, it was his right, and indeed his duty, to exercise his Prerogative and, when the Bill had finally been forced through both the Houses of Parliament, to refuse the Royal Assent".<sup>1</sup>

Mr. Bonar Law, leader of the Conservative Opposition, advised the king that, should the Home Rule Bill be forced through, "Unionists would certainly believe that the king not only had the constitutional right, but that it was his duty, before acting on the advice of his

<sup>1</sup> Harold Nicholson, *op. cit.*, p. 119.

Ministers, to ascertain whether it would not be possible to appoint other Ministers who would advise him differently and allow the question to be decided by the country at a General Election”.

Lord Esher argued that it was the king's duty to dismiss Mr. Asquith and to entrust the government to some “neutral” statesman, such as Lord Rosebery, in order that a general election could be held.

Intense arguments went on between the king and Mr. Asquith behind the scenes; in September 1913, in a long Memorandum, the king reminded Asquith of Bagehot's words: “The Sovereign, too, possesses a power according to theory for extreme use on a crucial occasion, but which in law he can use on any occasion. He can *dissolve* . . .”. He urged Asquith to have another general election before forcing through the Home Rule Bill, and devoted a great deal of energy to trying to get a “compromise”—in other words, providing for Ulster to be excluded from the Home Rule measure.

In the event, it was precisely this “compromise” which was adopted, though the struggle was still going on in August 1914 when the First World War broke out.

In all this period, the powers of the king to disregard the advice of his Ministers were in the end never used. The fact that they existed meant that they could be used as a threat, and indeed their existence was made use of by the Conservatives to cripple certain progressive Liberal measures. They are still there as a reserve weapon, and it is not difficult to imagine that should a socialist government, pledged to carry out real socialist measures, be elected, the ruling class would seek once again to persuade the monarchy to use its powers in this respect.

##### 5. THE INFLUENCE OF THE MONARCHY

The day by day influence of the Sovereign on government actions is normally a good deal more important than any of the reserve weapons described above. Bagehot summed this up by saying that:

“the Sovereign has, under a constitutional monarchy such as ours, three rights—the right to be consulted, the right to encourage, the right to warn”.<sup>1</sup>

George V while still Duke of York summarised what he had learnt from studying Bagehot in the following notes:

<sup>1</sup> *Op. cit.*, p. 67.

"These rights [i.e. the three mentioned above] may lead to a very important influence on the course of politics. . . . In a State where a monarchy of the English type already exists, it is still a great political force and offers a splendid career to an able monarch."<sup>1</sup>

How is this influence carried into effect?

The Sovereign has access to all Cabinet papers—all agendas, minutes, reports of Cabinet Committees, etc. He or she must be informed of all major decisions, can insist on being consulted about them, can argue about them before they are taken. All important Foreign Office Despatches have to be submitted to the Sovereign before they are sent abroad, giving him the opportunity to urge modifications or a different policy if he so wishes. All Ministerial appointments have to be submitted to him for approval, giving him the opportunity to argue for or against the choice of particular politicians for particular jobs. He can at the same time confer with the leaders of the Opposition, and intrigue with them if occasion arises. The Sovereign has close personal relationships with the Defence Departments, where again he can influence appointments and exert pressure.

Dr. Jennings sums the matter up as follows:

"Thus the king may be said to be almost a member of the Cabinet, and the only non-party member. He is, too, the best-informed member and the only one who cannot be forced to keep silent. His status gives him power to press his views upon the Minister making a proposal and (what is sometimes even more important) to press them on the Minister who is not making proposals. He can do more, he can press those views on the Prime Minister, the weight of whose authority may in the end produce the Cabinet decision. He can, if he likes to press the point, insist that his views be laid before the Cabinet and considered by them, . . . in the end, of course, he is bound by a Cabinet decision, but he may play a considerable part in the process by which it is reached."<sup>2</sup>

The activities of the reigning monarch are carried on behind the scenes—only very rarely does the public get to know of them at the time they are undertaken. Only when the official biographies are published years after the death of the monarch concerned, do the facts

<sup>1</sup> Nicholson, *op. cit.*, p. 62.

<sup>2</sup> *Cabinet Government* (1951 edition), pp. 327-8.

begin to come to light. Thus Queen Victoria's incessant political meddling and intrigues were largely kept from the public until after her death; so also were King Edward VII's conflicts with his Ministers and his interference in the conduct of foreign affairs. But reticence about the political activities of the reigning monarch became much more marked during the reign of George V; many details of these activities are only now just beginning to emerge. Sir Harold Nicholson's biography and other recent biographies of leading politicians of today provide the evidence. We now know that George V was one of the chief architects of the Partition of Ireland; that without him the 1931 "National" Government would never have been formed, and that, moreover, he held it together after it had been formed. We know that in 1917 he went behind the back of the Cabinet in order to send a personal message of sympathy to the Tsar of Russia when the latter was forced to abdicate; that he interfered in the 1914-18 war in the intrigues of the Generals against the Cabinet; that he tried to interfere with the Labour government's policy in Egypt in 1929; that he used influence to get Ministers appointed and to stop others being appointed; that he played a major part in the conduct of affairs with the colonies<sup>1</sup>—in short that he constituted, in his own words, "a great political force".

When the documentation becomes available it will doubtless be found that George VI followed in his father's footsteps. It has at any rate been alleged that in 1945 he insisted on the appointment of Mr. Ernest Bevin as Foreign Secretary in place of the more obvious choice—Mr. Hugh Dalton.<sup>2</sup>

And there is no reason to suppose that the present Queen and her husband are any more content to remain passive figureheads. The Queen has already used the Royal Prerogative to bestow the Order of the Garter on two prominent Conservative politicians—Sir Winston Churchill and Sir Anthony Eden.<sup>3</sup> The Duke of Edinburgh has already established himself as an independent force of considerable weight on questions connected with industry; and in 1956 he initiated a Commonwealth Conference of employers and trade unionists to discuss the

<sup>1</sup> Among other things, he was responsible for the appointment of Lord Irwin (now Lord Halifax) as Viceroy of India in 1927 (see Nicholson, *op. cit.*, p. 507). It was during Irwin's term of office that the most repressive measures were taken in India, including the Meerut Conspiracy trial of 1929.

<sup>2</sup> See Roger Fulford, *Manchester Guardian*, February 7, 1952.

<sup>3</sup> The Order of the Garter is an honour which is left entirely in the hands of the monarch; it is not one which is bestowed on the advice of Ministers.

"human factors" in industry together with health and allied social questions.

It is quite clear that if a strong progressive government determined to carry out real socialist measures were elected in this country, it would have to deal with the monarchy, which could find no place in a socialist society.



## CHAPTER VI

# THE HOUSE OF LORDS

THOSE who maintain that the British political system is the most democratic in the world customarily find themselves on weak ground when faced with the question of a non-elected hereditary second chamber. Great Britain is indeed the only major industrial country in the world where the medieval custom of choosing legislators on the hereditary principle still survives. But so distorted have the meanings of words become, that the ruling class is nevertheless still able to uphold the House of Lords as a bastion of "democracy". Thus Lord Salisbury described an attempt to curtail the powers of the House of Lords as "an open, blatant attack upon the liberties of the British people" (House of Lords, September 23, 1948). While even Mr. Herbert Morrison found it possible to state that "the very irrationality of the composition of the House of Lords and its quaintness are safeguards for our modern British democracy".<sup>1</sup>

The history of the House of Lords shows that, while it has never on any occasion acted as a "safeguard for democracy", it has regularly and consistently acted as a safeguard for the interests of the wealthy. As an instrument for this purpose its composition—heavily weighted in favour of landowners and company directors—is not "irrational", but supremely rational.

### I. THE COMPOSITION OF THE HOUSE OF LORDS

At present (1957) there are 868 members of the House of Lords, including 2 Archbishops and 24 Bishops. Descendants of the ancient landowning aristocracy are in a minority in the House—a formidable minority, nevertheless, for the families of some 300 of them have sat in the Lords for over 100 years, and 200 of these have done so for over 150 years. But half the present House of Lords hold peerages created during the present century. Peers are created by the monarch on the advice of the Prime Minister of the day. The character of our successive Prime Ministers has determined the type of men chosen. Sometimes a prominent Conservative or Liberal politician would be

<sup>1</sup> *Government and Parliament* (1954), p. 194.

elevated; sometimes a leading civil servant who had served the ruling class well. More often sheer wealth has been the determining factor. It is thus not surprising that one-third of the Lords today are company directors holding between them over 1,200 directorships. They include bankers, steel magnates, newspaper proprietors, and industrialists of all kinds. The most powerful monopolies—Vickers, I.C.I., Unilevers—all have their representatives in the House of Lords. The House in fact represents a more formidable concentration of wealth than the Commons has ever done in recent times.

The Prime Ministers of Labour governments have done little to redress the balance; so that Lord Samuel, the Liberal peer, was moved to state: "In recent years, your lordship's House has been made more representative by the addition of a certain number of members drawn from those who are generally known as the working classes. Altogether, I believe there are twenty-five now; but what is twenty-five among 800?" (November 12, 1952). In *Vachers' Parliamentary Companion*, 494 peers are officially listed as Conservatives, 43 as Liberals, 56 as Labour, while 254 have no stated political affiliations.<sup>1</sup>

## 2. LORDS VERSUS COMMONS: 1906-31

Fifty years ago the House of Lords possessed the right of absolute veto over any legislation of which it disapproved. It was inevitable that if any majority pledged to progressive measures should be returned to the Commons, a head-on clash would result. This happened when the Liberals were returned to power in force in 1906 together with, for the first time, a substantial group of Labour M.Ps. The Lords rallied in determined and arrogant opposition.

Straight away they rejected an Education Bill designed to abolish religious tests for teachers and to give public authorities control of religious instruction. In the same year they took Scotland out of a Bill for providing school meals. Perhaps more important, they rejected a Bill to restrict plural voting—namely, the right of property-owners and businessmen to vote more than once in an election. In the following year they rejected a Land Valuation Bill, intended to pave the way for a land tax.

In 1909 the Lords rejected the so-called "People's Budget"—the Finance Bill introduced by Mr. Lloyd George, which proposed among other things the introduction of a land tax. The Liberal government retaliated by introducing a Parliament Bill to restrict the powers of

<sup>1</sup> In 1956.

the House of Lords. This Bill, which became an Act in 1911, provided that a Money Bill should become law within one month of being passed in the Commons whether the Lords agreed to it or not, and that any other Bill which had been passed by the Commons during three successive sessions should receive the Royal Assent even if the Lords had rejected it, provided that two years had elapsed between the Second Reading in the Commons in the First Session and the Third Reading in the Commons in the Third Session. As we related in the chapter on the Monarchy, the Parliament Act only became law in 1911 after two general elections had been imposed and the king had been obliged to agree to the creation of peers unless the Lords withdrew their opposition.

The Act abolished the final veto which the Lords had previously possessed. It left them, however, with two year's delaying power, a power that could be decisive in the last two years of a government's term in office.

The result was that the Lords were able to persist in their obstructive tactics against the Liberal government, and did so right up to the outbreak of the 1914-18 war. In 1913 and 1914 they again prevented the abolition of plural voting. In 1913 they rejected the Irish Home Rule Bill.

During the period of the second Labour government, the ineffectiveness of the 1911 Act in restricting the power of the Lords was again demonstrated. This was a weak government which, on the excuse of its minority position, never attempted legislation which did not meet with the broad approval of the Liberals in the House. Yet the Lords made no bones about flouting Commons decisions. In 1931 they threw out an Education Bill which provided for the raising of the school-leaving age to 15. In the same year they rejected part of an Agricultural Land Utilisation Bill which sought to give the Ministry of Agriculture power to experiment in large-scale farming. They defeated another attempt to restrict plural voting and severely mauled many other measures, including an Unemployment Insurance Act, the Coal Mines Act and the Dyestuffs Act. In practice, the delaying power left with the Lords meant power to wreck.

### 3. THE LORDS SINCE THE WAR

When the third Labour government took office in 1945, it was in a strong enough position to abolish the House of Lords once and for all. Instead of this, a new Bill was brought in, which became an Act in

1949, reducing the Lords' power of delay from two years to one. This means that the Lords can only reject a Bill once; if it then passes through the Commons in a Second Session it can receive the Royal Assent, provided one year has elapsed between the Second Reading in the First Commons Session and the Third Reading in the Second Commons Session. The Lords fought bitterly against this further curtailment of their powers and the 1949 Act took two years to become law and was only forced through by means of the 1911 Act.

During the third Labour government's term of office the tactics of the Lords changed somewhat. Badly frightened by the huge Labour majority in the Commons, they hesitated to reject outright the earlier nationalisation measures of the government, confining themselves to criticism. No doubt they realised that very provocative behaviour might force the government to go further than a comparatively mild measure like the 1949 Act. As time went on, however, they began once more to assert themselves.

In 1948 the House of Commons, by a free vote, inserted into the Labour government's Criminal Justice Bill a clause for the suspension of capital punishment. The Lords rejected this clause, and when the Bill came back to the Commons the government instead inserted a compromise clause retaining the death penalty only for certain categories of murder. The Lords rejected this clause also, and in the end the government capitulated and the Bill was passed without either of the clauses.

Throughout 1949 the Lords insisted on amendments to the Iron and Steel Nationalisation Bill with the object of postponing vesting day until after a general election had been held. The Labour government in effect gave in on this question; the vesting day was postponed from May 1950 in the original Bill to January 1951. In 1956 the Lords rejected Mr. Silverman's Abolition of the Death Penalty Bill, which had been carried by a free vote of the House of Commons.

The Lords' powers of obstruction are thus still considerable. Meanwhile, the House of Lords still has much influence and is in a position to bring strong pressure to bear. As Mr. Morrison put it: "debates in the Lords have a character and importance of their own and are not without influence on public opinion and Government policy".<sup>1</sup>

An example of this was the 1954 Rent Act, the way to which was paved with successive and much publicised Lords' debates demanding increased rents and putting the landlord's point of view a good deal

<sup>1</sup> *Op. cit.*, p. 173.

more forthrightly than the Conservative M.Ps. in the Commons (who had their voters to consider) had dared to do.

The Labour peers are also used behind the scenes by the right-wing leadership of the Parliamentary Labour Party to keep the rank and file in order. On February 23, 1954, when the Parliamentary Labour Party then in opposition was taking a crucial decision—whether or not to support German rearmament—the Labour peers were summoned to the meeting; it was only with the help of their vote that the leaders carried the day in favour of German rearmament.

#### 4. REFORM OF THE HOUSE OF LORDS<sup>1</sup>

To the ruling class the advantage of a Second Chamber with delaying powers are very great. Delaying powers give a chance to manoeuvre when the House of Commons is promoting legislation which challenges vested interests; with time to manoeuvre the measure may be blocked altogether. The importance attached to the question was made clear in the Lords' debates over the 1949 Act—for example by Lord Teynsham (February 2, 1948), who said:

"I would suggest that the delaying power which now exists is a safeguard against possible irresponsible leadership in another place, a protection for the nation. Who knows when, and in what circumstances, we may have a more extreme faction at the helm in another place able to pass as many revolutionary Bills as they choose within the five years of Parliament."

In the battle to maintain a Second Chamber with such powers, the ruling class has resorted to the most fantastic arguments, the commonest being that the Lord's function is to ensure, firstly, that any elected government does not violate its mandate but carries out its promises given at election time to the people, and second, that its powers to delay until after a general election has been held enable the people to "have another look" at controversial legislation. Mr. T. E. Utleigh, lecturer at the 1954 Conservative Party National Summer School, gave the most frank account of the origin of the first of these arguments.

"We as a party are always having to think up enlightened reasons for doing things which we believe in on other grounds. When, in the late nineteenth century, Lord Salisbury was struggling in the

<sup>1</sup> This was written before the introduction of a Bill at the end of 1957 permitting the Crown to create life peers.

House of Lords to prevent the process, which has gone on since, of diminishing the power of the Upper House, he thought up an argument of the highest possible importance in our constitutional history; that the House of Lords must be allowed a veto on legislation—not in the interests of stability or security or anything glum like that, which a democratic electorate would not like—but in order to protect the electorate against the danger that a Government, having been returned to power, might neglect its mandate. He presented the House of Lords as the assembly which protects the community against the abuse of its mandate by a popularly elected Government.”<sup>1</sup>

Fifty years later Salisbury’s grandson developed the same theme rather further:

“We on this side of the House ask no more than that issues affecting the welfare of the electorate, where their judgment is unknown or doubtful, should be referred for their consideration, or at least deferred for a short time to enable their views to be found out. That is the whole reason for our stand for an effective Second Chamber” (January 27, 1948).

When the 1949 Act, which shortened the Lord’s delaying powers, was being debated, the “enlightened reasons” which the Lords thought up to oppose the measure reached an extreme height of absurdity. For example:

“The doctrine that the majority in the House of Commons has a right to do what it likes in the fourth and even in the fifth year of Parliament . . . seems to me to be a negation of democracy” (Lord Balfour of Burleigh, September 23, 1948).

“If this Bill passes, no longer will the people of this country, when their liberty and way of life are threatened, be able to say, ‘Thank God we have a House of Lords’ ” (Earl of Glasgow, September 23, 1948).

“Is not this Bill another attempt to override still further government by traditional constitutional methods in this country, and to continue the drive to totalitarianism, which would wreck democracy by the removal of the last barrier between the Government and total power?” (Lord Teviot, February 2, 1948).

So important is a second chamber with delaying powers in the eyes of the ruling class that they are quite prepared to sacrifice the hereditary principle in the composition of the House of Lords, if by so

<sup>1</sup> *Tradition and Change*, published by the Conservative Political Centre, 1954.

doing they may increase its power. This is the object of the reform of the Lords long advocated by the Conservative Party. The usual proposal is (and one on which there were inter-party discussions during the third Labour government's term of office) that instead of hereditary peers, "Lords of Parliament" would be appointed for life on grounds of "personal distinction or public service". There is of course no reason to suppose that Lords appointed on this basis would be any less obstructive and reactionary than at present if serious socialist measures were contemplated by the House of Commons. But by presenting a more "democratic" façade, it would be possible to restore to the Lords some of the powers they have now lost. In the inter-party negotiations which have taken place on the subject, the Conservatives have tried to make reform of the Lords conditional on increasing its powers. As Lord Raglan said in the last debate on the subject (November 25, 1952):

"I do not think any members of the Conservative Party, or very few of them, would willingly see its composition altered unless it was given increased powers."

So far the Labour leaders have refused to agree to any increase in powers. The fact that they have agreed to retain the House of Lords even on its present basis means that the danger is always present of a strengthened second chamber.

There is a school of thought among the right-wing leaders of the Labour Party which argues that the House of Lords needs to be retained on technical grounds—that is to say, that a revising chamber is necessary if all Bills are to be thoroughly scrutinised and drafting imperfections eliminated before they reach the Statute Book. This is in fact the main argument among them for retaining the House of Lords as it is today with its existing limited powers. It is not difficult to conceive of other ways in which this problem (if indeed it is one) could be tackled—advisory committees of experts without any powers could have such work delegated to them, for example. The truth is that so long as a House of Lords exists it can always be used to frustrate socialist measures at a time when the mass of the people are demanding them; the more leftward the swing among the people, the more dangerous would it be to leave in existence a non-elected, privileged body with powers of obstruction. There is no doubt that a socialist government, determined to carry forward a real socialist programme, would find it necessary to abolish the House of Lords altogether.

## THE KEY PERSONNEL OF THE STATE

## I. THE APPEARANCE OF POLITICAL NEUTRALITY

IT is clear from the preceding chapters that the persons who occupy leading posts in the armed forces, foreign and home civil service, judiciary and police are in a position of key importance in the State apparatus. It is they, working in conjunction with the Cabinet, and not Parliament, who exercise military, administrative and judicial power and actually govern the country.

A hundred years ago all civil and military administration was entirely monopolised by the same narrow ruling class, mainly composed of the landed aristocracy, which also filled both Houses of Parliament and the Cabinet. It was regarded as essential, and indeed inevitable, that the officers in the army and navy, the judges and the heads of government departments should be drawn exclusively from the propertied classes and should have their special social and educational background. The working class had no vote and was not considered capable of participating in the government of the country. Such reforms as were undertaken were not introduced with any idea of making the State more democratic, but only of making it more efficient—and so of making it a more effective protector of ruling-class interests. This idea was clearly expressed by Gladstone in speaking of the proposed reform of the civil service in 1851, abolishing patronage and making entrance dependent on competitive examinations which would ensure that only those who had had an expensive education could pass them and reach the top of the service. One of the great recommendations of the change, he said, was that it would tend “to strengthen and multiply the ties between the higher classes and the possession of administrative power”.<sup>1</sup>

Do these ties still exist today? Do the civil service chiefs, judges and generals still come from the propertied classes, sharing the beliefs, habits and prejudices of the employers and especially of the most influential employers, the big industrialists? Or has all that been changed by universal suffrage, so that these people now reflect the outlook of the average factory worker? The answer to this question is

<sup>1</sup> Morley, *Life of Gladstone* (1903), Vol. I, p. 649.



clearly of crucial importance in understanding the working of the British State.

The answer given in all standard textbooks on the British Constitution is that the sympathies of these highly placed individuals are neither with the employer nor with the worker: they are completely impartial and maintain a consistent attitude of political neutrality, standing aloof from the class struggle with a sort of olympian detachment. This favourite theme, and the great importance attached to it, is well expressed in a recent authoritative report on the civil service: "The political neutrality of the Civil Service is a fundamental feature of British democratic government and is essential for its efficient operation."<sup>1</sup>

It is certainly true that a strong superficial appearance of political neutrality is achieved. Serving officers, judges and civil servants are strictly forbidden—by law or by convention—to take an active part in party politics and are usually extremely careful to avoid any public utterance which would identify them with one or other of the two major political parties. But it is perfectly obvious that they must have political opinions and class sympathies; the mere avoidance of *public* activities simply means that it is necessary to delve a little below the surface in order to discover where their real sympathies lie. We need to investigate, first, their education and social origin; second, the further training they get in the course of their careers before they reach the posts of highest responsibility; third, the circles they move in when "off duty".

## 2. EDUCATION AND SOCIAL ORIGIN

Table I, p. 87, shows the types of school attended by over 300 persons occupying key positions in the State. They are not necessarily the 300 most important people; but they undoubtedly include among their numbers a large proportion of those who hold the commanding posts in the State apparatus, and they certainly represent a fair cross-section of the whole.

The significance of the figures given in Table I are brought out more clearly in Table II, p. 88, where they are expressed as percentages.

Certain conclusions can be drawn at once from these tables:

(1) Almost two out of every three of the top personnel of the State were educated at public boarding schools, which are attended by a small fraction of the population.

<sup>1</sup> *Masterman Report* (1949), Cmd. 7,718.

TABLE I<sup>1</sup>

|  | (1)<br><i>Total No.<br/>investi-<br/>gated</i> | (2)<br><i>Public<br/>boarding<br/>schools</i> | (3)<br><i>Private<br/>day<br/>schools</i> | (4)<br><i>State<br/>secondary<br/>schools</i> | (5)<br><i>State<br/>elementary<br/>schools<br/>only</i> | (6)<br><i>No<br/>infor-<br/>mation</i> |
|--|--|---|---|---|---|--|
| Foreign Office<br>(£2,000 p.a. and<br>over) . . .        | 24   | 19  | 2   | 1   | —   | 2                                      |
| Ambassadors . . .  | 45   | 28  | 7   | 5   | —   | 5                                      |
| Generals . . .<br>(Lieut.-general and<br>above) . . .    | 34   | 21  | 5   | 4   | —   | 4                                      |
| Judges (House of<br>Lords, and Su-<br>preme Court) . . . | 58   | 36  | 9   | 8   | —   | 5                                      |
| Bishops . . .  | 43   | 27  | 7   | 7   | —   | 2                                      |
| Air Marshals and<br>above . . .                          | 26   | 12  | 8   | —   | —   | 6                                      |
| Treasury (£2,000<br>p.a. and over) . . .                 | 33   | 12  | 5   | 9   | —   | 7                                      |
| Heads and deputy<br>heads of minis-<br>tries . . .       | 57   | 22  | 11  | 16  | —   | 8                                      |
| Total . . .  | 320  | 177   | 56  | 10  | —   | 39                                     |
| Tory Ministers,<br>1951 . . .                            | 33   | 27  | 4   | 1   | —   | 1                                      |
| Labour Ministers,<br>1951 . . .                          | 33   | 14  | 1   | 4   | 9   | 5                                      |

(2) About 70 per cent of the population have had only an elementary education, that is to say, they left school at 15 or earlier, and did not attend a public school or a grammar school; yet there is not a single one of these 320 diplomats, generals, judges and others who finished his education at the elementary stage. The contrast with the Labour Ministers who held office in 1951 is marked (though the proportion of ex-public school boys among the Labour Ministers was significantly high, and much higher than it was for the Labour M.Ps. taken as a whole).

<sup>1</sup> This and the succeeding tables in this chapter have been compiled from information in *Whitaker's Almanack* and *Who's Who* for 1953.

TABLE II

*Leading personnel of the State: proportion of those about whom information is available (i.e. column 1 of Table I, less column 6) who were educated at:*

|  | Public boarding schools,<br>per cent | Public boarding schools<br>or private day schools,<br>per cent |
|--|--------------------------------------|--|
| Foreign Office (£2,000<br>and over) . . . .  | 86                                   | 95   |
| Ambassadors . . . .                          | 70                                   | 88   |
| Lieut.-generals and<br>above . . . . .       | 70                                   | 87   |
| Judges (House of Lords<br>and Supreme Court) | 68                                   | 85   |
| Bishops . . . . .                            | 66                                   | 83   |
| Air Marshals and above                       | 60                                   | 100  |
| Treasury (£2,000 and<br>over) . . . . .      | 46                                   | 65   |
| Heads and deputy<br>heads of ministries .    | 45                                   | 67   |
| Average . . . . .                            | 63                                   | 83   |

(3) The number of persons holding key positions in the State who climbed the educational ladder from the council grammar schools is remarkably small, except in the Home Civil Service, where they reach the proportion of one-third of the whole, and the proportion educated at public boarding schools falls to below 50 per cent. The meaning of this will be considered later.

(4) The second column of Table II, which has been obtained by adding together columns (2) and (3) in Table I, is of great interest. It includes all those who were educated either at a public boarding school or at a private day school, together with the small number who were educated abroad or who state in their *Who's Who* biography that they were educated "privately". Under the heading of "private day school" have been included all day schools where fees are charged, ranging from the more exclusive schools where the social level is rather upper-class, down to large grammar schools which have a proportion of working-class boys holding scholarships; these schools cater for those sections of the middle classes who can afford from £50 to £100 a year in fees, but cannot afford the heavy fees of the public boarding

schools, which range from £200 to over £400 per annum. The second column of Table II therefore shows that over four out of every five of the leading personnel in the State apparatus were educated at private schools catering exclusively or almost exclusively for children from upper- or middle-class homes.

In order to understand the full implications of this state of affairs, let us see what kind of education is provided at these schools.

### (1) *The Public Boarding Schools*

Some 35,000 boys aged between 13 and 18, representing about 1·3 per cent of the total number of boys in England and Wales between those ages, are being educated at public boarding schools. The annual fees at the more exclusive of these institutions are not much less than the total wages earned by a worker in one of the lower-paid occupations during a whole year.<sup>1</sup>

Except in the special sense that they are not run for profit, the public schools are not of course "public" at all; they are open only to those who can pay the fees,<sup>2</sup> and are entirely exempt from parliamentary or municipal control. They are managed by independent Boards of Governors drawn from the ruling class. In 1957 the governors of Harrow, for example, included a judge and a field-marshal who had both been Conservative Ministers, a Conservative M.P., three directors representing between them several important manufacturing companies, two banks and an insurance company, the head of a publishing firm, a retired Treasury official and an archdeacon. The governors of Wellington College—to turn to a rather different type of school, founded in memory of the great duke and specialising in the training of future army officers—included six generals, two air-marshals, an admiral and a commander (all retired), an archbishop and a bishop, a retired civil servant, three peers, the head of an Oxford college and the head of a Cambridge college who had previously been a Conservative M.P. and Minister of Health, a company director and a stockbroker. The governing bodies of other public schools are variations on the same pattern as Harrow and Wellington. These schools are ruling-class institutions which maintain the closest possible connections with private industry, the Conservative Party, the Church of England, the civil service and the armed forces.

<sup>1</sup> The four most expensive in 1957 were Eton (£413), Harrow (£400), Winchester (£387) and Stowe (£384).

<sup>2</sup> Since the 1944 Education Act, some local authorities have given a few scholarships to public schools; but the number of such working-class scholarship boys is negligible.

The educational facilities at a public school are normally much better than those available at a municipal grammar school; the proportion of masters to pupils is much higher, and the school buildings, the equipment and the playing fields are generally far superior. But the importance of these schools is not merely derived from their provision of an expensive education for the sons of the rich; their special significance in relation to a study of political democracy lies in the conscious and declared aim of these schools: to train the future leaders of Britain and the Empire, that is to say, those who will hold the leading positions in industry, in politics and in the State apparatus.

Space does not permit an examination of the many ingenious features of public school education which have been designed to develop "qualities of leadership", a sense of class solidarity and the feeling of belonging to an *élite*: the emphasis on religion and the compulsory attendance at chapel (the great majority of public schools are Church of England); the fetish of games and athleticism, designed to instil habits of blind loyalty and the team spirit, combined with an intensely competitive and individualistic spirit; the barbaric prefect and fagging system; the military training through the Officers' Training Corps which is more or less compulsory in most public schools; and the strong bias against the natural sciences and in favour of literary studies, especially Latin and Greek—the classics being revered as the traditional, and socially exclusive, culture of the English gentleman.

The history of the public schools furnishes even more convincing proof of the function they are intended to fulfil, and of the ability of the British ruling class to adapt traditional institutions to serve its interests in face of the advancing power of the working-class movement. At the beginning of the nineteenth century the seven traditional public schools (Eton, Harrow, Winchester, Charterhouse, Westminster, Rugby and Shrewsbury) had declined into a condition in which they provided remarkably little education of any kind, beyond enabling the sons of the aristocracy to learn snobbery and class solidarity by attending boarding schools which were almost exclusively reserved for the education of the wealthy. During the same period, however, the rise of organised working-class activity and especially the militancy of the great Chartist movement filled the Victorian ruling class with apprehension and resulted in numerous important reforms, such as the organisation of efficient police forces, designed to strengthen the State and prevent the advance of the working class to political power.

The same apprehension led to a powerful movement for educational reform which, beginning in Rugby under its famous headmaster, Dr. Arnold, rapidly spread to all other public schools. The prime purpose of Arnold's reforms was to improve the moral education of his boys by instilling a sense of responsibility for the maintenance of Britain's traditional institutions and the strengthening of its position of leadership in the world. His most important ideals were loyalty, self-sacrifice and obedience to authority, and his aims have been listed as "first, religious and moral reform; second, gentlemanly conduct; third, intellectual ability".

With the beginning of the imperialist epoch in the 1880s, the conception of the role of the public schools was enlarged to include not only the maintenance of ruling-class institutions and ideas at home in Britain, but the extension and strengthening of the far-flung Empire. Thus Kipling, poet of imperialism, explained in his novel, *Stalky and Co.*, written about an imaginary public school called Westward Ho, that he loved the public schools "because the Cheltenham and Haileybury and Marlborough chaps who went out to Boerland and Zululand and India and Burma and Cyprus and Hong Kong . . . lived and died as gentlemen and officers"; and an advertisement for Cheltenham claimed that the school was a "training place beyond compare for defenders of the Empire".<sup>1</sup>

Finally, with the beginning of the general crisis of capitalism after the First World War and the Russian Revolution, we find the ruling class envisaging the public schools as a training ground where their sons can learn the duty of directly repressing a militant working class. This idea was expressed with unusual frankness by Sir Gerald du Maurier at the Harrow Luncheon Club in 1923 when he demanded "a sort of Ku Klux Klan of public school boys which, when the Beacon flares on the hill, would come down and restore England once more to law and order".<sup>2</sup> It is not surprising that Hitler was an admirer of the English public schools; nothing similar had existed in Germany until his time, but steps were taken under the Nazi régime to establish special "leadership schools", modelled on the English public boarding schools, to train future leaders of the Nazi Party and the Fascist State.

The great independent day schools aim at providing an education which is modelled as closely as possible on the public boarding schools, but which is less thorough and intense—and of course less expensive

<sup>1</sup> Mack, *Public Schools and British Opinion* (1940), Vol. 2, p. 331.

<sup>2</sup> Salt, *Memories of Bygone Eton* (1928), p. 213.

and exclusive—because the boys continue to live at home with their parents.

It is now possible to estimate the full significance of the figures given above showing that over four out of every five persons holding top positions in the State apparatus have had a public boarding or independent day school education. The manner in which the public schools have in the past 150 years been adapted to changing conditions, have developed a type of education well designed to instil a strong sense of loyalty to the ruling class, and have retained a major share of the key positions in the State, is a striking illustration of the traditional skill of the British governing class in the creation of safeguards against the limited democratic rights they have been forced to concede to the working class. And nothing exposes the true character of the "welfare state" more clearly than the fact that never in their history were the public schools so prosperous as they were under the post-war Labour governments.

## (2) *The Grammar Schools*

Although the public school products—including private day as well as boarding schools in this term—secure the lion's share in the key positions in the State, those who went to a grammar school provided by a local authority have risen in significant numbers to the highest posts in every department of the State with the exception of the Foreign Office, where the Old School Tie still reigns supreme. In particular, the proportion of officials holding responsible positions in the Home Civil Service who had a grammar school education is as high as one-half, and is tending to rise slowly.<sup>1</sup> It might be argued, therefore, that at least some of the key jobs in the State are open to clever working-class boys who have climbed the educational ladder, and that the State apparatus is, at least to this limited extent, becoming more representative.

Such a conclusion would be unjustified. The great majority of working-class children go to secondary modern or technical schools and, leaving school generally at the age of fifteen, are deprived of almost any opportunity to enter a university, or to get into Sandhurst, Dartmouth or Cranwell, or into any other institution or profession which may eventually open the way to the highest positions in the

<sup>1</sup> See R. K. Kelsall, *Higher Civil Servants in Britain* (1955). The author investigated the educational background of all the higher ranks of the home civil service from assistant secretary upwards. Between 1939 and 1950 the number grew from 473 to 1,045, and he found that in 1950 more than half had been educated at grammar schools.

State. The grammar schools are still essentially middle-class institutions, even though a number of working-class children gain admittance. A recent investigation into two areas in England has shown that about 10 per cent of working-class children reached the grammar schools in the years 1931 to 1941. In 1952-3 the proportion had risen only to 12 per cent and 15 per cent in the two areas investigated.<sup>1</sup> Thus only a small proportion of working-class children manage to reach the grammar schools. This restriction of grammar school education to a small minority of the working-class children is bound to have an important effect on the children themselves; at an early age they are made aware of the advantages and superior opportunities they enjoy over all the other children in secondary modern schools destined, to use a frank expression that appeared in a post-war Ministry of Education circular, to be "hewers of wood and drawers of water". As Jean Floud points out in her account of the investigation into grammar schools from which we have just quoted: "A process of social as well as academic selection is at work in the grammar schools. Despite considerable variety in their social composition they are by tradition schools serving the middle classes."<sup>2</sup> The effect of a grammar school education, especially on the successful boy who wins a scholarship to a university, whether he is of middle- or working-class origin, is to create a gulf between him and the ordinary working-class lad who, at the age of 15, starts work in a factory.

A glance backwards at the origin of the State system of grammar school education throws a most revealing light on it. Before the Education Act of 1902 elementary education was under the control of the School Boards which, because they were elected by a system of proportional representation, were the most democratic local authorities that have ever existed in Britain. The result was that on some of the School Boards in the towns there was a strong progressive element, reflecting the aspirations of the working class for a better education. Although the School Boards were specifically responsible only for elementary education up to the age of 13, some of the most progressive boards had begun to provide a form of secondary education for those children who could stay on for a few more years, at schools which were known as "higher grade schools". They were free or charged very low fees and their curricula had a mainly scientific and technical

<sup>1</sup> "Education and Social Class", by Jean Floud, in *Looking Forward in Education* (1955), ed. by Professor Judges, p. 43.

<sup>2</sup> *Ibid.*, p. 43.



basis. These higher grade schools could well have developed into the "comprehensive" schools which are the aim of the Labour Party and all progressive educationists today.

The Education Act of 1902 put an abrupt end to these prospects. The School Boards were abolished and their functions transferred to county and county borough councils where, owing to the method of election and the system of aldermen, the progressive forces were much weaker. At the same time the powers of the central government over local education authorities were much strengthened through the setting up of a new government department, the Board of Education (now the Ministry of Education) in which were centralised all the government's powers relating to education, including the decisive power to make financial grants to local authorities. Under the Act of 1902 the organic connection between the elementary and the higher grade schools was abruptly broken. The higher grade schools were absorbed into the new secondary system of selective grammar schools, where a classical and literary bias was given to the curriculum, fees were charged, and only a strictly limited number of "free places" were allowed. The regulations for secondary education, issued in 1905, enshrined the conception that elementary and secondary education were "not complementary stages but two distinct types, with different aims, intended for two separate classes of society".

These facts speak for themselves. But the government's motives were openly revealed by Sir Robert Morant, who, as the first permanent head of the Board of Education, was the driving force behind the 1902 Act, and who has achieved a tremendous reputation in bourgeois circles—deservedly no doubt—as one of the greatest civil servants of all time. In an article which he wrote in 1898 he drew attention to "the increasing need of voluntarily submitting the impulses of the many ignorant to the guidance and control of the few wise", and of securing the dominance of "specialised experts in the science of national life and growth" in order to prevent the "democratic State" from being "disintegrated utterly by the blind impulses of mere numerical majorities".<sup>1</sup>

The aim of the selective grammar school system, then, is the production of an educated *élite*: of more plebian origin, no doubt, than the public school *élite*; but an *élite* all the same, which the ruling class hopes may be relied on to protect it from "the blind impulses of mere numerical majorities".

<sup>1</sup> B. Allen, *Sir Robert Morant* (1934), p. 125.

(3) *The Ancient Universities*

The great majority of the leading personnel in the State—apart from the regular officers in the armed forces—have had a university education. The following table gives the position in 1953:

TABLE III

|  | Oxford | Cambridge | Other | None | No infor-<br>mation | Proportion<br>of those for<br>whom in-<br>formation<br>available at<br>Oxford or<br>Cambridge<br>per cent |
|--|--------|-----------|-------|------|---------------------|---|
| Bishops . . .  | 25     | 13        | 4     | 1    | —                   | 88  |
| Foreign Office<br>(£2,000 p.a. and<br>over) . . .        | 9      | 10        | 2     | 2    | 1                   | 83  |
| Judges . . .   | 27     | 16        | 5     | 6    | 4                   | 80  |
| Treasury<br>(£2,000 p.a. and<br>over) . . .              | 9      | 11        | 3     | 3    | 7                   | 77  |
| Heads and Deputy<br>heads of govern-<br>ment departments | 24     | 11        | 10    | 8    | 4                   | 66  |
| Ambassadors .  | 19     | 9         | 8     | 9    | —                   | 62  |

Quite apart from the high proportion of the total who have been educated at a university, the preponderance of those who have been to Oxford or Cambridge is very striking: over four out of every five bishops, judges, senior Treasury and Foreign Office officials have passed through the ancient universities, and two out of three Ambassadors and high officials in the Home Civil Service. What are the distinctive characteristics of an Oxford or Cambridge education?

The first colleges at Oxford and Cambridge were founded in the early Middle Ages, over 600 years ago; London, Manchester, Birmingham and all other English universities were founded only in the last century (though the Scottish universities at Glasgow and Edinburgh are older). In consequence of this ancient origin, and of the rich endowments which have at different periods been lavished upon them by kings, bishops, wealthy aristocrats and, in modern times, rich

industrialists—amongst which Lord Nuffield's gifts to Oxford have been specially prominent—Oxford and Cambridge have been able to develop two features which distinguish them from all other universities in Britain and, indeed, in the world: the college life and the tutorial system.

The beautiful old college buildings are the real centre of social and educational life at the ancient universities. The students dine together in the old college hall, have opportunities for social intercourse among themselves and with the senior staff and "fellows" of the college, and live in general in a far more intimate and secluded atmosphere than does a student in a provincial university. The outstanding educational feature of this college life is the tutorial system. In addition to attendance at lectures, every undergraduate is provided with a supervisor or tutor and normally spends about an hour a week with him, either alone or in company with a couple of other undergraduates at the most. The tutor is thus able to give his undergraduates the utmost individual attention and assistance in their studies. It is only the great wealth of the colleges, of course, which enables them to appoint sufficient fellows—who are generally employed by the university as lecturers as well—to make the tutorial system possible.

The effect of this intimate college life and tutorial system, combined with an atmosphere subtly pervaded with ancient traditions, is greatly to strengthen the impact of the basic ideas and assumptions of the ruling class, which are accepted and taught with great ability by the vast majority of professors and lecturers. The formative power of the ancient universities is inevitably stronger on the grammar school boy, especially if he comes from a working-class home, than on the public school boy, for the contrast between his childhood and the spacious, comfortable ruling-class atmosphere of this university life is all the more striking. The gulf between such a student and his former companions, which began with his education in a grammar school, will have been carried an important stage further.

The ruling class understand all this very well, but native caution hinders them from saying much about it in these days. Forty years ago, however, they did not need to be so careful. In 1912 a Royal Commission (known as the Macdonnell Commission) was appointed to investigate the civil service, and in his report one of the Commissioners, Mr. Boutwood, showed that he was fully aware of the significance of the "kind of social experience" afforded by the older universities. "A school or university", he states, "is a good recruiting ground for the

Administrative Civil Service, not merely because it educates up to a certain standard, but chiefly because it develops character and capacity through a certain kind of social experience. . . . In England much of the administrative capacity hitherto found in the older universities . . . has been a result of nurture and training in a social milieu informed by a certain highly complex social tradition. Young men so nurtured and trained have brought to their university the traditions which have made them what they are and in the social experience afforded by the usages of the place that tradition has continued its characteristic work, forming and informing men apt to receive it though born outside it. The process has been one of ethnological assimilation. It has not been confined within any one class."

#### (4) *The Principle of Segregation*

The long struggle of the working-class movement for a fully democratic system of education has, to an extent which is probably unparalleled in any other country of "Western Democracy", been largely thwarted by the British ruling class. Enlargement of educational opportunity has certainly taken place; but the fundamental structure of the system has been preserved intact.

Following the Education Act, 1944, fees were abolished in grammar schools maintained by local authorities and in 1947 the school-leaving age was raised to 15; but the public schools were left untouched and, what is even more striking, they have had more pupils and longer waiting lists than ever before in their entire history; while the policy of building comprehensive schools in which every child would have a secondary education up to the age of 16 has been fiercely resisted and effectively blocked by the Ministry of Education—although it has widespread support in the labour movement and has indeed been the official policy of the Labour Party since before 1945.

The basic principle of segregating a privileged minority and giving it an education separate from the great majority is applied throughout the educational system. It is seen at its most thorough and exclusive in the public boarding schools; less exclusive but still thorough in the college life at Oxford and Cambridge; and both less exclusive and less thorough, but considerable all the same, in the independent day schools and in the grammar schools. The position can be summed up in this way: the future employers, bankers and other members of the ruling class, together with the future officers in the armed forces, judges and chiefs in the civil service, receive a special education for leadership in

the public boarding schools, independent day schools or in the grammar schools up to the age of 18, followed in most cases by a special education at the ancient universities of Oxford and Cambridge. The future workers in the factories, mines and railways are educated at secondary modern schools up to the age of 15. This is essentially still an elementary education; and a glance at Table I shows that those who have had an elementary school education only have had no chance whatever of rising to the top position in the State apparatus.

The desirability of segregating future leaders from the rank and file is well understood by Admiral Thursfield, the editor of *Brassey's Annual* and Naval Correspondent of *The Times*. Writing in the 1952 edition of *Brassey's Annual*, he congratulated the armed forces on having largely abandoned the dangerous practice which developed during the war of requiring potential officers to spend a period of service in the ranks, and expressed his feelings with unusual frankness:

"The plain fact is that ordinary service on the lower deck or in the ranks for anything beyond a brief period is not only unnecessary but is actually detrimental to the making of an officer. . . . The atmosphere of the lower deck or the barrack room is actively inimical to the tradition in which the potential officer must grow up if he is to imbibe the essence of real leadership, though it must be recognised that the exceptional man will succeed in rising above that handicap, and exceptional channels must be provided—as indeed they are at present in all three Services—whereby he can rise."<sup>1</sup>

There can be no doubt that the principle here enunciated applies to the recruitment and promotion of the "officer class" generally throughout the State apparatus. First, educate the majority of future officers for leadership at the earliest practicable age; second, allow for the promotion from the ranks of a few exceptional individuals, which leads to higher efficiency and gives the appearance of democracy.

### 3. FURTHER TRAINING, ESPECIALLY IN THE EMPIRE

After the completion of a formal education at school and university there remains a lengthy period before the young barrister rises to the judicial bench, the 2nd lieutenant becomes a general and the young civil servant reaches the top of a government department. The experience and training received during this period are obviously of great importance. The outlook of the ambitious beginner will inevitably

<sup>1</sup> *Brassey's Annual* (1952), pp. 8-9.

tend to be moulded, consciously or unconsciously, to that of his superiors in order to achieve success in the competitive struggle for the most rapid promotion. He gradually learns how to judge every situation in the light of the interests of the ruling class as a whole, and thus develops into a reliable servant of the ruling class.

This influence is very strong, for example, in the Home Civil Service, and operates with especial force on the clever grammar school boy who has won a scholarship to the university before beginning his career in Whitehall. Unlike the public school boy, who has friends and connections among the ruling circles and will probably inherit a certain amount of property, the grammar school boy has nothing to fall back on should he fail to make a success of his chosen profession. The result is that he generally adapts himself to the approved outlook even more thoroughly, conscientiously and rigidly, if possible, than the public school boy. A typical product of this process was Sir James Grigg, born in a working-class home, who rose via grammar school, university, and the Indian Civil Service to become permanent head of of the War Office; chosen by Mr. Churchill to be his Minister for War in the wartime coalition cabinet (1940-5), he exhibited all the characteristics of an extreme right-wing Tory.<sup>1</sup>

In the course of their professional practice, barristers depend on property interests of one kind or another for the major part of their fees; and it is only after spending years in protecting these property interests in the law courts that a barrister can secure promotion to the judicial bench. It is not surprising that the general run of barristers develop, however unconscious the process may be, a profound respect for the institutions of capitalist private property.<sup>2</sup>

The most dangerous and far-reaching influence of this kind is the training and experience obtained in the colonial empire. A large part of Britain's armed forces has always been stationed abroad and, in the unprecedented conditions of imperialist crisis which have prevailed since 1945, this proportion has grown to about two-thirds of the total.

<sup>1</sup> This is confirmed by a reading of his autobiography, *Prejudice and Judgment* (1947), where he not only refers to the "corroding doctrines of Marx" (p. 414), but reveals his diehard outlook in the following passage: "Anyhow Karl Marx had by 1945 captured the Labour Party and that being so the movement towards equality in our country took on an envious, greedy and malicious form and lost all traces of kindliness and Christianity" (p. 410).

<sup>2</sup> No fewer than 8 out of the 48 judges in the Supreme Court in 1953 had been either Conservative or Liberal M.Ps. or Parliamentary candidates prior to their appointment, and another was Honorary Secretary for many years to the Junior Imperial League; not a single one had exhibited any such public tendencies towards Labour, even of the most right-wing variety.

It is almost certain, therefore, that every regular army officer who reaches the highest rank will have spent a large part of his active career engaged in protecting British capital and white settlers against the struggles of the colonial peoples for national liberation; and an increasing number of officers will have had experience of the ruthless measures which have been taken against the native populations of Malaya, Kenya and Cyprus. Experiences of this kind can develop a profound contempt for humane and democratic government, and a readiness to employ similar methods against the British working class if the need should arise.

The influence of colonial training in producing a reactionary outlook is clearly shown in the long list of diehard Conservative politicians who have had experience of colonial methods of rule. Thus Neville Chamberlain spent the early years of his life on a Jamaican sugar plantation; Lord Halifax, his principal henchman in carrying through the Munich policy of appeasement of Hitler, was Viceroy of India before becoming Foreign Secretary in Chamberlain's Government; Lord Waverley (formerly Sir John Anderson) was Governor of Bengal before becoming a Conservative Cabinet Minister; and Churchill began his career in the Sudan and South Africa. As Palme Dutt has pointed out:

"From the camp of the Anglo-Indian rulers trained in the methods of despotic domination, have been continuously recruited the forces of reaction in British internal politics, from the days of a Wellington to the days of a Curzon or a Lloyd. In the rifts and currents within Conservatism the close connection between the Anglo-Indians and the die-hards can be continuously traced."<sup>1</sup>

If India was the principal training ground in the past two centuries, that privilege has now passed to Malaya, East Africa and Cyprus.

It is no accident that the leading positions in the Metropolitan Police and in the British Secret Police have generally been staffed by army officers, civil servants or police officers with colonial experience. Sir Charles Warren, Chief Commissioner of the Metropolitan Police at the time of Bloody Sunday (1886), had been Governor of the Red Sea Littoral before he used the police with such violence against the unemployed demonstration in Trafalgar Square on that celebrated occasion. From his day to the present, every Chief Commissioner save

<sup>1</sup> *India Today* (1940).

one—a civil servant—has been either a retired officer of the armed forces or an ex-Indian police officer; Sir John Nott-Bower, appointed in 1953, was in the Indian Police for 22 years before joining the Metropolitan Police.

Sir Percy Sillitoe, head of M.I.5 from 1946 to 1953, gained his early experience in the South African Police Force, and his predecessors were normally retired Indian Army colonels.<sup>1</sup> Mr. James Munroe had had 27 years experience in Bengal before he became one of the first chiefs of the Special Branch in the 1880's. Of the four Assistant Commissioners of the Metropolitan Police in 1953, two had colonial experience, one in Malaya and the other in Palestine. There can be no doubt that the swollen police forces in Kenya and other colonies will supply many "suitable" recruits for the British Police in the future.

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Commissioned

#### 4. ENTRY INTO THE RANKS OF BIG BUSINESS

The identity of outlook of leading civil servants and officers of the armed forces with the capitalist class is further indicated by the ease with which growing numbers of them pass over into the ranks of big business. Commencing their careers as servants of the State, they end up as company directors. Before the war this movement was on a small scale, but since the war it has developed to a significant extent:

"One of the most interesting and unexpected aspects of our post-war industrial scene is the keen competition within industry to secure the services of high level civil servants. The wooing is keen and extremely expensive; as indeed it needs to be to cajole these knowledgeable and privileged persons from the unassailable prestige of their positions and the pleasing omniscience of their status.

"Since the war one has seen Sir Henry Woods relinquish the Permanent Secretaryship of the Board of Trade to become a director in the English Electric Co.; Mr. George Archer, C.M.G., forsake his Under-secretaryship at the Ministry of Supply to become a Director of Mond-Nickel International; Sir Wilfred Eady, retire from the Joint Second Secretaryship of the Treasury to become a full-time director of Richard Thomas & Baldwins Ltd., and a director of the Steel Company of Wales; and Sir Wilfred Garrett, H.M. Chief Inspector of Factories, become welfare adviser to Peter Merchant Ltd. Such demand and competition for the services of key men trained for years in large-scale organisation and familiar with the intricacies of governmental machinery, shows that British

<sup>1</sup> Observer, March 22, 1953.



industry whether it likes it or not, is fully aware that Government policy is a permanent factor in our industrial economy."<sup>1</sup>

One of the most prominent of the civil servants who subsequently became a company director and a Conservative Cabinet Minister into the bargain was Lord Waverley. Having been a senior official in the Home Office and Governor of Bengal, he subsequently joined the Boards of I.C.I., Vickers, the Canadian Pacific Railway and the Hudson Bay Company. The career of Sir James Grigg, permanent civil servant until 1942, then Conservative M.P. for Cardiff and Secretary of State for War in Mr. Churchill's Government from 1942-5, and then a director of the Imperial Tobacco Company and several other companies, is very similar. But the great majority of the ex-civil servants have been content to join the ranks of big business and have not become active Conservative politicians as well. Typical examples have already been given and further illustrations are Mr. S. P. Chambers of the Inland Revenue who joined I.C.I. in 1947, Sir Frederick Leith Ross who left the Treasury to become a director of the National Provincial Bank and of Babcock and Wilson in 1951, and Sir Alexander Cadogan who retired in 1950 from the Permanent Secretaryship of the Foreign Office and who also joined the board of the National Provincial Bank. But it would be tedious to continue the list. This movement is by no means confined to permanent civil servants, and the services of senior officers in the armed forces are no less in demand. Thus Lord Alanbrooke, Chief of the Imperial General Staff from 1941-6, subsequently became a director of the Midland Bank and of several other companies, and Marshal of the R.A.F. Lord Portal of Hungerford, who was Chief of Air Staff from 1940-5, became a director of Barclays Bank, the Ford Motor Company, the British Aluminium Company and the Commercial Union Assurance Company. In its February, 1954, number, *Labour Research* listed eleven generals, six admirals and seven R.A.F. marshals who had joined the boards of banks, insurance companies and large manufacturing concerns after the end of the war. All this serves to emphasise the similarity of outlook between leading civil servants and generals and the monopoly capitalists. It is also concrete evidence of the ever-closer links which the monopoly capitalists are forging with the State apparatus.

<sup>1</sup> *Scope*, August, 1952.

## 5. WEST END CLUBS

There is one aspect of the social life led by the ruling class in London, and shared in by the key personnel in the State apparatus, which is of peculiar interest. The 320 persons whose educational record was given in Table I belong to a total of 282 West End clubs. The most popular clubs are as follows:

| <i>Name of Club</i>          | <i>No. of key personnel in each club</i> |
|------------------------------|--|
| Athenaeum . . . .            | 44                                       |
| United University . . . .    | 32                                       |
| Travellers . . . .           | 21                                       |
| United Service . . . .       | 20                                       |
| Oxford and Cambridge . . . . | 22                                       |
| Brooks' . . . .              | 18                                       |
| Reform . . . .               | 18                                       |
| Army and Navy . . . .        | 12                                       |
| Union . . . .                | 14                                       |

These West End clubs, situated mainly in Piccadilly and Pall Mall, derive the bulk of their membership from the wealthy aristocracy and business community living and working in London; and the great majority of Conservative M.Ps. belong to them. The average subscription of £20 a year, together with an entrance fee of anything up to £40, ensures their exclusive character. Aiming to reproduce the atmosphere of a "rich private house",<sup>1</sup> these clubs do much to cement together the ruling class. Like the public schools, they are one of those distinctive features of the life of the British governing class which, although never mentioned in textbooks on the British Constitution, play an important part behind the scenes in the running of the country. They help, moreover, in the process of assimilating into the ruling class those who were born outside it. A retired civil servant who has written a book full of shrewd observations on the civil service compares the influence of club life with that of the college life at Oxford. He points out that a man who joins a club, even though he does not adopt the political views of his fellow members, "can scarcely avoid a certain assimilation to them in his general way of looking at things—comparable to, though far less than, the change through which a boy from a county secondary school passes during three or four years at

<sup>1</sup> *The Times*, December 18, 1952.

an Oxford College if he mixes freely with his contemporaries".<sup>1</sup>

It has been said that there are a thousand threads which bind together the leading professional personnel of the State and the capitalist class; many of these are invisible and subtle, and it is difficult to demonstrate their strength in a convincing manner. Such, for instance, is the kind of instinctive understanding and sympathy which exists between those who have been educated at public schools and Oxford or Cambridge colleges. Yet Mr. Robert Lowe, Chancellor of the Exchequer in 1870, had no doubt of its existence, when he referred to "that sort of freemasonry which exists between people who have had a certain grade of education"; and none who has had any actual experience of this sort of freemasonry will for one moment doubt its existence. The most important of the links which are of a general character, applying throughout the State machine, have been described in this chapter. A great deal of evidence, relating to particular organs of the State—for example, the striking evidence of the famous Curragh Mutiny in relation to the army—will be given in later chapters, which will also deal with the way in which the different parts of the machine actually operate in practice. But enough has surely already been said to show that the ties which bind the leading personnel of the State to the ruling class are exceedingly strong; and that there is good evidence that William Morris was right when he described the officers of the army and navy and the magistrates and judges as "salaried officers on the part of the masters in the great class struggle".<sup>2</sup>

#### 6. THE MONOPOLY CAPITALISTS

The highest posts in the administrative machinery of the State are not exclusively filled by professional civil servants who have spent their whole lives in the civil service. In recent years a growing number of important positions have been occupied by representatives of the biggest combines and trusts.

During the period of imperialism the State has been increasingly obliged to assume direct control of transport and industrial undertakings, where private enterprise has proved inadequate, and to administer these undertakings on behalf of the monopoly capitalists as a whole. For this purpose the government of the day has almost invariably set up "public boards" which have been made largely immune from Parliamentary questions and criticism (see p. 59). The

<sup>1</sup> Dale, *The Higher Civil Service* (1940), p. 51.

<sup>2</sup> *True and False Society* (1888).

Central Electricity Board (1925), the London Passenger Transport Board (1932) and the British Overseas Airways Corporation (1939) were the principal boards set up before the war by Conservative governments, which adopted the practice of appointing the directors of large private companies and banks on to the boards. Thus, for example, "the chairman of the L.P.T.B. was Lord Ashfield, chief of the previous Underground combine and director of the Midland Bank and Imperial Chemical Industries. Other members included a director of the Bank of England and the Unilever Combine. The B.O.A.C. board was dominated by two city financiers and a shipping magnate."<sup>1</sup>

During the Second World War the ranks of the permanent civil servants were reinforced by numerous representatives of the biggest firms who moved into the government departments which were most directly concerned with the regulation of private industry and trade. Thus in September and October 1939 the Minister of Supply appointed thirty-eight directors of large companies to important positions in his department, and the Ministry of Food drew its controllers of the food supply mainly from the ranks of the great monopoly food concerns.<sup>2</sup> The four directors of the oil and fats division all came from the giant Unilever Combine; the directors of the meat supplies came from the Union Cold Storage Combine, the principal concern in Argentine and overseas meat; and the chairman of the Cereal Imports Committee was the head of Ranks Ltd., the biggest flour milling concern in the country.

After the end of the war these company directors returned to their own firms; but the practice of the pre-war Conservative governments of appointing representatives of big business to sit on public boards was continued on a much larger scale by the third Labour government. The Bank of England was nationalised in 1946, and the financial interests in the City of London were from the beginning well represented on the Board of Governors, which at present contains three directors of merchant banking houses and six directors of manufacturing concerns. Taking all the boards of the nationalised industries together, an analysis made in 1951—at the close of the post-war Labour governments—by the Acton Society entitled *The Men on the Boards*, showed that 63 out of 131 full-time and part-time members of the boards were company directors; and there is no reason to think

<sup>1</sup> See John Gollan, *The British Political System* (1954), p. 104, which gives further examples of boards and commissions set up before the war, such as the Wheat Commission, the Cotton Industry Board, The British Sugar Corporation.

<sup>2</sup> *Labour Research*, October and December, 1939.

that the proportion of directors has been materially reduced during the period of Conservative rule since 1951. Broadly speaking the boards are composed of a variety of engineering, technical and financial experts on the one hand, and of company directors on the other. They differ from the typical board of directors of a private firm only in that they include a sprinkling of retired trade union officials—an aspect which is examined in the concluding section of this chapter.

There are also a great variety of other commissions, committees and advisory councils, performing important functions in the State apparatus, such as the Capital Issues Committee, the Public Works Loans Board, and the Advisory Council of the Export Credit Guarantee Department, which are mainly composed of representatives of banks, insurance companies and of big business generally.<sup>1</sup>

Thus the ranks of the permanent civil servants have been reinforced by representatives of the monopoly capitalists who have moved in on a growing scale since the war to participate in the administration of the newer parts of the State apparatus concerned with economic affairs and the control of the nationalised industries. The company directors who sit on the public boards and all the other economic committees and commissions are not chosen from the ranks of the small businessmen. It is clear that the whole process must mean that the political influence of the biggest and most powerful concerns is strengthened at the expense of the influence of the small businessman, and that the State has in this way become increasingly subordinated to the monopoly capitalists.

#### 7. THE TRADE UNION LEADERSHIP

One of the most important developments of imperialism has been the rise of an upper stratum of the labour movement collaborating with the monopoly capitalists in a great variety of ways, often changing their whole mode of living and becoming increasingly separated from the majority of the workers. In the House of Commons this collaboration has taken the form of the "parliamentarism" practised by the right-wing leaders of the Labour Party which we examined in Chapter IV, and which performs a vital service to the ruling class in preserving Parliament as a "talking shop" and a substitute for the mass activity of the working class. And we saw how this parliamentarism also helps to change the outlook of militant working-class leaders who come under its influence. Equally significant is the way in which the upper

<sup>1</sup> John Gollan, *op. cit.*, p. 106.

leadership of the trade union movement has been drawn into an ever closer co-operation with the executive apparatus of the State.

In the latter half of the nineteenth century the employers often secured the collaboration of the more moderate trade union leaders in the industrial field. But the outbreak of the First World War marked an entirely new stage for the trade union movement. It brought what the Webbs described as "a revolutionary transformation of the social and political standing of the official representatives of the trade union world".<sup>1</sup> As the Webbs pointed out: "If organised labour had been against the war it is safe to say that the national effort could not have been maintained."<sup>2</sup> The basis for this new form of collaboration was provided by the abandonment by the great majority of the trade union and Labour Party leaders of their repeated pre-war pledges to prevent imperialist war and to end it by revolutionary means if it did break out. There followed the declaration of an "industrial truce" by the T.U.C. and Labour Party leadership and their agreement to join in an all-Party recruiting campaign. The union leaders were thereupon drawn into consultation by the government on all the vital issues of dilution and industrial relations generally, and the practice developed of appointing them to serve on a variety of important committees, commissions and advisory councils set up by the different government departments.

The critical condition of British capitalism after the end of the First World War, and the emergence of a much more powerful trade union movement which was nevertheless still dominated by the right-wing leaders, ensured the continuation of these forms of collaboration throughout the inter-war period. During the Second World War and then under the post-war Labour governments, the machinery for linking the trade union leaders with the State became more extensive and elaborate than ever before. Two of the principal national committees on which the T.U.C. is represented along with the employers' national organisations are the National Production Advisory Council for Industry, concerned with the drive to increase productivity, and the National Advisory Council to the Ministry of Labour, dealing with questions of employment and conditions of work. Altogether, the trade unions have been linked up with the State and the employers, both nationally and regionally, by means of a total of some 250 committees, while the Trades Union Congress is represented on about 65 government committees.

<sup>1</sup> Webb, *History of Trade Unionism* (1920 edition), p. 635.

<sup>2</sup> *Ibid.*, p. 692.



Another method of drawing the trade union leaders into the State machinery is the appointment of a few of the most prominent to well-paid positions on the boards of nationalised industries. Perhaps the classic example of this was the appointment in 1925 by the Conservative government of Frank Hodges, secretary of the Miners' Federation from 1919-24, to a part-time post on the newly established National Electricity Board at a salary of £750. During the bitter and prolonged lock-out of the miners which continued after the General Strike, Hodges supported the standpoint of the owners on lengthening the hours of work; and in 1927 he came out publicly in support of Spencer's attempt to form a "non-political" union. "Later Hodges was taken on as a director of several companies (colliery, iron and steel, chemicals, finance, etc.) while he retained his post on the Electricity Board. At his death in 1947 he was possessed of £132,959."<sup>1</sup>

The extensive measures of nationalisation carried through by the post-war Labour government widened the field for the appointment of trade union leaders to public boards. Even so, the number of those appointed remained small. Thus in 1951, at the end of the period of office of the Labour Party, there were only ten members of the trade union and co-operative movements out of a total of 131 full-time and part-time members on the boards.<sup>2</sup> The subsequent Conservative governments have maintained a sprinkling of trade union leaders on the boards on much the same scale. It is clear that this small band of retired trade union officials cannot exercise decisive influence on the policy of the boards—even if they wanted to. In practice they have tended to sever all connection with the trade union movement, to be assimilated into the machinery of the capitalist State, and to adopt an outlook which is usually not very different from that of the company directors with whom they sit on the boards. A striking illustration occurred in 1953 when Sir Lincoln Evans gave up his post as General Secretary of the Iron and Steel Trades Confederation and his membership of the General Council of the T.U.C. in order to take up a £5,000 a year job on the Iron and Steel Board, which was set up by the Conservative government to denationalise the iron and steel industry and to destroy the work of the Labour government. Co-operation with the monopoly capitalists could hardly go further than this.

The smooth functioning of the elaborate arrangements for drawing

<sup>1</sup> R. Page Arnot, *The Miners: Years of Struggle* (1953), p. 533.

<sup>2</sup> *The Men on the Boards*, Acton Society (1951).

the trade union leadership into the machinery of the State is only possible because of the right-wing outlook of many of these trade union officials, who prefer to sit on committees rather than to arouse the rank and file of their unions in militant struggle against the employers. But while this collaboration helps to strengthen the capitalist State, it is at the same time a testimony to the tremendous potential power of the labour movement. The First World War could not have been waged without the co-operation of the trade union movement; and the continuous growth in the forms of this co-operation ever since are a clear indication that the State is becoming increasingly dependent on the support of the trade union leadership. The union leaders are part of the key personnel of the State in this special sense: they do not usually occupy the highest places in the State where the vital decisions on policy are taken; but without their collaboration the taking of these policy decisions would become much more difficult. The elaborate structure of the capitalist State rests on precarious foundations, and is by no means as formidable as it sometimes appears to be.



## THE ARMED FORCES

## I. HOW THE ARMED FORCES ARE USED

FOR many decades British children have been taught to believe that the British armed forces exist in order to defend these islands against external enemies. Since the Second World War it has become usual to assert that they exist for "the defence of democracy". Yet the truth is that the armed forces have been shaped for quite different purposes.

For well over a century the main preoccupation has been with wars of colonial conquest and the "policing" of the conquered territories. No less than forty-six such wars<sup>1</sup> were fought in the nineteenth century, so that Mr. Joseph Chamberlain was able to say in 1897:

"These fleets and this military armament are not maintained exclusively or even mainly for the benefit of the United Kingdom or even for the defence of home interests. . . . If you will for a moment consider the history of this country during, say, the present century, or, I would say, during the present reign, you will find that every war great or small, in which we have been engaged, has had at bottom a colonial interest."<sup>2</sup>

The twentieth century opened with the suppression of the Chinese Boxer rebellion—the South African war being already in full swing. "Episodes" on the North-west frontier and in North-east Africa filled in the gap until the world slaughter of 1914-18, itself the result of imperialist rivalries, ended with the addition of a further 112 million square miles to the British Empire.

The events of the subsequent ten years are outlined in Cole and Priestley's *British Military History*, in a chapter entitled "Back to

<sup>1</sup> These included the Nepal War, 1814-16; Pindari War, 1816-19; Kandygan War, 1818; First Burmese War, 1824-6; Ashanti War, 1824-6; First Kaffir War, 1834-5; Suppression of Canadian Rebellion, 1837; First Afghan War, 1839-42; Annexation of Aden, 1839; Bombardment of Acre, 1840; First Opium War in China, 1841-2; Conquest of Sindh, 1843; First Sikh War, 1845-6; First Maori War, 1845-6; Second Sikh War, 1848-9; Second Burmese War, 1852; Kaffir War, 1851-2; Crimean War, 1854-6; Suppression of Indian Rebellion, 1857-9; Second Opium War in China, 1860; Second Maori War, 1860-6; Ambeyla Campaign, 1863; Abyssinian Expedition, 1867; Second Ashanti War, 1873; Zulu War, 1878; Second Afghan War, 1878; First Boer War, 1881; Bombardment of Alexandria, 1882; Sudan War, 1883; Third Burmese War, 1886.

<sup>2</sup> J. L. Garvin, *Life of Joseph Chamberlain* (1933), Vol. III, pp. 187-8.

Normal". This chapter covers among other things the Third Afghan War, 1919; the Waziristan Campaign, 1919; the suppression of the Arab revolt in Mesopotamia; the Amritsar Massacre in 1919, when General Dyer opened fire without warning on an unarmed crowd of 6,000; the suppression of anti-British risings in Egypt; and the Anglo-Irish war during which the Black-and-Tans established a record of murder, torture and systematic beating up which has only been surpassed by the Nazis. It also covered one campaign of a new character—the Archangel Expedition of 1919, in which the British joined with others in attempting to overthrow the young Russian revolutionary government.

In recent years, while a large proportion of the armed forces have been tied down in Europe, a large number have also been once more engaged in pursuing wars of colonial conquest—Malaya, Kenya, Cyprus—or in "imperial policing" as in British Guiana and elsewhere. As Mr. Birch, when Parliamentary Secretary to the Minister of Defence, pointed out (March 2, 1954): "The Army is strained and overstrained. Its forces are sprawled all over the world."

Side by side with wars of colonial conquest the armed forces have been used repeatedly against the working class at home. Before the formation of a police force in 1829, and even after, the ruling class relied on the Army to put down demonstrations and strikes as a matter of course. The nineteenth century is chequered with bloody incidents of this kind. Among such was the massacre of Peterloo in 1819 when cavalry charged an unarmed crowd of 80,000 who were peacefully assembled to demand parliamentary reform, and "Bloody Sunday" in 1887 when troops were sent against a Trafalgar Square demonstration.

During the present century troops have been used systematically for the protection of blackleg labour during strikes. In 1910 they were sent to Tonypandy valley on the orders of Mr. Winston Churchill to provide protection for imported blackleg labour during the miners' strike; in 1911, when the great railway strike broke out, "practically the whole of the troops in Great Britain were on duty scattered along the railway system";<sup>1</sup> in the railway strike of 1919 there was again a great display of military force. During the General Strike of 1926, though the ruling class relied mainly on the police and special constables to protect blacklegs, troops were continuously held in readiness, and were used to convoy food from the Docks to Hyde Park, while warships landed supplies at Liverpool.

<sup>1</sup> General Macready, *Annals of an Active Life* (1924), p. 163.

Since the Second World War the armed forces have again been frequently used to defeat strikes. On this front there has, however, been one significant change. Formerly troops were always used for the *protection* of civilian blacklegs, but since the war they have been used repeatedly as *blacklegs themselves*. During the period of the third Labour government, the Navy was used once and the Army on no less than nine separate occasions for this purpose.<sup>1</sup>

## 2. THE OFFICER CASTE

Before the Second World War, the officer class was drawn almost entirely from the governing class with a clear bias in favour of the younger sons of the aristocracy, particularly those who were not likely to shine in any other profession.

The fact that it was extremely difficult (impossible in some regiments) to keep up the standard expected of an officer without a private income to supplement officer's pay, meant that very few of the lower middle class could contemplate a career in the Army.

Major General Fuller has written that the officer class was recruited from "the aristocracy and upper middle class. They are men of good birth, of honour, . . . and were in former days, as often as not, men of wealth."<sup>2</sup>

<sup>1</sup> *April 8, 1946*: 600 Smithfield provision workers struck in protest at a J.I.C. award. Troops were sent in on April 15, when 3,000 meat porters struck in sympathy. *January 8, 1947*: great road haulage strike numbering over 20,000, including 400 Smithfield drivers. Troops sent into Smithfield on January 13, whereupon all meat and provision workers came out in sympathy. *March 15, 1948*: 1,300 Ministry of Works employees—engineers attendants, boilermen, liftmen, etc.—struck in protest at delay in settling wage claim. On March 18 troops were sent to stoke boilers at Buckingham Palace, whereupon shop stewards decided to call out all engineering grades if troops were not withdrawn. *June 14, 1948*: London Dock Strike, which later spread to the Mersey, involving some 30,000; on June 23 troops brought in to handle perishable food. *May 14, 1949*: Avonmouth Dockers refused to unload a Canadian ship manned by the International Seafarers' Union, which was blacklegging on the official Canadian seamen's union. On May 27 troops unloaded a banana ship, following which crane drivers refused to work with troops; on June 2 troops began to unload all ships, following which British seamen struck against troops used on lock-gates, etc. Later, troops moved into the London docks, whereupon workers in haulage firms and in Spitalfield refused to handle goods unloaded by troops. *September 16, 1949*: Belfast power station strike; troops drafted in immediately. *December 12, 1949*: 1,000 struck at three London power stations. Troops were sent in, whereupon a further 1,600 at Barking power station came out in protest. *April 19, 1950*: London Dock strike against expulsions of leaders from T. & G.W.U. for solidarity with Candian seamen: 9,000 out. On April 24 troops moved in and a further 4,500 promptly came out. *June 24, 1950*: 1,200 Smithfield meat drivers struck in protest at delay in settling claim. Troops drafted in, and 900 meat porters struck in protest. *September 1, 1950*: strike of London gas maintenance workers started and spread to 15 gas-works in the North Thames Gas Board area; on October 3, 100 naval ratings left Chatham Barracks to start taking over the maintenance work at gas-works.

<sup>2</sup> General J. F. C. Fuller, *The Army in My Time* (1935), p. 37.

During the Second World War there was some modification of this position. This was partly due to the very rapid expansion of the military machine, which inevitably meant a certain amount of dilution. It was also true that a highly mechanised army fighting against an equally matched opponent requires a level of skill and training among its officers well in advance of that required for repressing unarmed colonial peoples. Inevitably in the choice of officers, brains and initiative began to signify more and birth rather less, and people with a grammar school background began to infiltrate into what had once been primarily a public school preserve. This of course roused a good deal of indignation among the die-hards. General Martel<sup>1</sup> complained that:

"Over and over again towards the latter part of the war one came across young lads who were just the type who would command the respect of the men and who would be welcomed in any regiment but no steps were taken to pick such men for commissions. They had to wait their turn to go before the W.O.S.B.Y. and they often failed because more weight was put on intelligence than on character."<sup>2</sup>

More fundamental, though more temporary, were the political contradictions in which the whole military machine was caught up. For the first time in centuries a supremely undemocratic machine designed for carrying through repressive anti-working class activities found itself fighting for democracy on the same side as Communist Russia. So that, while the Higher Commands of Britain and America were manoeuvring for position in a future anti-Soviet war, and the War Office was successfully keeping from promotion a handful of leading Socialists and Communists (in particular those who had distinguished records in Spain), they were fighting a rearguard action so far as the lower-ranking officers were concerned, and quite a proportion of persons with left-wing political views rose fairly rapidly. All this, however, was a very temporary affair.

Since the war the service chiefs have been faced with a dilemma. To fulfil N.A.T.O. obligations directed against the socialist countries, while simultaneously carrying out activities in the colonies, an army nearly three times the size of the pre-war peacetime army is required,

<sup>1</sup> Commander of the Royal Armoured Corps, 1940; Head of Military Mission at Moscow, 1943. Retired, 1945.

<sup>2</sup> General Sir G. le Quesne Martel, *An Outspoken Soldier* (1949), p. 325.

not to mention an air force out of all proportion to pre-war standards. There are not enough public school men to go round, and the base has therefore to be broadened. Moreover, there is need for officers with more intelligence than before. All this in a situation where there is the greatest difficulty in procuring sufficient personnel to serve as officers of any kind. This has led to a great emphasis on the changed character of the officer class—nobody, it is said, is now prevented from becoming an officer by virtue of his accent.

So far as the Army is concerned, the Royal Military Academy at Sandhurst, which still remains the main road to a commission in the regular army, "liberalised" itself with a great flourish of trumpets in 1947, abolished fees, and claimed to have rooted out class distinctions. Officers' pay has been increased so that supplementation by a private income is no longer essential. Yet out of 3,744 boys admitted since then, 68.6 per cent came from public schools. *The Times* (February 4, 1953) reports that:

"The schools which have sent most cadets to the R.M.A. since the war are broadly those which served it best before 1939, when 180 schools still exercised a near monopoly and the breeding of officer-cadets was regarded, rightly or wrongly, as the special privilege of public schools."

In the list appended by *The Times*, Wellington and Eton top the list overwhelmingly.

Boys from grammar schools have, by and large, refused to contemplate careers in the Army in spite of all the inducements now offered them. It seems extremely likely, however, that if this position were reversed, and there were more competition for position, the predominance of public schools would remain, owing to the attitude of those who sit on the Selection Boards. Lieut.-Colonel F. Evans, formerly Educational Adviser to the War Office Regular Commission Board, said of the Board's work:

"It is true that the Boards consist of public school and Sandhurst men almost entirely . . . and there may be a certain amount of unconscious prejudice when grammar school products are being tested and interviewed."<sup>1</sup>

He hastened to add that "this prejudice rarely affects the issue".

<sup>1</sup> *R.U.S.I. Journal*, May, 1952.

We can at least assume from this that if there were any danger of grammar school products swamping those of the public schools, this prejudice *would* affect the issue.

Meanwhile, though the Army is also seeking officers from among the products of other universities, prospects of promotion to the higher ranks are narrow. The same writer remarks:

"There is a factor to which, perhaps, reference should be made in respect of Regular Officers who have entered the Army under the Universities scheme, and that is that the great bulk of their fellow officers will have been intensively trained at Sandhurst and there will have made their life-long friendships and useful acquaintanceships. The graduate officer may find at times this 'freemasonry' something of a handicap in his career when the higher ranks are to be reached, for there is in the Army a great deal done on the basis of personal knowledge and contacts. It is remarkable how everyone in the Regular Army seems to know everybody else, and here Sandhurst . . . provides a common denominator."<sup>1</sup>

As with the Army, so with the Navy and Air Force—the same urgent need to fill the gaps, the same need for officers of greater ability, the same resulting broadening of the base a little downwards, the same continuing prejudice at the top against anything but the smallest shift. We cannot do better than quote Sir John Slessor, Chief of the Air Staff, 1950-2:

"It is unfashionable nowadays to talk about an officer class. I have yet to hear anyone deny that breeding and training are of some importance in horses if one wants to produce winners, but in some quarters it seems to be considered a solecism to suggest that the same thing may apply to men. It is a good thing that we should have broadened the base from which we draw our officers. . . . But if we believe in the public school system, if we continue to claim its privileges, let us have the courage to admit that it does—and I believe, always will—produce the great majority of the best leaders of men in Britain. If we do not believe the public schools do that, and if they ever cease to do that, then they should be abolished. I believe that would be an evil day for our country and Empire."<sup>2</sup>

<sup>1</sup> R.U.S.I. Journal, May, 1952.

<sup>2</sup> Manchester Guardian, November 1, 1952.

### 3. THE MEN IN THE RANKS

The majority of the men in all three of the services must inevitably be drawn from the working class, with therefore a normal tendency to reflect the attitude of their class to the world in general. If the armed forces are to be used primarily for anti-working class and repressive activities there is always the fear that they might at crucial times become "unreliable". The main concern of the ruling class for the last 150 years has therefore been to insulate the armed forces, and particularly the Army, from any progressive or working-class influence. The construction of barracks to replace billeting on civilian families at the beginning of the nineteenth century, for instance, was undertaken specifically with this object in view.<sup>1</sup> Strictly observed regulations that there should be "no politics" in the armed forces were reinforced by occasional educational courses of the most reactionary character. In the colonies, men were trained to regard themselves as the "master race" and to despise coloured people. Hand in hand with this went an exceptionally repressive régime intended to turn men into machines whose sole duty was to obey orders and do nothing without an order; all initiative was stifled, and the most elementary democratic rights—such as, for example, the right to make a collective complaint about conditions—were lacking.

During the last war this régime was severely shaken. It is impossible for a completely autocratic machine to fight a war for democracy, for the simple reason that the qualities of initiative and responsibility required will not be forthcoming unless men know what they are fighting for and believe in their cause. This new outlook had far-reaching consequences, so that on August 10, 1946, Field-Marshal Montgomery was moved to talk about the infusion of democratic principles and to say:

"The day is past when junior officers and men can be treated as so many unthinking and unfeeling cogs in a machine. Each individual must be encouraged to feel that he is a member of a team engaged in the nation's business and be made to understand the purpose of the Army and how he can contribute to achieving it. Before the battle of Alamein, I made sure that every officer and man engaged in the battle knew my plan in outline and realised the importance of his individual part in carrying it out."

<sup>1</sup> See *The Town Labourer*, by J. L. and Barbara Hammond.

Inevitably democratic influences made themselves felt in other directions. An example of this was the institution of the Army Bureau of Current Affairs, whose job was to facilitate lectures and discussions on topics of current importance. The Bureau met with a great deal of obstruction—not least from Mr. Churchill, who said in a letter to the Secretary of State for War on October 17, 1941:

“I do not approve of this system of encouraging political discussion in the Army among soldiers as such. . . . There cannot be controversy without prejudice to discipline. The only sound principle is ‘No politics in the Army.’”<sup>1</sup>

Another example of the authorities’ fear of political discussion was the smashing of the Cairo Forces’ Parliament in 1944. The Parliament had originally received the blessing of the Army Education Corps and the Brigadier of the area concerned, but after a majority for Labour had been returned by those taking part, the Parliament was dissolved on orders from the War Office. The fate of the Cairo Parliament was later shared by the Burma Forces’ Parliament.

The most basic democratic need—that of providing a channel for collective complaints—remained unfulfilled. Complaints against intolerable conditions by a camp in Karachi in 1946 and by paratroops in Malaya resulted in the arrest of the leaders and court martial on a charge of mutiny.

Since the war, British imperialism has been faced with an acute contradiction. To carry out repressive policies in Korea, Malaya, Kenya, British Guiana and other places, while simultaneously to prepare for an Anglo-American war against Soviet Russia, has meant armed forces inflated far beyond their “normal” peacetime establishment. At the same time the loss of India meant also the loss of Indian troops who were formerly used not only to police India but to fight in other parts of the world as well.<sup>2</sup> At home, full employment has meant that the main pre-war source of recruits—the unemployed—has disappeared. All this has meant that the regular armed forces have had to be supplemented by the conscription of youths for a period of National Service.

Conscription was not in fact adopted without a good deal of heart-searching by the service chiefs; there were many who were violently opposed to it. The opposition was partly on technical grounds—it was

<sup>1</sup> *The Second World War* (1950), Vol. III, p. 742.

<sup>2</sup> Though a certain number of Gurkhas from Nepal continued to be used in Malaya.



argued that the National Serviceman could not attain the necessary level of training during the brief period in which he was called up. But it was also based on straight political grounds. As Captain Liddell Hart put it:

“Conscription also tends to weaken the reliability of an army, especially under stress and strain. An unwilling soldier is a germ-carrier of demoralisation, likely to spread infection out of all proportion to his enforced contribution.”<sup>1</sup>

The argument for a Regular Army instead of conscription was expounded in its most extreme form by General Martel in his book *Outspoken Soldier*, published in 1949:

“If only we had concentrated on raising a first-class regular army after the war, instead of accepting conscription, the Russian progress would already have been halted. . . . When you have to deal with thugs you do not ask for a squadron of aircraft but well trained policemen who may have to use a cosh. . . . In military parlance well trained policemen means good regular soldiers . . . if we had possessed just one really good full strength regular division standing by in reserve in Germany in February 1948 and if Dr. Benes had been a real leader instead of being rather a weak character, Czechoslovakia could certainly have been saved in the same way as Greece and Persia. . . . In a short time these magnificent troops would have been marching through Prague. . . . But we must remember that the troops would have to be first-class regulars. Conscripts cannot begin to do this type of work.”<sup>2</sup>

The logic of events overcame these anti-conscription arguments. The nostalgic dreams of a Regular Army set apart from the rest of the population, unsullied by “democratic” ideas as in pre-war days, had to be abandoned in favour of a policy which would bring in the sheer numbers required to maintain the ever-growing commitments. And a new and more grandiose dream took its place—the militarisation of the entire nation. This ideal was expressed by Field-Marshal Montgomery in his famous “cradle to the grave” speech (September 30, 1948):

“A boy of 14 goes into the Army Cadets, and when he is 15 or 16 years old leaves school and becomes a member of a cadet battalion.

<sup>1</sup> *Defence of the West* (1950), p. 335.

<sup>2</sup> Pp. 334-5.

When he becomes 18 he is called up for National Service. On completion of his National Service he has a legal liability to serve in the Territorial Army. When he has finished his Territorial Service he could stay on as a volunteer, or being a trained and disciplined man he could report for C.D. work. In due course . . . he goes into the Home Guard. . . . Finally, he dies. The nation will have need of disciplined people who are used to obeying orders."

Dilution by national servicemen, together with the lack of the necessary recruits for the Regular Army, has led to some superficial improvements in conditions. Though the bedside lamps promised by Field-Marshal Montgomery in his proposals for a new model army have never materialised, petty restrictions have been modified—there is a feeble attempt to give newcomers the feeling that being in the Army can be "great fun".

The service chiefs who originally held to "no politics" as their guiding rule, are now agitating for positive "education" and indocination of National Servicemen with reactionary politics. Attempts are being made to carry this out, though spasmodically; it is likely to take on a more systematic form if conscription continues.

#### 4. PARLIAMENT AND THE ARMED FORCES

The present relationship between Parliament and the armed forces was only established after a prolonged struggle between Parliament and the Monarchy, in which the aim of the capitalist class was to eliminate the threat represented by a standing Army which owed allegiance to the king rather than to itself. From this arose the peculiar status of the British Army in that until 1955 it still required an annual Act to be passed every year by Parliament to keep it in existence.<sup>1</sup> The Army and Air Force (Annual) Act, renewed every year, used to start with a preamble taken directly from the original Declaration of Rights, as follows:

"Whereas the raising or keeping of a standing army within the United Kingdom in time of peace, unless it be with the consent of Parliament, is against the law. . . ."

This status did not apply to the Navy, which was never regarded by the capitalist class as a potential source of danger to itself.

<sup>1</sup> The new 1955 Army and Air Force Acts expire every 12 months unless renewed by Order in Council, which has to be approved by a resolution of both Houses of Parliament. The temporary status has therefore been preserved in a new form.

By the end of the seventeenth century Parliament had in addition gained financial control of both Army and Navy. The struggle did not end here, however, for in practice the actual administration of the Army (appointment, promotions, etc.) remained to a large extent in the hands of the Monarch, while through the first half of Queen Victoria's reign the Commander-in-Chief had unrestricted control of the Army with no obligation to consult the Minister of War. Thus in 1856 Queen Victoria appointed her cousin the Duke of Cambridge, a man of 37, as Commander-in-Chief:

"not on any grounds of military qualification but, following the advice given by the Duke of Wellington in 1850, because it was considered necessary that the army should be commanded by a member of the Royal Family, so as to ensure, in the event of a revolution, that the troops would be used in defence of the throne and not in obedience to the orders of Parliament."<sup>1</sup>

The Queen fought hard throughout her reign to keep control of the Army, and it was not until the Cardwell reforms of 1870 that the Army was brought under the control of the Cabinet. In 1903 the office of Commander-in-Chief was finally abolished and replaced by an Army Council under the chairmanship of a Minister. This Army Council is now the governing body of the Army; its president is the Secretary of State for War; its Vice-President the Parliamentary Under-Secretary; it has five military members, including the Chief of the Imperial General Staff and three civil servants. A similar status is provided for the Navy through the Board of Admiralty which is chaired by the First Lord of the Admiralty, while naval personnel is headed by the First Sea Lord. The Air Force is controlled by the Air Board, chaired by the Secretary of State for Air, flying personnel being headed by the Air-Chief Marshal.

Thus, in form, parliamentary supremacy over the armed forces was firmly established at the beginning of the century. In practice this supremacy was to be openly challenged a little more than ten years later.

##### 5. THE CURRAGH MUTINY

The Curragh crisis arose just before the First World War, because of a Home Rule Bill for Ireland which the Liberal government was

<sup>1</sup> Sir William Robertson, *Soldiers and Statesmen* (1926), p. 3.

preparing. The Conservative Party was violently opposed to Home Rule, and Sir Edward Carson, a prominent Conservative, put himself at the head of a movement among the Protestant settlers in Ulster who swore they would never submit to the rule of a Dublin Parliament. By 1914 Carson had raised a rebel army 100,000 strong. These Ulster Volunteers had been openly drilling for some time, and were equipped with German rifles; by March it was alleged that the government had received information that its stores of ammunition in Ulster were about to be raided. The government instructed its Commander-in-Chief in Ireland, Sir Arthur Paget, to take precautionary measures involving the movement of certain regiments stationed in Southern Ireland into Ulster to reinforce the regular garrisons there. It was at this stage that the majority of the officers at the main military depot in Southern Ireland—the Curragh—made plain that they would resign their commissions rather than move north to be used against the Ulster Rebels. As Colvin put it in his life of Carson:

“By Friday night the British Army at the Curragh had crumbled in the hands of its Commander-in-Chief.”<sup>1</sup>

No action was ever taken against these officers, nor against Carson or the leaders of the Conservative Opposition who had openly given their support to the Ulster Movement. It was well known among other things that the king's sympathies lay with the Ulster rebels and with the officers who refused to obey orders; his part in this affair is considered in Chapter V. The Liberal government hastily told the Army officers that they would not be required to resist the Ulster rebels, and the “incident” was temporarily smoothed over; before further developments could take place the First World War broke out, and Home Rule was shelved.

#### 6. REMOTE CONTROL BY PARLIAMENT

The Curragh Mutiny was the one outstanding occasion when the officers openly showed their hand, and refused to obey the orders of a government which was attempting to carry out a progressive measure. It would be a mistake to imagine that on all other occasions they have remained passive. On the contrary, far from taking an “impartial” attitude to the government, both naval and military leaders have shown themselves politically minded to a high degree, and capable of going

<sup>1</sup> Colvin, *Life of Lord Carson*, p. 236.

to great lengths in their endeavours to influence Ministers. Meanwhile, the formal control exercised by Parliament has proved to be dangerously remote.

Thus Major-General J. E. B. Seely (afterwards Lord Mottistone), who was Secretary of State for War in the years before the 1914-18 war, describes how Britain's military preparations at that time were carried out with great difficulty because of the necessity for secrecy.

"Military preparations if disclosed would not only render nugatory the plans made, but might create a parliamentary crisis of the first magnitude during which all preparations would come to a full stop."<sup>1</sup>

The secret conversations between the military and naval staffs of Great Britain and France before the First World War were also never sanctioned by Parliament. These "conversations" were originally authorised by Lord Landsdowne, Foreign Secretary of the Conservative government in 1905; during the subsequent elections, in which the Liberals were returned to office, they were proceeded with, and Sir Edward Grey, the new Liberal Foreign Secretary, then apparently approved their continuation. But the majority of the Cabinet were not informed of the fact. Mr. Lloyd George, member of the Liberal Cabinet at the time, makes the following comments in his *War Memoirs*:

"There is no more conspicuous example of this kind of suppression of vital information than the way in which the military arrangements were entered into with France and were kept from the Cabinet for six years. There is abundant evidence that both the French and the Russians regarded these military arrangements as practically tantamount to a commitment on our part to come to the aid of France in the event of her being attacked by Germany . . . yet the Cabinet were never informed of these vital arrangements until we were so deeply involved in the details of military and naval plans that it was too late to repudiate the inference. . . . When in 1912 (six years after they had been entered into) Sir Edward Grey communicated these negotiations and arrangements to the Cabinet the majority of its Members were aghast. Hostility scarcely represents the strength of the sentiment which the revelations aroused; it was more akin to consternation."<sup>2</sup>

<sup>1</sup> Major-General J. E. B. Seely, *Adventure* (1930), p. 151.

<sup>2</sup> D. Lloyd George, *War Memoirs* (1938), pp. 29-30.

Parliament was not informed of the conversations until August, 1914.

The world war which followed was marked by incessant intrigues among the generals, whose hatred of all "politicians" (still a characteristic of the service chiefs) was only surpassed by their almost mystical adoration for the king. Lord Haig, Commander-in-Chief of the British Expeditionary Force, described in a letter to his wife a visit to his headquarters by Mr. Lloyd George, then Secretary of State for War:

"He complained that the General Staff at the War Office don't let him know *everything*, but only feed him with what *they think* is suitable for him to know."<sup>1</sup>

#### 7. THE INFLUENCE OF THE HIGHER COMMAND

Constant pressure for military, naval and air aggrandisement is of course second nature to the higher commands, for their own importance grows with the size of the machine they administer. Conversely, any proposals for reduction in armaments meet with the utmost resistance. This can be illustrated from the experience of the 'twenties.

During the years 1920-32 the crucial question facing Europe was that of disarmament. Germany was prostrate and disarmed; Hitler was yet to rise to power; the mass of the people in every country looked to the League of Nations to bring about collective security and all-round limitations of armaments which would effectively preclude a repetition of the 1914-18 bloodbath. How the representatives of Great Britain at Geneva managed to block agreements to disarm throughout this period is well known—the part played by the higher commands in this process is, however, only now coming fully to light. Extremely revealing in this connection is the biography<sup>2</sup> of Admiral Lord Beatty, who was First Sea Lord from 1919-27. Beatty carried on a consistent struggle with every government which held office during these years in order to block any form whatever of reduction in naval armaments. When the first Labour government took office in 1924 he was extremely apprehensive.

"I have to prepare for the first assaults on the Navy by the new

<sup>1</sup> *Private Papers of Douglas Haig*, p. 172.

<sup>2</sup> Rear Admiral W. S. Chalmers, *Life and Letters of David Beatty* (1951).

Cabinet, and we cannot afford to be defeated in the first round" (p. 394).

he wrote in a letter to his wife. And after this first meeting he wrote:

"We have to teach them Imperialism. With some it is easy but with others it is difficult" (p. 395).

In October 1924 he wrote:

"A nice mess the delegates at Geneva are getting into. I have fairly shaken up the Foreign Office and the First Lord. The Delegates have been agreeing to things at Geneva that would render the Navy impotent or put it in such a position that could not be tolerated. I have now told them we at the Admiralty agree to nothing and am sending a Staff Officer . . . off to Geneva first thing in the morning to point out the mistakes they are making. It was lucky I came back when I did, as the whole Protocol is to be accepted and signed on Monday and our foolish representatives were prepared to accept it" (p. 400).

Beatty's struggle did not end with the Labour government. In 1927 he was again furiously writing to his wife:

"I have been at some trouble to impress my views on the Cabinet, who are just now overcome with the effects of the Locarno Pact and visions of a world in perpetual peace. . . . However, we have got our way, and the 'Dove of Peace' Robert Cecil has gone to Geneva with the strict instructions to refrain from suggesting any proposals" (p. 412).

Beatty found a worthy successor in Admiral Pound, who in 1932 opened a League of Nations discussion on the abolition of offensive weapons by maintaining that battleships could on no account be classed as an aggressive weapon;<sup>1</sup> meanwhile the War Office, which had just built six medium 16-ton tanks, instructed its representative to argue that only tanks of more than 20 tons should be classed as "offensive",<sup>2</sup> thus making nonsense of the proposal to debar anything larger than commercial vehicles.

There is abundant evidence throughout the whole of this period of

<sup>1</sup> *Vigilantes, Inquest on Peace* (1935), p. 50.

<sup>2</sup> B. H. Liddell Hart, *Defence of the West* (1950), p. 355.

the close co-operation between the fighting services and armament manufacturers in promoting the arms race which started in earnest about this time. Lord Marley, who gave much detailed evidence of this in the House of Lords on March 27, 1935, said that "the close relationship between Vickers and the Admiralty surely needs enquiry", and went on to say:

"There are a great many officers who go from important positions in the Services to the private employment of the armament firms. I have a long list here, which I do not propose to read out, of officers holding most important positions in the Admiralty, the War Office and the Air Ministry who have left these important positions, dealing with Ordnance Department and with the purchase of arms and munitions, and have stepped straight into lucrative positions in private armament firms."

Activities of the Service Chiefs are not confined to boosting armaments; they have in the past exerted an extremely sinister political influence on numerous occasions. Thus when Mr. Arthur Henderson, Foreign Secretary to the Labour government in 1929, forced the ultra-imperialist Lord Lloyd to resign from his office of High Commissioner for Egypt, not only the Conservatives, led by Mr. Winston Churchill, were angry, but the Higher Command started agitating for his retention, enlisting the king's support. Mr. Hugh Dalton noted in his diary at the time that:

"The army have been running to the Palace—so have Lloyd's friends."<sup>1</sup>

And the next day he added:

"It is clear that not only Lloyd and Winston, but Admirals and Generals are in the habit of running to the Palace behind the backs of Ministers."<sup>2</sup>

When Japan attacked Manchuria in 1931, the War Office and the Admiralty made no secret of their sympathy for Japan on general anti-Communist and anti-Chinese Nationalist grounds, and it has been alleged that their political sympathies with the Japanese tinged their technical advice as to the strength of Japan's position and the risk of sanctions by the League of Nations.<sup>3</sup>

<sup>1</sup> Hugh Dalton, *Call Back Yesterday* (1953), p. 226.

<sup>2</sup> *Ibid.*, p. 227.

<sup>3</sup> *Vigilantes, op. cit.*, pp. 343-4.



The Admiralty played a significant part in bringing about the notorious Anglo-German Naval Treaty of 1935. This Treaty was concluded secretly without the knowledge of the League of Nations at the very time when the British delegate was protesting to the League at Hitler's attempts to rearm in defiance of the Versailles Treaty. The Treaty conceded the right to Hitler to build U-boats, and allowed him a programme of naval construction which would keep Germany's shipyards at maximum activity for the next ten years. The Treaty was of course primarily the responsibility of the "Munichites" in the government, but Sir Winston Churchill in his memoirs of the Second World War makes the following comment about it:

"Some at least of its impulse came from the Admiralty. It is always dangerous for soldiers, sailors or airmen to play at politics. . . . Of course they were following the inclination or even the direction of the First Lord and the Cabinet, who alone bore the responsibility. But there was a strong favourable Admiralty breeze."<sup>1</sup>

Needless to say, Parliament knew nothing about the Treaty until after it was signed and settled.

Enough has been said about the period up to the outbreak of the Second World War to illustrate two things; first, that the service chiefs have frequently ranged themselves with the most reactionary sections of the ruling class; second, that far from remaining obedient and passive servants whose sole purpose is to obey the wishes of the government, they have, on the contrary, at crucial moments in history played an extremely *active* role in influencing government decisions.

What has happened since?

During the Second World War the seeds of one fundamental change were sown and Mr. Churchill was one of those primarily responsible; namely the Anglo-American Alliance which is now effective in all three services. Throughout the war Churchill's main object was to defeat the Germans *while at the same time* strengthening the links with America and avoiding links with the Russians—to permit the Russians to tear the guts out of the German Army, and to emerge jointly with the Americans as top dogs at the end. In this strategy he was certainly aided and abetted by the blind anti-Soviet prejudices of his service chiefs. When Hitler attacked the Soviet Union in June 1941, the British generals were firmly of the opinion

<sup>1</sup> *The Second World War*, Vol. I, p. 107.

that Russia would be beaten in six weeks; Mr. Churchill noted that "even in August 1942, after my visit to Moscow and the conference there, General Brook<sup>1</sup> who had accompanied me adhered to the opinion that the Caucasus Mountains would be traversed and the basis of the Caspian dominated by German Forces".<sup>2</sup>

Towards the end of 1943, President Roosevelt suggested that the Russians should have a military representative to sit in at the combined British-American military Staff Conferences which were about to be instituted in preparation for the Second Front. Mr. Churchill vigorously opposed this suggestion; he wrote to Roosevelt saying:

"The Chiefs of Staff are . . . very apprehensive about the arrangements you have settled for military conversations. . . . The presence of a Soviet military observer so early in the Conference may cause grave embarrassment. . . . A Soviet observer cannot possibly be admitted to the intimate conversations which our Chiefs of Staff must have."<sup>3</sup>

It is clear that the instincts of the higher command were all against co-operation with the Russians, even at a time when the British Army owed its preservation to the actions of the Russians.

Thus before the Second World War ended the service chiefs were in practice already preparing for the third; the result was that the close co-operation between the American and English Chiefs of Staff was not only continued after the war—it was greatly extended. Anglo-U.S. standardisation of arms, exchange of military information, and mutual military arrangements were already going forward in 1946. At that time they were described by Mr. Attlee as "informal" exchanges on the *desirability* of standardisation; though the American press leaked the news, it was two years before Parliament was officially informed.

As with the Anglo-French conversations which took place before the First World War, such conversations develop their own impetus, and become in themselves a potent factor leading to war.

We do not yet know the inside history of this post-war period—we only know that the policy adopted was that outlined by Mr. Churchill in his 1946 Fulton Speech. It is abundantly clear, however, that the service chiefs have been wholeheartedly pushing for this policy. Thus when the Americans seized Taiwan (Formosa) in June 1950, this

<sup>1</sup> Now Lord Alanbrooke.

<sup>2</sup> *The Second World War*, Vol. III, p. 351.

<sup>3</sup> *The Second World War*, Vol. V, pp. 283-4.

caused some embarrassment to the Labour government; but it conformed with the wishes of some British admirals. For Admiral Sir Denis Boyd, Commander-in-Chief of the Far Eastern Stations after the war, had already said just after his retirement:

"It has been for a long period very much in my mind that had we had a bit of prevision and not been financially ruined we should, and I think could, with America, have occupied Formosa with the help of its people and to their intense gratification. . . . I only mention this lovely island because it could have contributed so much to the defence of Hong Kong and the control of the coast of China".<sup>1</sup>

Already in 1949 Field-Marshal Montgomery, then Supreme Commander of Western Union Armed Forces, was saying:

"Who is this enemy which is challenging Western Civilisation and threatening our way of life? The enemy is Communism, which is a religion and is anti-Christian. As a Christian soldier, and giving allegiance to Christian ideals, I declare myself an enemy of Communism and all its stands for. It is my view that the nations of the West are at war with Communism."<sup>2</sup>

Field-Marshal Montgomery is also an enemy of the things the labour movement as a whole stands for, and did not hesitate to state at a time when the Labour government was still in power that the Welfare State was "very damaging to character".<sup>3</sup>

Field-Marshal Montgomery was until 1958 Deputy Supreme Allied Commander of N.A.T.O., under an American Supreme Commander. One day history will record in detail the part that he and his anti-working class colleagues in the higher command have been playing. Meanwhile, we can make a very good guess at it from a statement he made in Canada during June 1956 (*after* Churchill's suggestion that the Russians should be invited to join N.A.T.O., *after* the Russians had announced a cut of 1,200,000 in their armed forces, *while* negotiations for disarmament were in process) about what he would do to an aggressor:

"We should give them the works from the word go with atom bombs, hydrogen bombs, with the biggest thing we've got. I

<sup>1</sup> From a lecture published in the *R.U.S.I. Journal*, February 1950.

<sup>2</sup> Speech at The Hague, July 15, 1949.

<sup>3</sup> *Manchester Guardian*, June 25, 1951.

wouldn't mind the consequences, but would drop a bomb on anyone committing an aggression. Drop the biggest bomb you can on them. Finish them."

And he added:

"My political superiors probably would not agree."<sup>1</sup>

#### 8. THE FUTURE

The size and scope of the war machine has grown to unprecedented proportions since the Korean War. One third of the Budget has been regularly devoted to arms expenditure in the last few years, the greater part of which goes on production of arms and research into new weapons, with an increasing bias towards nuclear weapons. Not only has the arms programme involved the militarisation of youth but it has also meant the distortion of Britain's whole economy. It is estimated that two-thirds of all money spent on scientific research in the country goes on war.<sup>2</sup>

From what has been said above, we can infer that the Higher Command has played no small part in bringing about this situation, and will stubbornly resist any moves for a change of policy.

It is usually taken for granted that the armed forces of this country, because they are formally subject to Parliament, will obey the elected government of the people impartially and regardless of the particular government's political colour. It is assumed that a situation such as that which arose in Spain in 1935, when the Army under General Franco rebelled against the democratically elected Spanish government, could not possibly arise in this country.

Enough has been said to show that this approach takes too much for granted. When the experience of the Curragh Mutiny is considered, together with all the evidence that exists on the political outlook of the British officer class, can it be seriously contended that a socialist government which really intended to challenge the existing social order and to bring about fundamental changes could rely on these officers' co-operation? At best such a government could expect passive resistance; at worst, plots and the threat of force. Indeed, a situation might arise in which the officers concerned would show no more respect for an elected government than did the Spanish officers in

<sup>1</sup> Quoted in *Tribune*, June 8, 1956.

<sup>2</sup> Mr. John Strachey, Labour M.P., Ex-Minister of Defence, February 28, 1956.

1935. A socialist government would be taking a totally unjustifiable risk if it did not guard against such a possibility, and take immediate steps to secure the loyalty of the armed forces as a whole. The first of such steps would be to ensure that all the most important controlling positions would be filled by persons who could be trusted to carry out the government's orders, even if some of them had to be brought in from outside the regular forces. Equally important would be the granting of full political and trade union rights to the rank and file in the armed forces. This would mean that the ordinary soldier would no longer be deprived of freedom of discussion, or forced to rely solely on the method of individual complaint to his commanding officer in order to get his grievances righted. Members of the armed forces would be entitled to organise into trade unions affiliated like other unions to the Trades Union Congress, and to participate to the full in the political life of the country. Such rights would in themselves be a further safeguard against initial sabotage by officers in the early days of a socialist government.

All this would of course be only a beginning. For as we have seen, not only the size but the character of the three services in this country has been largely determined by the functions they have had to perform. As these functions change, as the three services cease to be used for colonial oppression, cease to be preoccupied with training for wars of aggression against socialist countries, so the character of the armed forces themselves will begin to be utterly transformed. We cannot foresee the circumstances in which a socialist government will come to power in this country, and therefore cannot tell what immediate tasks will face the armed forces. But whatever changes are made, we can foresee that they too will only be temporary; and that they in turn will lead to others in preparation for the day when, along with other anachronisms, the armed forces will wither away and finally disappear.

## CHAPTER IX

# THE POLICE

### I. THE ORIGIN OF MODERN POLICE FORCES

THE founding of a modern police force in England—which took place between 1829 and 1839—was the direct consequence of the emergence of a militant radical and working-class movement in the early years of the nineteenth century. In those days there was nothing approaching an organised police force in the country. Although a variety of bodies of paid watchmen and police existed in some of the larger towns, the basis of the police system was still the unpaid, untrained parish constable supervised by the local Justices of the Peace. Theoretically, every able-bodied householder was liable to serve as parish constable for a year; in practice, the duty was passed on for a small payment to old, incapable and often corrupt substitutes. This archaic system, which had existed in substantially the same form since the fifteenth century, and had been evolved to meet the needs of a predominantly rural society, was becoming increasingly incapable of protecting the property of well-to-do citizens in the rapidly growing towns against the depredations of robbers and thieves.

A vital factor making for the reform of the police, moreover, was the increasing alarm of the government and propertied classes at the growth of an organised working-class movement in the new industrial centres, engaged in bitter struggles against employers, magistrates and government for the most elementary trade union and democratic rights. If the magistrates decided, and they often did in those days, that a certain meeting or demonstration should be prohibited, the amateur police forces at their disposal were utterly useless. It was necessary to appeal to the local army commander to send a sufficient body of troops to enforce the orders of the magistrates. The massacre of Peterloo at Manchester in 1819, when eleven were killed and over 400 wounded by the military without the slightest provocation from a large crowd assembled to demand parliamentary reform, was only the most notorious consequence of this practice.

The use of troops to deal with strikes and demonstrations was unsatisfactory for many reasons. Thus Sir Charles Napier, who was in

command of the Northern District with 6,000 men and 18 guns during the height of the Chartist movement from 1839 to 1841, was compelled to take special precautions to protect his men from Chartist propaganda, and insisted that the troops should be kept together in barracks in large numbers. Even so, individual soldiers often came under Chartist influence, and on one occasion in Hull the troops actually joined with the Chartists to beat up the police. His conclusions on the use of troops state the policy which has been followed by British Governments ever since:

"I say that government must have a strong body of police with paid magistrates, to uphold the law without calling for troops on every occasion: *the soldier forms the reserve and should not be the advanced guard.*"<sup>1</sup>

One of the most outspoken advocates of a strong police force was Sir Edwin Chadwick, Secretary of the hated Poor Law Commission. The intolerably harsh provisions of the Poor Law Act of 1834 had aroused such a storm of protest in the industrial towns of the North of England that for many years the Act could not be brought fully into operation. Chadwick became convinced of the need for an efficient county police to enforce the Act, and in 1839 published a voluminous "Constabulary Report" on the subject, filled with evidence of the dangerous activities of trade unions.<sup>2</sup> "In fact the whole of the evidence he published openly preached that a constabulary was needed to protect industry, property and prevent the danger of violence on the occasion of extensive stoppages in manufactures. . . ."<sup>3</sup> He preferred police to the military because they would be more efficient at arresting the ring-leaders:

"Of the military it may be observed that the private soldier has both hands occupied with a musket, with which his efficient action is by the infliction of death by firing or stabbing. The constable or policeman whose weapon is a truncheon or on desperate occasions the cutlass, has one hand at liberty to seize and hold his prisoner, whilst with the other he represses force with force. . . ."<sup>4</sup>

This was the background to the reorganisation of the police in Britain, which began with the passing of the Metropolitan Police Act,

<sup>1</sup> Sir William Napier, *Life and Opinions of Sir Charles Napier* (1857), Vol. II, p. 102.

<sup>2</sup> S. E. Finer, *The Life and Times of Sir Edwin Chadwick* (1952), p. 126.

<sup>3</sup> *Ibid.*, p. 179.

<sup>4</sup> *Ibid.*

1829. This measure was largely the work of Sir Robert Peel, Home Secretary and formerly Chief Secretary for Ireland, who drew on his experience in creating an efficient police force in 1814 to strengthen British rule over the Irish people.<sup>1</sup>

At a single stroke the numerous local authorities in the Metropolitan area (except the ancient City Corporation) were shorn of their police functions, and the task of organising a permanent force of trained police was entrusted to two Commissioners (a retired army officer and a barrister) under the control of the Home Secretary. Ten years later the Metropolitan Police District was extended to cover a radius of 15 miles from Charing Cross. The Metropolitan Police is now under the command of a Commissioner, a Deputy Commissioner and four Assistant Commissioners; and the population of the Metropolitan Police District has risen to over eight millions. In all essentials, however, the organisation of the Metropolitan Police has remained unchanged ever since; and elected local authorities within the Metropolitan Police District, although they are compelled to bear a substantial part of the cost, are still denied any share whatever in the running of the police.

Such a sweeping measure of centralisation was not practicable in the rest of the country, where the tradition of local self-government by the municipal corporations and justices of the peace was too strongly established. On the other hand, the ancient municipal corporations had fallen into such a state of decay and corruption that they were utterly incapable of organising effective police for the towns they were supposed to govern. The need for efficient police in the towns thus became one of the principal causes of the powerful demand for reform of the municipal corporations which developed in the 1820s, and which received a fresh impetus from the famous Bristol riots and other great popular demonstrations in many large cities in 1831 in support of parliamentary reform.<sup>2</sup> When in 1835 the Whig government

<sup>1</sup> Subsequently the Royal Irish Constabulary was developed on semi-military lines, i.e. the rank and file lived in barracks, were armed, and were trained in military exercises. "Until the establishment of the Irish Free State after the First World War it was a constant source of recruitment for officers of many colonial police forces, and its training depot was regularly used as a centre for courses of instruction for colonial police officers." Jeffries, *The Colonial Police* (1952), p. 31. Thus the R.I.C. became a model for colonial police rather than for the British police, who were unarmed from the beginning.

<sup>2</sup> Analysing the causes of discontent with the municipal corporations, Sidney and Beatrice Webb, in *The Manor and the Borough*, Vol. 2, p. 697, state: "We see first a rapidly growing uneasiness of the Government and the country gentlemen at the turbulence of the mob in the industrial centres, and at the manifest incapacity of the Borough Justices to keep order."



introduced the Municipal Corporations Bill, it received the support of the Tory opposition led by Sir Robert Peel, who had himself reorganised the Metropolitan Police only a few years earlier.

The Municipal Corporations Act, 1835, which swept away the old corporations and established elected councils in their place, laid the foundations of modern local government in the towns of England and Wales. Its main purpose was to provide these towns with efficient police forces. The Act of 1835 *authorised* the newly-elected corporations to appoint committees to transact their various functions, but it *obliged* them to appoint one only—a watch committee to control the police. The reorganisation of local government in the towns was carried through—not for the purpose of remedying the appalling housing and sanitary conditions of the people, for the advancement of education, the preservation of open spaces or for any other welfare purpose—but for the protection of private property.

The Municipal Corporations Act applied only to a certain proportion of the towns in England and Wales. There still remained important industrial areas which came under the jurisdiction of the County Justices, and where the ancient system of parish constables still prevailed. As the great Chartist movement gathered strength, the need for a police force loyal to the propertied classes led to the passing of the Police Act, 1839, empowering the local Justices of the Peace to appoint chief constables and to establish a county police force. The first step towards centralisation was taken at the same time: the Home Secretary was given power to make regulations concerning the management, pay, clothing and equipment of the county police. The passing of the bill was bitterly opposed by the Chartists and by Radical Members of Parliament; and the hatred of the working class for the new police was vividly expressed by the *Herald* on May 4, 1839:

“The Centralised Police Bill is unconstitutional in its very essence; in its operation and effects it will prove the most frightful instrument of despotism—of *money despotism*—ever introduced into England.”<sup>1</sup>

## 2. THE CENTRALISATION OF THE POLICE

When the *Herald* was attacking the Police Bill the Home Office had shown only the first signs of attempting to centralise control over the provincial police. Outside the Metropolitan Police District the

Quoted by Finer, *op. cit.*, p. 178.

police were under the control of a large number of separate local authorities. In the course of time the working class has gained the right to participate in the election of these local authorities. And the history of the police has been dominated by the determination of the Home Office to reduce to the minimum the influence of elected councils over their police, and to concentrate power in its own hands.

This has mainly been achieved through the weapon of finance. The building up of an adequate police force advanced very slowly in some areas owing to the heavy cost, which fell entirely on the local rates. In 1856 the Home Office began to make a grant to each police authority equal to one-quarter of the cost of pay and clothing; and this was subsequently raised, so that ever since 1918 the grant has been equal to one-half of the total expenditure incurred by each authority. But the Home Secretary may withhold the grant if he is not satisfied that a police force is efficiently and properly administered, and normally he has only to threaten to withhold it in order to compel a police authority, who have attempted to defy him on some matter, to give way. In addition, every authority is obliged to comply with the Police Regulations made by the Home Secretary, which lay down in minute detail the conditions of service of the police.

The great powers which the Home Office has thus acquired are reinforced by various means. First, a local authority may not appoint any person as chief constable without obtaining the approval of the Home Office to the appointment; and every police officer from chief constable downwards has a right of appeal to the Home Office against dismissal. Secondly a local authority has no control over the way in which the police carry out their work of detecting criminals and of maintaining law and order. This arises from the doctrine that in the exercise of their functions, the police are acting as servants of the Crown and not of the local authority; and in no circumstances can a local authority give orders to its chief constable or other police officer in relation to any particular crime.<sup>1</sup> While the local authorities are thus kept at arms length from the police, the senior officials of the Home Office and the Commissioner of the Metropolitan Police

<sup>1</sup> This doctrine has been evolved over the centuries by judges of the High Court. In the case of *Fisher v. Oldham Corporation* (1930), Mr. Justice McCardie said: "... a police constable is not the servant of the borough. He is a servant of the state, a ministerial officer of the central power, though subject, in some respects, to local supervision and local regulation." A police constable is bound to obey the lawful commands of a justice of the peace (Municipal Corporation Act, 1882, section 190) who is of course appointed by the Crown. This power is not normally exercised by J.Ps. in these days; but it is interesting to note that the Mayor of a borough is *ex-officio* a J.P. during his term of office.

maintain the closest personal contacts with chief constables, who are regularly invited to attend conferences held in Whitehall. Moreover the Metropolitan Police provides the Criminal Record Office and the Central Finger Print Bureau, on which all other police forces are dependent; and the Special Branch of the Metropolitan Police, one of the secret police organisations of which more will be said in the next chapter, works to a considerable extent through the local police and must therefore operate as a powerful co-ordinating influence.

In the case of the county police forces, the influence of the elected county councillors is reduced almost to vanishing point by the remarkable arrangement whereby the police are placed under the control of a body known as the Standing Joint Committee. Only half of the members of this committee are appointed by the county council; the other half are justices of the peace appointed by all the county justices from among themselves. Once appointed, the Standing Joint Committee has full power to act without seeking the approval of the county council, so that the police functions of the county council in fact consist solely in the right to appoint half the members of the Standing Joint Committee.<sup>1</sup> Even the latter has very limited powers; it appoints the chief constable (with the approval of the Home Secretary), but the chief constable appoints all other members of the force and he, not the committee, investigates breaches of discipline and inflicts penalties.

In a borough the councillors have distinctly wider powers. The council appoints all the members of the watch committee<sup>2</sup> and retains powers of financial control over it; and the watch committee has the right to appoint all the members of the force as well as the chief constable, and can itself deal with breaches of discipline.

Since the early days of the modern police system, however, the number of borough forces has been very greatly reduced. It has been the consistent policy of the Home Office to secure the amalgamation of the small borough forces with the county police, thus transferring control of the borough police to the Standing Joint Committee and enlarging the size of the county force. The most recent stage in this process was carried through under the Labour government in 1947, when a considerable number of boroughs—some with Labour majorities—lost their police forces to the county councils. Apart from the powerful Metropolitan Police, and the small City of London force

<sup>1</sup> This applies to England and Wales. In Scotland the Standing Joint Committee was abolished in 1929; since when the county council has exercised full control over its police.

<sup>2</sup> A Scottish burgh appoints a police committee, not a watch committee.

which has never been absorbed into it, there are now only 124 police authorities in England and Wales (52 counties and 72 boroughs) and 33 in Scotland (19 counties and 14 burghs).<sup>1</sup>

Thus, while the appearance of local control remains, the substance has almost entirely departed. The police authorities have limited *administrative* functions. But the British police have been welded into a single national force for *operational* purposes under the supreme direction of the Home Secretary and the senior officials at the Home Office.<sup>2</sup> Nevertheless it would be a mistake to argue that, because the powers of a borough watch committee are extremely limited, it has no powers at all. In the hands of a determined majority, the functions of the watch committee could no doubt be used to some purpose. The systematic striving by the Home Office to concentrate all power in its own hands, together with its retention of complete despotic control over the Metropolitan Police, clearly reflects a very real fear and dislike of any kind of control by elected local authorities over the police.

### 3. STRENGTHENING THE LOYALTY OF THE POLICE TO THE RULING CLASS

The main purpose of this process of centralisation is to concentrate the supreme direction of the British police in the hands of the higher officials in the Home Office whose loyalty to the ruling class is unquestioned. It is clearly essential, however, that the entire personnel of the police force, and not merely the key positions at the top, should be imbued as far as possible with a similar loyalty.

In the armed forces and the civil service one of the principal methods of securing this loyalty has been the organisation of an officer class recruited from the public schools and universities and specially trained from the outset for the highest ranks. A striking characteristic of the police, however, is the absence of any such officer class—although the practice of importing colonial police officers into the Metropolitan Police and some of the provincial forces has been used as a partial substitute.

Ever since 1829 it has been a rule in the Metropolitan Police that promotion to superintendent is confined to those who joined the ranks as a constable; and this has been the practice in the provincial forces as well. But the highest ranks in the Metropolitan Police have

<sup>1</sup> There are approximately 65,000 police in England and Wales, and 7,000 in Scotland. The Metropolitan Police is some 16,000 strong.

<sup>2</sup> The Secretary of State for Scotland and the Scottish Office have similar powers in Scotland.

traditionally been recruited from outside the force. No one who joined the force as a constable has ever risen to the post of Commissioner, only three have achieved promotion to Assistant Commissioner, and a fairly large proportion of those in the next senior ranks (Commanders, previously called chief constables) have been persons with no previous police experience who were brought in from outside. Of the 15 Commissioners since 1829, ten were previously members of the Army or Air Force, one was a barrister, and three were civil servants, two of whom were from the Indian Civil Service;<sup>1</sup> Sir John Nott-Bower, appointed in 1953, was exceptional in having belonged to the Metropolitan Police for many years before his appointment, but even he spent over twenty years in the Indian Police before joining the Metropolitan Police as a chief constable.

Thus experience in the armed forces or in the colonies seems to have been the most favoured qualification for Commissioner. Typical of those who have held this post are Sir Charles Warren, responsible for the violent breaking up of the Radical demonstration in Trafalgar Square on Bloody Sunday in 1887, who had previously been Governor of the Red Sea Littoral; and General Macready who, with the experience of Tonypandy behind him, smashed the Police Union in 1919 and subsequently commanded the Black-and-Tans in Ireland.

In the provincial police, the armed forces and the Indian and colonial police services have in the past held a considerable proportion of the chief constableships in important English counties, but only one chief constable has been appointed from outside the police service since 1946, so that the number is diminishing.<sup>2</sup> A number of chief constables in county and county borough forces are products of the short-lived Hendon College.<sup>3</sup> But most of the chief constables in the counties and

<sup>1</sup> Hart, *The British Police* (1951), p. 116.

<sup>2</sup> *The Times*, January 28, 1956. At that date there were still eight chief constables appointed before 1946 who had come from the Indian Police, one from the Egyptian Police and nine from the Army.

<sup>3</sup> An extremely interesting attempt to create an officer class in the police was begun in 1933 when Air-Marshal Lord Trenchard, Commissioner of the Metropolitan Police, established the Hendon Police College. Two-thirds of the students came from within the force; but one-third of the places were reserved for outsiders, and in this way an annual contingent of public school boys were given a two-year course at the college and were then appointed right away to the rank of superintendent. This favoured treatment of the Hendon College boys aroused such widespread resentment among the rank and file of the Metropolitan Police, however, that the college was closed at the outbreak of war in 1939 and has not since been revived. Nevertheless, the short life of the college was to bring solid results later on; 21 of the chief constables in provincial forces in 1956 had been trained at Hendon, (of whom 6 were direct entrants), as well as two Scottish chief constables and four assistant commissioners of the Metropolitan Police (*The Times*, January 28, 1956).

the great majority in the county borough forces started their careers as constables and have worked their way up the ladder of promotion to the top.<sup>1</sup>

Apart from the relatively small number of imported officers in the Metropolitan Police and some other forces—and their significance should not be underestimated—there is therefore no officer class in the British police. But there can be no question that the great majority of the police, especially the higher ranks, are imbued with a strong anti-trade union and anti-Labour bias along with an uncritical acceptance of Conservative ideas. The evidence of this will be set out in the final section of this chapter. How then has this been achieved?

There have been two main methods. The first of these is the drastic restriction of the civil liberties of the police, aimed at insulating them from all contact with the labour movement. The police are segregated; they are forbidden to take an active part in politics or to join a genuine trade union. These restrictions are essentially a product of the turbulent days immediately after the First World War. Towards the end of the war a trade union under militant leadership, called the National Union of Police and Prison Officers, had gained considerable support both in the Metropolitan Police and in some of the provincial forces. There was widespread discontent with the inadequate rates of pay, and in August 1918 a well supported police strike in London gained almost instant success; the government was forced to concede substantial advances in pay and pensions and even a rather vague and qualified recognition of the union.

The government immediately set about the task of smashing the Police Union. General Sir Nevil Macready, who had commanded the troops sent by Mr. Churchill to Tonypany during the miners' strike in 1910, was appointed Commissioner of the Metropolitan Police. The position was serious from the point of view of the government; what if the soldiers were to follow the example of the police, and start organising too? As General Macready wrote later in his revealing autobiography, any concession made to the police in the direction of union recognition would be "more than a stepping stone towards a similar state of affairs in the army".<sup>2</sup> In the autumn of 1918 the influence of the Police Union was felt in most of the police forces throughout the country, "and in some cases was aggravated by police

<sup>1</sup> In Scotland there has been since 1920 a rule that no one may be appointed chief constable without at least five years' police experience. In consequence, nearly all Scottish chief constables have risen from the ranks.

<sup>2</sup> *Annals of an Active Life* (1924), Vol. I, p. 302.

authorities in which Labour possessed a dominating influence".<sup>1</sup> And Macready had to admit that in the event of labour trouble, "I could not depend on the force."<sup>2</sup>

In its desperate struggle for recognition, the Police Union received valuable support from the London Trades Council and the *Daily Herald*. Nevertheless, the government proved too strong in the end. After months of careful preparation a Police Bill, under which the Police Union would become an unlawful association, was introduced into Parliament. In an attempt to prevent the Bill becoming law, the union called a strike of the Metropolitan Police on August 1, 1919, but in the intervening period its support had declined. All those who took part in the strike—over a thousand—were ruthlessly dismissed from the force, and the union had to accept defeat.<sup>3</sup>

The Police Act of 1919 makes it illegal for the police to belong to a trade union or association having the object of influencing the pay, pensions or service conditions of any police force. Representations on these matters can only be made through the Police Federation, whose constitution is prescribed in detail in the Act. Every police officer other than those holding the rank of superintendent and above automatically belongs to the Federation. Meetings take place in official time and at official expense; and all officials of the Federation must be policemen who are subject to discipline. It is a disciplinary offence, punishable by dismissal from the force, if a policeman "calls or attends any unauthorised meeting to discuss any matter concerning the force".<sup>4</sup> Lastly, it is laid down that the Federation must be independent of any body or person outside the police service. The entire machinery of the Federation is designed to prevent the development of a trade union which would be independent of the police authorities; it is the ideal constitution of a "company union".

The *political* isolation of the police from the labour movement is powerfully reinforced by an almost equally great *social* isolation. This arises to some extent from the very nature of a policeman's work. His constantly-changing shift system makes it difficult for him to lead a normal social life, and the police authorities strive to increase this isolation by the formation of special police clubs and the encouragement

<sup>1</sup> *Annals of an Active Life* (1924), Vol. I, p. 334.

<sup>2</sup> *Ibid.*, p. 352.

<sup>3</sup> A police strike in Liverpool at the same time was more successful. "A large proportion" of police refused duty, and "the military had to be called upon to quell the rioting." Macready, Vol. I, p. 411.

<sup>4</sup> *Police (Discipline) Regulations*, 1952, Para. 6 (h).

of separate social and sporting activities for the members of their force. Especially in London, the building of separate blocks of flats for the police, of distinctly higher quality than the average council house, which has been done on a large scale in recent years, helps to strengthen this tendency towards isolation. Continual contact with the criminal underworld tends to create a distorted picture of the working class in the mind of the average policeman. All these influences combine to isolate the police from contact with the labour movement and thus create favourable conditions for the spread of Conservative ideas within the force.<sup>1</sup>

The utmost separation of the police from the working-class movement, and the concentration of power in the hands of the Home Office, are not the only measures which have been carried through over the past thirty or forty years in order to strengthen the police. Their legal powers have also been greatly increased in a variety of ways which are described more fully in Chapter XI, dealing with the recent undermining of the civil liberties of the British citizen. Thus in 1936 the Conservative-dominated Parliament passed the Public Order Act conferring on police authorities the drastic new power to prohibit public processions, and a further provision in the same Act, extending the offence of "using insulting words and behaviour" to the whole country, gave new opportunities to the police to interfere with freedom of speech at public meetings. In a series of important decisions in the nineteen thirties the judges of the High Court greatly extended the rights of the police to search private premises, as well as their powers to control public meetings.

#### 4. THE RECORD OF THE BRITISH POLICE

All the measures which have just been examined demonstrate the ceaseless striving of the ruling class to weld the Metropolitan and provincial forces into an efficient instrument for the repression of the

<sup>1</sup> In the past the Metropolitan Police made special efforts to obtain recruits from rural areas remote from the influence of the labour movement. According to Sir John Moylan (*Scotland Yard*, 1934, p. 114) this was done because countrymen "made more trustworthy policemen than those who were London bred". After 1890 the supply of rural recruits declined because the introduction of pensions for all forces made the county police forces more attractive. In 1909 a recruiting commission travelled all over the country and obtained good recruits from the West Country and the Scottish Highlands; but this method was abandoned in 1914 (Sir John Moylan, *op. cit.*, p. 115). Apart from the Metropolitan Police, the Scottish Highlands have in the past also supplied recruits to the police forces of Glasgow and other Scottish industrial towns. In the absence of any published information, it is impossible to know the extent to which this practice still prevails; but it seems likely that a good proportion of policemen still come from sections of the population where contact with the active labour movement is weak or non-existent.



working class. But a very different conception of the police is normally presented to the British public. Every available means of propaganda, including the press, B.B.C., the cinema and the detective story, combine to depict the police as an efficient and humane body of men wholly absorbed in the task of tracking down cosh boys, murderers and dangerous criminals, risking their lives in rescuing children from blazing houses, and generally behaving as the friends of the ordinary man in the street. This idea of the kindly British policeman helps to maintain the illusion that the State is a neutral machine acting in the interests of every citizen regardless of any considerations of property and class.

The entire historical development of the modern police system in Britain exposes the falsity of this conception. From the beginning the police were intended to protect, not merely the property of individuals against burglars and thieves, but the widest class interests of landlords and capitalists. This fundamental aim has been steadily kept in view by the Home Office ever since.

The propaganda picture of the police is contradicted by the experience of every factory worker who has observed their behaviour towards pickets during a hard-fought strike. It is true that long experience has taught them to be tactful and to avoid adopting a partisan attitude where this is unnecessary. But as soon as the police are faced with a choice between employer and workers, they take the side of the employer and his blacklegs. After the General Strike of 1926 the gratitude of the ruling class to the police was expressed by the tremendous response to the National Police Fund sponsored by *The Times* as soon as the strike ended, which ultimately reached nearly a quarter of a million pounds. The enthusiasm of the contributors was best explained by a "letter from the City" of which *The Times* printed the following extract on May 14:

"I am sure that no similar force in any other country throughout the world could have been so capable of such a masterly display of the iron hand in the velvet glove."

There is no hesitation in removing the velvet glove when this is considered necessary. Thus in 1932, when the means test and the cuts in unemployment benefit imposed by the Conservative government (the so-called "National Government") aroused a storm of protest by the unemployed throughout the country, there were numerous cases

of unprovoked police attacks, accompanied by a brutal use of truncheons, on peaceful demonstrations. The full story is vividly told by Wal Hannington in *Unemployed Struggles, 1919-36*. The worst example of police violence occurred in Birkenhead. After the police had twice interfered with orderly demonstrations by the unemployed, a great protest demonstration was held which was again attacked by the police; on this occasion the workers fought back and a pitched battle ensued which lasted late into the night. There followed a series of midnight raids by groups of police on the homes of those who had taken part in the demonstration, carried out with the utmost violence and brutality. In the investigations afterwards, writes Hannington:

"... women stated that their husbands and sons were dragged from their beds by the police, and beaten into unconsciousness, and then flung into the waiting Black Marias, with blood streaming from head, face and body wounds. They were carried off to the courts to be charged with riotous behaviour and assaults on the police, and then transferred to the hospitals to have their wounds dressed. The severity of the police terror can be gauged from the fact that over one hundred workers were taken to hospital with severe injuries, including cases of broken pelvis, fractured ribs, broken arms and legs."<sup>1</sup>

The political bias of the Metropolitan Police was very much in evidence between 1934 and 1936 when Sir Oswald Mosley's Black-shirt movement made repeated efforts to capture a public following. The tolerant attitude of the police towards the policy of violence, provocation and Jew-baiting of the fascists was in striking contrast with their hostility towards demonstrations organised by anti-fascists. A detailed account of the behaviour of the Metropolitan Police in these three years is given by Ronald Kidd in *British Liberty in Danger* (1940). In March, 1936, for example, Mosley held a rally at the Albert Hall, in the course of which his stewards made a large number of violent and brutal assaults on members of the audience; although the police were inside the hall at the time they steadfastly refused to intervene. At the same time an orderly protest demonstration was being held half a mile away in Thurloe Square when it was suddenly attacked and dispersed by mounted police, freely using their truncheons.

Nothing like a full account of the ways in which the British police used their powers against the industrial and political activities of the

<sup>1</sup> *Op. cit.*, p. 235.

working class has been given here. But it would be wrong to assume that the measures which have been taken to insulate the police from the organised labour movement and to weld them into a homogeneous force can ever be completely successful. When a conflict on a big scale develops between capital and labour, and the class issues stand out clearly, the sympathies of the rank and file are likely to develop in a different direction from those of their officers. Thus in the General Strike of 1926 the attitude of the police towards the strikers varied considerably in different areas. In many towns clashes between the police and strikers were avoided, while in others there were unprovoked attacks and indiscriminate arrests followed by prison sentences. The *local* police often adopted a friendly attitude towards the strikers. The government understood this very well and transferred the police from one place to another, with the result that some of the worst clashes were due to police imported from other areas.<sup>1</sup> The granting of full trade union and political rights to the police must be one of the aims of the labour movement and one of the first duties of a socialist government.

Such a government would also have to take all necessary measures to ensure that the senior officials in the Home Office, as well as the senior police officers in the Metropolitan Police and in the provincial forces, were loyal to the socialist State. At the same time a socialist government would have to reverse the centralising trend which has concentrated power in the hands of the Home Office and grant much greater responsibility to the elected local authorities than they now have. The undemocratic Standing Joint Committees and all the other devices described in this chapter, which at present restrict the powers of county councils and borough councils over their police forces, should be abolished. The control of the Metropolitan Police should also be transferred to the local authorities in the London area. Democratic control of the police by elected authorities could ensure that the police would never again be used against the working class.

<sup>1</sup> Emile Burns, *Trades Councils in Action* (1926), p. 72.

## CHAPTER X

# THE SECRET POLITICAL POLICE

"We in this country have no secret police" (part of a message from Mr. G. Lloyd George, Home Secretary, on November 27, 1956, to Hungarian refugees on their arrival in Britain).

### I. THE HOME SECRET POLICE

A SECRET political police has formed part of the machinery of the British State ever since the close of the nineteenth century. At first on a small scale, concerned with Irish nationalists and anarchists, in recent years it has flourished and grown strong under Conservative and Labour governments alike. But with its traditional skill the ruling class has arranged this in such a way as to leave the great majority of the British people largely unconscious of such an unpleasant fact. The activities of the secret police are kept in the background by political leaders, and the statement at the head of this chapter, which was broadcast over the B.B.C., was a remarkable illustration of the length to which a responsible Minister was prepared to go.

It is often said, moreover, that in contrast with other countries, the use of spies and informers against the people is entirely contrary to traditional British practice. But this is very far from the truth. As soon as the struggle between capital and labour assumed significant proportions towards the end of the eighteenth century, spies and agents were employed by the government. Their activities in the early days of the working-class movement are described in detail by J. L. and Barbara Hammond:

"There was one danger from which the trade unionists of the industrial districts were rarely free, the danger of the serpent in their councils. . . . The use of spies was common in all times of popular excitement or upper-class panic, and in some districts in the North and Midlands they became part of the normal machinery of the law. Bills for spies are for many years a regular feature of the Home Office papers."<sup>1</sup>

<sup>1</sup> *The Town Labourer, 1760-1832*, p. 258. See also *The Skilled Labourer, 1760-1832*.

The most notorious of all the Home Office agents in the early part of the nineteenth century was Oliver, labour spy, agent-provocateur and common criminal, whose infamous activities are vividly described by the Hammonds in *The Skilled Labourer*. Typical of his successes was the so-called Derbyshire rising, first instigated and then denounced by him, when 35 workers were brought to trial for conspiring to organise an armed uprising and to depose the king. Three were hanged, others were transported for life or sentenced to long terms of imprisonment. The famous Cato Street conspiracy in 1820 to assassinate the entire Cabinet as it sat at dinner (which helped to revive the dwindling popularity of the government for a brief period) was largely the work of an agent-provocateur, Edwards. He not only instigated the plot, but himself provided the weapons which he distributed at the houses of those he was planning to betray. Five were hanged, four transported for life; but the ringleader, Edwards, was "never found". Later on, spies and informers were repeatedly sent to penetrate and disrupt the great Chartist movement in the heroic struggles for parliamentary reform. Thus a "great Chartist conspiracy", discovered by the London police in 1848, was largely due to the treacherous activities of a police agent named Powell.

In the years following 1848 the tremendous expansion of British industry, unchallenged throughout the world, led to a decline in the revolutionary spirit of the working class; its leaders devoted their energies to building up stable trade unions, became supporters of the Liberal Party and abandoned any attempt to form a separate working-class party. In this classical period of liberalism and toleration the ruling class lost its earlier fears of revolution and there is no evidence of the existence of any secret police activities directed against the trade union movement.

A new development occurred in the 'eighties. The activities of Irish nationalists in England, culminating in the Irish dynamite campaign of 1883-5, led to the assignment of a corps of detectives within the Metropolitan Police for the investigation of the dynamite plots. Before the Irish troubles were over, it was called upon to deal with the anarchists, and to guard the Royal procession at Queen Victoria's Jubilee celebrations in 1887. This corps of detectives was then placed on a permanent footing and became known as the Special Branch of the C.I.D. (originally the Special Irish Branch). Sir John Moylan, in his book *Scotland Yard*, makes the revealing admission that in some quarters it

was at first spoken of as "the Political Branch", although this "unfortunate appellation" was at once disowned (p. 218). But the author of an authoritative book on police administration, J. M. Hart, frankly states the true position when he writes that the Special Branch "is in a sense the political police for the whole of the country".<sup>1</sup> Special Branch officers are normally not stationed outside the Metropolitan District, except at a few ports where they deal with the admission of aliens in co-operation with Home Office immigration staff. Outside London the necessary enquiries are made through the local police forces, some of which have their own Special Branch detectives.<sup>2</sup>

After the end of the First World War the alarm of the ruling class at the successful Soviet revolution of 1917 and the rising militancy of the British labour movement resulted in a great expansion in the activities of the secret police. From the beginning, the British Communist Party, whose foundation in 1920 reflected this new spirit of militancy, has been the object of special attention; but it would be the gravest possible error to imagine that the secret police have ever confined themselves to the Communist Party alone. Their task is to penetrate and spy upon all militant elements within the entire trade union and labour movement.

For example, throughout the period of its existence the National Unemployed Workers Movement, which led and inspired the struggles of the unemployed between the two wars, was never free from the sinister interference of spies and agents. Wal Hannington, the leader of the Movement, recounts how a police spy with a glib tongue managed to worm his way into the Control Council of the 1922 Hunger March.<sup>3</sup> Suspicions were first aroused when he proclaimed that he was more revolutionary than anyone else and proposed that inflammable material should be dropped into letter boxes in a district in the East End of London—which would have supplied the police with just the evidence they needed to compromise the Movement in the eyes of the public. Hannington also gives a detailed and fascinating account of the tracking down of a police informer named Johnstone, who received £3 a week regularly from the police plus extra payment for special reports.<sup>4</sup>

A very instructive account of the behaviour of two plain-clothes policemen who made repeated attempts to provoke a peaceful crowd to take violent action in the course of a demonstration in Trafalgar

<sup>1</sup> *The British Police* (1951), p. 117.

<sup>2</sup> *Ibid.*, pp. 117-18.

<sup>3</sup> *Unemployed Struggles, 1919-36* (1936), p. 142.

<sup>4</sup> *Ibid.*, pp. 146-53.

Square in 1932 is contained in *Civil Liberty in Danger* (1940), by Ronald Kidd (p. 145).

An extension of industrial espionage was foreshadowed in 1950, when the formation of a new squad in the Special Branch to spy upon the dockers and other militant trade unionists was widely reported in the British press. It was the reports made by detectives of the Special Branch, who attended meetings of the Port Workers Committee preceding the unofficial strike in 1951, that formed the basis for the prosecution's case in the trial of the seven dockers which followed the strike. It may not be altogether fanciful to imagine that the jury's failure to agree, which resulted in the discharge of the seven defendants, may have reflected something of the intense distaste of the British public at the technique of snooping at trade union meetings which preceded the prosecution.

The organisation of the secret police is shrouded in the deepest mystery. The British public is kept in the dark about even the most elementary facts, such as the number of different forces of secret police and their respective functions, who controls them, how large they are and how much they spend. The few facts which are known about the Special Branch at Scotland Yard have already been given. Even less is known about any of the other secret police agencies.

During the Second World War investigations into the political opinions of persons applying for commissions in the armed forces or for jobs in the government service developed on a big scale, and it was in this period that the sinister behind-the-scenes influence of M.I.5 first became well known to the British public. It is generally assumed that M.I.5 is that branch of military intelligence which operates in Britain. The head of M.I.5 from 1946 until 1953 was Sir Percy Sillitoe,<sup>1</sup> who was described by the War Office simply as "Director engaged on Special Duties", and became well known to the public through press reports of his frequent mysterious journeys to different British colonies and to the United States of America. But the name of his successor has not been divulged. Sir Percy Sillitoe has described himself as "Director-General of the Security Service", and has frankly defined its functions

<sup>1</sup> He had the public school and colonial background typical of many Metropolitan Police Commissioners and County Chief Constables. Educated at St. Paul's choir school, he entered the South African police force, then the colonial service, subsequently becoming chief constable of various borough and county forces in England. His predecessors as head of M.I.5 were generally retired Indian Army colonels (*The Observer*, March 22, 1953).

as "detecting, and collecting information about, the activities of people who intend to subvert British institutions".<sup>1</sup>

The Navy and the Air Force maintain their own secret intelligence services, not merely for collecting information about the weapons and activities of foreign armed forces, but also for keeping watch on naval and air establishments at home. A large and relatively new force of secret police has been formed by the Ministry of Supply, and appears to cover nuclear energy establishments and private firms engaged on armament contracts for the government. The Foreign Office may have its own spies operating in this country as well as abroad. Lastly, this list of secret police agencies would not be complete without mentioning the most unscrupulous and sinister one of all, the American Federal Bureau of Investigation, which appears to have established itself in this country along with the American occupation troops.

Parliament has no control whatever over the secret police, and no right to be supplied with any useful information about it, for Parliamentary questions to Ministers on this subject will simply not be answered. It is true that the annual Appropriation Act (giving Parliamentary approval to the estimated expenditure of government departments) always includes a mysterious item "For Her Majesty's foreign and other secret services". The amount under this heading rose from a mere £65,000 in 1901 to £700,000 in 1939; a nominal sum of £100 was inserted during the war years; in 1946 the amount was £2,500,000 and by 1953 this had risen to £5,000,000. Clearly this item includes the foreign secret service; but what are the "other secret services"? We simply do not know. In fact, we know virtually nothing at all except that, whatever spying activities are covered by this item, their cost has risen considerably in the present century. It is a bitter thought that the chiefs of the American F.B.I. probably know a great deal more about the British secret police than do the British people and their Members of Parliament.

The absence of any kind of Parliamentary control over the secret police was illustrated by the extraordinary case of the frogman, Commander Crabb, who disappeared, presumed dead, in April 1956 while making a secret underwater inspection at Portsmouth of the cruiser *Sverdlov*, which had brought the Soviet leaders Bulganin and Khrushchev to this country to engage in friendly talks with the Prime Minister. The unfortunate loss of the frogman, followed by the surprising behaviour of the Portsmouth police in tearing out four pages

<sup>1</sup> *The Sunday Times*, November 22, 1953.



of the hotel register in the Portsmouth hotel where Commander Crabb and his companion, a "Mr. Smith", had stayed, brought the whole sordid affair on to the front pages of the daily press. It revealed to an astonished public that one of the British secret intelligence agencies had been engaged in operations which were entirely contrary to the policy of friendly negotiations with the Soviet leaders which was at that moment being pursued by the government. The Prime Minister (Mr. Eden) eventually made a remarkable statement in the House of Commons on May 9, 1956, which deserves to be quoted in full:

"It would not be in the public interest to disclose the circumstances in which Commander Crabb is presumed to have met his death. While it is the practice of Ministers to accept responsibility, I think it is necessary, in the special circumstances of this case, to make it clear that what was done was done without the authority or knowledge of Her Majesty's Ministers. Appropriate disciplinary steps are being taken."<sup>1</sup>

A subsequent debate in the House of Commons threw no further light whatever on this mysterious affair, the Prime Minister simply refusing to answer a single one of the numerous questions put by the Opposition speakers on the ground that "there were some things that could not be disclosed to the House, and information about the Secret Service is one of them".

The Crabb affair illustrates much more than the absence of any Parliamentary control; it shows that even Ministers probably know very little of what the secret service agencies, nominally under their control, are doing. This was emphasised in the debate by Mr. Bellenger, whose previous post as Minister of War in the Labour government lends authority to his declaration that:

"Having been in charge of a service department myself, I should like to know whether he [the Prime Minister] is quite sure that Ministers, and Service Ministers in particular, have complete control over their Secret Service. . . . I should not be at all surprised if Service Ministers, in particular, do not know what their Intelligence does. Yet they are asked to take complete responsibility for the expenditure of these secret service sections of their Departments, without knowing one iota of what is happening."<sup>2</sup>

<sup>1</sup> *Hansard*, May 9, 1956.

<sup>2</sup> *Ibid.*

Thus the British Secret Service pursues its operations largely unconcerned by the constitutional apparatus of elections, parliamentary debates, Ministers and Cabinet meetings. It is one of the most diehard sections of the permanent State apparatus, whose overriding function is to protect, not the nation as a whole, but the interests of the capitalist class alone.

The majority of the British people are probably largely unconscious of the extensive operations of the British secret police and of the methods which they use. In fact these are precisely the same well-tried techniques as are used in other countries—the secret informer, the opening of private letters, telephone-tapping and so forth. It is by no means rare to read of public complaints made by persons whose mail has been tampered with in such a way that it could only have been done by the Post Office.<sup>1</sup> If M.I.5 or any other intelligence agency decide to open all letters addressed to a particular person, all they need to do is to ask the Home Secretary to sign a warrant. The power to intercept letters has been exercised from very early times and has been recognised in successive Acts of Parliament relating to the Post Office, beginning with the Act of 1710.<sup>2</sup>

Although there is no Act of Parliament which recognises any right to tap telephones, the police are no whit deterred from indulging in this odious practice. The whole question received wide publicity in 1957 in consequence of the Marrinan case. The police had been tapping the telephone of a certain Billy Hill, and the Home Secretary decided to hand the material so obtained to the Bar Council who were engaged in an enquiry into the alleged unprofessional conduct of a barrister named Marrinan. The shocked reaction of the public to the revelation that anyone—even a barrister—might have his telephone tapped at any time compelled the government to appoint a committee of three Privy Councillors to report on the whole subject.<sup>3</sup> The committee found that the interception of telephone messages had been practised in this country ever since the introduction of the telephone, and that it was only since 1937 that the practice of first obtaining a warrant from the Home Secretary had been introduced. The committee recommended that the power to intercept telephone messages should continue to be available to the Security Service, whose duties necessarily

<sup>1</sup> For example, see *Hansard*, December 17, 1952, and the *Daily Worker*, October 21, 1953.

<sup>2</sup> The recognition is now contained in section 58 of the Post Office Act, 1953.

<sup>3</sup> Cmd. 283 of October 1957.

involved "protection from espionage, from sabotage, and indeed from every kind of action that threatens the security of the State"; the only limitation being that the power should only be exercised in cases where "there is reasonable cause to believe that subversive activities are already being carried on". The power should also continue to be used by the police for the detection of serious crime. The recommendations of the committee were accepted by the government.<sup>1</sup>

The British secret police do not have arbitrary powers of arrest and imprisonment; the great safeguard of Habeas Corpus sets a strict limit to their powers. But the frightening way in which the influence of the secret police can grow, despite the absence of special powers of arrest, is proved by the formidable influence of the Federal Bureau of Investigation in the U.S.A., based on the rapid growth of the loyalty purge in recent years. The willingness of the government and of private employers to dismiss any person denounced by an informer or by the F.B.I. has led to a great increase in the powers of the American secret police.

The civil service purge introduced by the Labour government in 1948 and subsequently strengthened and extended by the Conservative government in 1951 and 1957, has inevitably strengthened the influence of the British secret police. The purge already covers a large number of persons employed by the government as well as by the numerous private firms who undertake secret contracts for the government.<sup>2</sup> Fortunately, the opposition of British public opinion to the hateful technique of the smear and the witch-hunt has been very strong, and the whole process of loyalty-purging and black-listing has not developed nearly so far as in the United States. But the more rapidly the British people advance towards political power, the more ruthlessly will the ruling class seek to extend the powers of the secret police to spy on and disrupt the labour movement in one way or another; and therefore it is of the utmost importance that every opportunity should be taken to expose the activities of the secret police and to confine them within the narrowest possible limits, until the time comes when M.I.5 and all the other secret police organisations directed against the working

<sup>1</sup> The committee gave figures purporting to show that very few letters or telephone messages were in fact intercepted. The number of telephones tapped by the police, customs, post office and security varied between 73 and 231 per annum since the war, and the number of letters opened had never exceeded 261. But in view of the independence of the security service from any kind of constitutional control—witness the Crabb affair—it is hard to believe that the committee was given the full figures, even assuming that complete records were ever kept.

<sup>2</sup> The civil service purge is further considered in the next chapter.

class can be swept away, along with the capitalist system of which they are one of the most unpleasant products.

This does not of course mean that a socialist government could afford to dispense altogether with a secret police. The monopoly capitalists are likely to put up a fierce struggle against socialism and the possibility that there will be attempts at violent resistance, especially just after a socialist government has been established, cannot be excluded. An efficient secret police might be very necessary to help to prevent any such resort to violence. Naturally, the government would have to act in the light of the political conditions prevailing at the time. But the powers of the secret police would be strictly limited; and the British tradition that they should never under any circumstances be given arbitrary powers of arrest of their own must be maintained.

## 2. THE FOREIGN SECRET SERVICE

Hitherto we have examined only the operations of the secret police inside Britain. But the British ruling class has never confined its espionage activities to its own working-class movement. It has long been accustomed to send spies and agents to penetrate working-class and progressive movements, whether in the colonies or in foreign countries, where the advance of these movements has threatened the interests of British capitalism. In the colonial countries the open, direct methods of repression by means of armed forces, police, prisons and concentration camps have been supplemented by attempts to undermine the liberation movements from within through secret agents and informers; and the peoples of India, Burma, Ceylon and other colonies, and especially Malaya and Kenya in recent years, have experienced to the full these underground methods.

The British tradition of spying on the progressive movements of foreign countries goes back at least as far as the French Revolution, when the British monarchy sent spies in large numbers across the channel to help the discredited French monarchy and aristocracy against the revolutionary movement of the French people.<sup>1</sup> In more recent times an extensive network of British agents has operated in the semi-colonial but nominally independent countries of the Middle East. The progressive movements in the weaker capitalist states, particularly in the Balkans in the twentieth century, were often penetrated by the agents of British and other capitalist states.

<sup>1</sup> *The Scarlet Pimpernel*, by Baroness Orczy, casts a romantic glow over the activities of British spies at this time.

If British agents were penetrating the progressive movements of foreign countries where the capitalist class still maintained its rule, how much more would this be the case where the working class actually gained political power and set about the task of building a socialist society? After November 1917, the central field of operations for the intelligence services of all the great capitalist powers was inevitably the Soviet Union. Before 1917 the British Secret Service had been mainly engaged in espionage against its imperialist rivals; subversive activity had been a side-line. But now its principal task became the organisation of the widest possible movement of opposition to the established Soviet government, including every kind of subversive activity from economic sabotage to political assassination.

For this work a new type of British secret service agent began to be needed and much light is thrown on the attitude and activities of British agents in the 'twenties by the personal reminiscences of three leading British spies of the period—Captain Sidney Reilly,<sup>1</sup> Captain George Hill,<sup>2</sup> and Sir Paul Dukes.<sup>3</sup> Their reminiscences, it should be noted, were nearly all published many years after the events which they describe took place.

Sidney Reilly, the "British Master Spy", had been engaged during the First World War in naval intelligence and in 1916 had brought off one of the greatest secret service coups of the war when he managed to penetrate into the German Admiralty, posing as a German naval officer, and secured a copy of the German Naval Intelligence code. Early in 1918 the British Secret Service transferred him to Russia as director of the British Secret Intelligence Service in Moscow. The object of the British was to organise all opposition elements in Russia in order to secure the overthrow of the young revolutionary government and so bring Russia back into the war against Germany. But Reilly makes it clear in his story that defeat of the revolution was far more important than winning the war against Germany. "In any case," he wrote, "Bolshevism was a far worse enemy than Germany, a hideous cancer striking at the very root of civilisation",<sup>4</sup> and:

"The Germans are human beings; we can afford to be even beaten

<sup>1</sup> *The Adventures of Sidney Reilly, Britain's Master Spy. A Narrative written by himself. Edited and completed by his wife* (1931).

<sup>2</sup> Captain George Hill, *Go Spy the Land. Being the Adventures of I.K.8 of the British Secret Service* (1932).

<sup>3</sup> Sir Paul Dukes, *Red Dusk and the Morrow* (1922) and *The Story of S.T.25* (1938).

<sup>4</sup> *The Adventures of Sidney Reilly*, p. 20.

by them. Here in Moscow there is growing to maturity the arch-enemy of the human race. . . . If civilisation does not move first and crush the monster, while yet there is time, the monster will finally overwhelm civilisation.”<sup>1</sup>

Reilly set about organising insurrection among the White Russians and opponents of the Soviet régime.

“It was pretty obvious that if they could only be made to co-operate, the anti-Bolsheviks could seize the reins of power with ease. . . . I proceeded at once with the organisation of my conspiracy. No less than 60,000 officers, who lived in Moscow, were in the conspiracy and were ready to mobilise immediately the signal was given. . . . A well-known Tsarist officer, General Judenich, was immediately to take command of this army. From the outside our nearest assistance would be from General Savinkoff, who was hammering away at the outskirts of Russia with one of the counter-revolutionary armies. As soon as the insurrection had proved successful, the way for Savinkoff into Russia would be clear and what remained of the Bolsheviks would be between an upper and nether millstone.”<sup>2</sup>

The plan to seize Moscow involved, among other things, the assassination of both Lenin and Trotsky.

This particular plot was discovered in time by the Soviet authorities, who managed to scotch it by numerous arrests, including (temporarily) Mr. Bruce Lockhart, head of an official British Foreign Office Mission in Moscow, who, according to his own and Sidney Reilly’s account, had been kept in ignorance of the conspiracy throughout. Reilly managed to make his escape, for, in his own words, “The mission on which I had been sent by the British Government had failed disastrously”.<sup>3</sup>

Captain George Hill, according to Reilly’s account, worked for a period as Reilly’s second-in-command, though, according to his own account, his work was entirely directed at the German secret service in Moscow:

“There were other officers—like Sidney Reilly—who employed their energies against the Bolsheviks. They were working from a

<sup>1</sup> *Ibid.*, p. 28.

<sup>2</sup> *Ibid.*, p. 20.

<sup>3</sup> *Ibid.*, p. 89.

different angle; sometimes the lines on which we worked ran parallel.”<sup>1</sup>

Sir Paul Dukes went as a spy to Russia from 1918-20. With the help of a former Tsarist officer who was by that time organising sabotage from within the Red Army, Dukes joined the Red Army himself. He claims that, throughout, his only work was spying; he organised no conspiracies, since he considered that the “White” underground with which he was permanently in contact was by that time too inefficient, corrupt and disorganised to carry through a successful conspiracy. But he admitted that:

“While the Allies and America all participated in military intervention, it was England who for the longest time, and at greatest cost to herself, furnished the counter-revolution with funds and material.”<sup>2</sup>

What sort of people are in charge of the Foreign Secret Service? Exactly who they are is, of course, never disclosed. For this period of the 'twenties, the nearest we can get to the facts is by way of the highly glamourised accounts of spies like the three mentioned above. These accounts have all the period flavour of a John Buchan<sup>3</sup> novel; an example is the account given by George Hill of his first interview with the secret service headquarters before being sent as a spy to Russia:

“A few days after my arrival in London I was summoned to the Secret Service headquarters for an interview with the Chief. His offices were at the top of a London building overlooking the Thames. . . . Before being admitted to the Chief, I was shown into Colonel Freddie Browning's room. Colonel Browning was one of the largest-hearted and most generous men I ever met, and a director of many companies, including the Savoy Hotel. . . . I had not the least idea that Colonel Browning, an old acquaintance of mine, was in the secret service, and our meeting was a most happy one. A few minutes later he took me upstairs through bewildering passages, into the presence of the Chief. The Chief, a short, white-haired, square man, with penetrating eyes and lips which looked stern, but

<sup>1</sup> *Go Spy the Land*, p. 182.

<sup>2</sup> *Red Dusk and the Morrow*, p. 236.

<sup>3</sup> John Buchan, later Lord Tweedsmuir, was Sir Paul Dukes' superior at the Foreign Office before the latter was seconded for secret service work.

could in a second take on a humorous curve, was in naval uniform.”<sup>1</sup>

“The Chief”, as described by Sir Paul Dukes, was, however, apparently a military man, seconded from the War Office for special duties.

“The Chief was a British officer and an English gentleman of the very finest stamp, fearless, gifted with limitless resources of subtle ingenuity. . . . He had only one leg, but this did not deter him, as I afterwards discovered, from driving his high-power car at break-neck speed about the streets of London to the terror of police and pedestrian alike.”<sup>2</sup>

One thing emerges from these scanty and highly-coloured documents of the 'twenties: there was not one Foreign Secret Service organisation, but many—some ultimately linked with the War Office, some with the Admiralty, some with the Foreign Office and so on, but each working under its own steam without official recognition from the government department concerned, frequently overlapping, at loggerheads and double-crossing both one another and the parallel secret service organisations of allied countries. Each one had its own network of agents, ranging from political fanatics of the Reilly type to paid agents who were in the game for purely mercenary reasons and who did not scruple to supply forged and inaccurate information if it suited their pockets and satisfied their superiors.

George Hill gives an illuminating description of this in his account of certain forged documents intended to prove that the Bolsheviks were working in conjunction with the German High Command:

“When half a dozen secret service organisations are working simultaneously in the same country and some of them happen to be Allies, curious coincidences, overlappings, misunderstandings, intrigues and funny things generally are bound to occur. . . . One of the most amusing I recollect was the intrigue over what are known as the Sissons Documents. These purported to show the close liaison existing between the Bolsheviks and the German High Command. . . . They were first bought at a very high figure by one of the Allied Secret Service organisations. It was felt that such irrefutable proof of Bolshevik knavery would be of the greatest value, and the documents were kept locked behind the stoutest safe door

<sup>1</sup> *Go Spy the Land*, p. 262.

<sup>2</sup> *The Story of S.T.25*, p. 35.



and only shown to the *élite*. When Sidney Reilly had just arrived from England he and I examined them. . . . An expert proved that most of the documents had been written on the same typewriter, which, as they purported to have come from various places many hundreds of miles apart, was distinctly odd. It was no good holding them, but a great deal of money had been spent on them which bade fair to be lost altogether. Accordingly, they were put on the market again and eventually bought by Mr. Sissons for the American Secret Service, at a price which repaid the other secret service organisation in full. The genuineness or falsity of these documents are still hotly debated questions. . . . I can say at once and definitely that the more important of them are forgeries, for afterwards, with Reilly's help, I succeeded in running to earth the man who forged them."<sup>1</sup>

Mr. Bruce Lockhart, officially in Moscow in 1918 for the Foreign Office, who suffered much from the activities of British agents over whom he had no control and whose endeavours often ran completely counter to his own, remarked somewhat despairingly in his book:

"My experiences of the war and of the Russian revolution have left me with a very poor opinion of secret service work. Doubtless, it has its uses and its functions, but political work is not its strong point. The buying of information puts a premium on manufactured news."<sup>2</sup>

The ultimate object of the British Secret Service in Russia after the First World War was the overthrow of the Soviet government. In this, the organisation of conspiracies, assassinations, wrecking and sabotage all played their part, together with the penetration of spies into high positions in public life. On all this, vast sums were spent of which there is no public record.

It is possible that since the Second World War the British Secret Service no longer plays the leading role that it did after the First, having been superseded by its richer American partners who, since 1952, have openly allocated a hundred million dollars a year under the Mutual Security Act for organising persons "residing in or escapees from" the Soviet Union and the socialist countries in Eastern Europe for military and other purposes—not to mention the Central Intelligence Agency run by Mr. John Foster Dulles' brother which was, in

<sup>1</sup> *Go Spy the Land*, pp. 200-1.

<sup>2</sup> *Memoir of a British Agent* (1932), Penguin edition, p. 273.

1951, alleged to be spending 75 million dollars a year "playing cops and robbers back of the Iron Curtain".<sup>1</sup>

The British may no longer spend the lions' share of the money on espionage and subversion in these countries, and in any case they are habitually a good deal more circumspect than the Americans when it comes to telling the world what goes on. Indeed we may have to wait until some of the more enterprising British spies publish their memoirs to get a picture of their activities. Judging from their past record, however, the British are no doubt just as involved in espionage against the socialist countries at the present time as they were in sending spies into the Soviet Union in the period following the 1917 revolution.

<sup>1</sup> *New York Times*, December 9, 1951.

## CHAPTER XI

# ENGLISH LAW AND THE LEGAL SYSTEM

### I. THE NATURE OF ENGLISH LAW

IT is often said that English law expresses in a variety of ways the genius of the English people and is superior to the law of most other countries. There is no doubt that English law and the English judicial system do contain many admirable rules which protect the individual against arbitrary action by the police and the government; and these will be considered later in this chapter. But this approach nevertheless conceals the real nature and purpose of English law. It has been made by judges and Parliaments who had the same economic, political and moral outlook as the ruling class which they have represented, and like the law in any other country it is not the expression of principles of "natural justice" derived from the minds of judges and legislators but reflects the property relations which have been established here.

Thus the English law of property protects the right of the capitalists to the private ownership of the means of production, and the right of the landlords to the private ownership of the land. The law of contract provides the necessary conditions for the carrying on of capitalist trading relations, the law of master and servant protects the right of the capitalist employer to hire workers for wages and to sack them when they are no longer required, and company law regulates the complex relations between companies and their shareholders. There are, of course, some branches of the law which are not so directly connected with property relations, such as the law of marriage and divorce and criminal law; but even here it will be found on analysis that these laws broadly reflect the social and moral outlook of a ruling class which owes its position to the private ownership of capital. In short, the law of England defends capitalist relations of production and the political and social conditions which are based on them.

It would be a grievous over-simplification, however, to suggest that the law is a direct, unmitigated expression of capitalist interests. The relation between law and the economic and social conditions which give rise to it was analysed by Engels in a letter to Conrad Schmidt in 1890:

"In a modern State, law must not only correspond to the general economic position and be its expression, but must also be an expression which is *consistent in itself*, and which does not, owing to inner contradictions, look glaringly inconsistent. And in order to achieve this, the faithful reflection of economic conditions is more and more infringed upon. All the more so the more rarely it happens that a code of law is the blunt, unmitigated, unadulterated expression of the domination of a class—this in itself would offend against the 'conception of justice'. Even in the Code Napoleon the pure logical conception of justice held by the revolutionary bourgeoisie of 1792-6 is already adulterated in many ways, and in so far as it is embodied there has daily to undergo all sorts of attenuation owing to the rising power of the proletariat. . . . Thus to a great extent the course of the 'development of law' only consists: first in the attempt to do away with the contradictions arising from the direct translation of economic relations into legal principles, and to establish a harmonious system of law, and then in the repeated breaches made in this system by the influence and pressure of further economic development, which involves it in further contradictions (I am only speaking here of civil law for the moment)."<sup>1</sup>

The striving for a consistent, harmonious system of law has undoubtedly played a significant part in the development of English law. Of much greater importance—and easier for the layman to understand—is the second of the reasons given by Engels why the law does not correspond exactly with the interests of the ruling class—namely the influence of the "rising power of the proletariat". In the early part of the nineteenth century employers had the legal right to use child labour and to employ women and children for unlimited hours; and this has since been restricted by the Factory Acts. Two of the earliest of these Acts, the Coal Mines Act of 1842 and the famous Factory Act of 1847, were largely the products of the great Chartist movement when it was at the height of its power; and subsequent factory legislation on safety and other matters has been due to the continued pressure of the trade union movement.

The legal right possessed by landlords a hundred years ago to let to a tenant a ramshackle and insanitary house and to charge an extortionate rent for it, has since been limited by Public Health legislation and the Rent Restriction Acts. Thus it was the epic struggle of the Glasgow housewives in 1915 against rising rents and evictions, culminating in a

<sup>1</sup> *Correspondence of Marx and Engels*, ed. Dona Torr (published by Martin Lawrence, 1934), p. 481.

great demonstration outside the sheriff's court, that compelled the government to pass the first Rent Act through Parliament. The right to organise trade unions and to strike, forbidden by law until 1825, has now been to a great extent protected by legislation won by the labour movement. A great deal of modern law is directly or indirectly due to the influence of the working-class movement.

But the growth of English law began many centuries before the working class emerged on to the political scene as a powerful force. It is one of the principal characteristics of English law that it can trace a continuous development from the early Middle Ages, when the law was the expression of feudal property relations. There has been no sharp break when the whole of the law was codified anew, as French law was in the Napoleonic Code as a result of the French Revolution. As Professor Jenks has written: "It is the glory of English law, that its roots are sunk deep into the soil of national history; that it is the slow product of the age-long growth of the national life."<sup>1</sup>

Statements of this kind, however, conceal the fundamental transformation in the law which took place with the gradual substitution of capitalist relations of production for feudal relations, and with the political victory of the capitalist class in the English Revolution of 1640-9. With their characteristic ability to make fundamental changes without the appearance of change, the English bourgeoisie adapted the old feudal laws to serve their own purposes, just as they transformed the content of other feudal institutions, such as Parliament and the monarchy, while preserving the ancient forms.

Thus even to this day English law retains some of the features of feudal law. For example, some of the oppressive laws designed to protect the barons against the rebellious peasantry are still available for use against the working class today, such as the Justice of the Peace Act, 1361 (see p. 172). The law of distress, which gives a landlord the right, without having to obtain the leave of any court, to seize the goods of his tenant in arrear with the rent, is a harsh remedy dating from Norman times. A landlord cannot now distrain against the tenant of a house controlled under the Rent Restriction Acts without first getting the leave of the Court; but if more houses become decontrolled the ancient remedy of distress may become more important than it has been in recent years. The greater part of the old feudal laws, however, have long been superseded. What does remain is the system of unpaid justices of the peace, trial by jury, and the system of

<sup>1</sup> *A Short History of English Law* (1949), p. 3.

developing the law through the gradual accumulation of cases decided by the courts, which assigns a particularly important role to the judges in the making of new law. All these features will be discussed later in this chapter.

The revolutionary struggle of the rising capitalist class against the Stuart monarchy in the seventeenth century also had an important direct effect on the English legal system. Many of the features of the British State, which distinguish it from other capitalist States, derive from the way in which the British capitalist class achieved political power in the seventeenth century at an exceptionally early stage in its development. It was a feature of the compromise settlement after 1660 that, while the influence of the bourgeoisie in Parliament was strong, the executive government was decidedly less trustworthy owing to the influence of feudal aristocratic elements grouped round the king. It is to this period that we owe many of the most valuable safeguards against arbitrary action by the executive: the present form of trial by jury, the writ of Habeas Corpus, the principle of the independence of judges, and the abolition of a licensed press.

By far the greater part of English law is of much more recent origin and has been made during the period of modern industrial capitalism. It is the *method* of making new law, and the *method* of enforcing the law, which has been deeply influenced and shaped in the course of two periods of English history; first, when the structure of the feudal State was being developed in the early Middle Ages, and second, when the revolutionary bourgeoisie was engaged in its struggle to overthrow the feudal State in the seventeenth century.

English law is therefore the product of many historical forces,<sup>1</sup> both from the remoter past and from the more recent past when the working class has been able to exert a growing influence on legislation. The striving of the judges to create a harmonious and logically consistent system of law has taken place against the background of all this historical development. But although the law may have been modified in a humane direction, it still fulfils its basic function of protecting

<sup>1</sup> For 300 years after Edward I intense hostility between Scotland and England led to a different development of Scottish law. Scotland, allied to France, adopted many of the principles of Roman law which were also adopted by France and other continental countries. The Act of Union passed in 1707, however, created a single Parliament for both countries, predominantly English, and imposed on Scotland a new supreme court, the House of Lords, composed of English judges. In consequence Scottish law has been brought much closer to English law. But Scottish law still retains many distinctive characteristics and the judicial system is also very different from the English system. For reasons of space, this chapter must be confined to English law.

capitalist property relations. Human rights are subordinated to the property rights of the minority who own the means of production.

## 2. THE COMMON LAW

The English legal system possesses one remarkable feature—derived from the days of feudalism—which distinguishes it from the legal systems of nearly all other countries in the world: an important part of the law has never been considered, debated or approved by any Parliament. Many of the laws of England are contained, not in Parliamentary statutes, but in the reports of cases decided by judges of the High Court, Court of Appeal and House of Lords.

The practice of recording the judgments of the royal judges is of ancient origin, having begun as far back as the reign of Edward I, and from the sixteenth century it became accepted that a decided case constituted an authoritative “precedent”, meaning that when one judge has decided a point of law, any judge who is subsequently confronted with a similar set of facts must apply the law declared in the earlier judgment, even though he may personally think that the earlier case was wrongly decided.<sup>1</sup> In this way the law was gradually built up, case by case, by generations of different judges. This vast tangled mass of reported cases stretching back to the days of Elizabeth I and even beyond, each being the authority for a single point of law, and some being inconsistent with others, is the famous English “common law”. Thus English law has been built up through a combination of statute law and judge-made law, the latter being known as the common law. Originally the judges were responsible for declaring and developing the greater part of the law; nowadays, however, most of the new law is made in the form of statutes by Parliament, and the main task of the judges is to interpret the statute law; as we shall see, this work of interpretation is extremely important.

In the course of time the ruling class has developed an almost mystical admiration for the common law, and it is often declared that the judges have been inspired by an innate conception of “natural

<sup>1</sup> The majority of cases are decided by judges of the High Court—divided into the Queen’s Bench Division, Chancery Division, and Probate, Divorce and Admiralty Division. From a decision of a judge of the High Court an appeal lies to the Court of Appeal, and from there to the House of Lords (in its judicial capacity the House of Lords consists of nine Lords of Appeal, though not more than five normally sit to decide any particular case). A judge is normally bound to follow the decision of a court equal to or superior to himself; thus the Court of Appeal is bound to follow its own earlier decisions and those of the House of Lords, but is not bound by decisions of the High Court; and so forth.

justice" or by some form of eternal and abstract principles of justice. It may well be that the judges themselves are convinced that this is the case and are largely unconscious of the assumptions that lie behind their decisions. But in practice they have generally defended the rights of private property in an even more uncompromising fashion than Parliament.

The existence of a large number of precedents on most points of law enables the judges to pick and choose with considerable freedom the precedents which they consider relevant to a case which comes before them. Thus if a change in the law is needed in the interests of employers, a way to make it can often be found; but if a change is proposed in the interests of the workers it can be refused. The well-known case of *Priestley v. Fowler* (1837) is an excellent example.

By 1837 it was already a well-established principle of the common law that an employer was liable for the damage or personal injuries caused by the negligence of any of his servants in the course of their employment. In this case *Priestley*, who was employed by *Fowler*, was injured by the breakdown of a van which had been overloaded by another of *Fowler's* employees. Accordingly he claimed compensation from *Fowler*. But the court held that no such action was maintainable "largely on the ground that to maintain it would impose a new and indefinite liability on masters."<sup>1</sup> The judges had thus invented the notorious doctrine of "common employment"—that a worker injured by the negligence of an employee of the same employer had no redress against the employer. The factory system was developing rapidly at the time and no doubt the judges foresaw the countless claims arising out of industrial accidents which employers might otherwise have had to face. In spite of the gross injustice of this doctrine to the working class, the case of *Priestley v. Fowler* became a precedent which was rigidly followed by the courts for the next 112 years until the monstrous doctrine was finally abolished by Parliament in 1948.<sup>2</sup>

On the other hand, a rule of law which may have been sacred to the judges of one generation can be lightly discarded by the judges of a later period if it conflicts with the interests of big business. One of the basic principles of the common law which was evolved between the seventeenth and the nineteenth centuries was the rule that a contract "in restraint of trade", whether made by employers or workers, was illegal. But when competitive capitalism began to change into

<sup>1</sup> *Clerk and Lindsell on Torts*, 8th ed., p. 124.

<sup>2</sup> The severity of the doctrine had been mitigated in 1880.



monopoly capitalism towards the end of the last century, the attitude of the courts underwent a fundamental change. Thus in 1892, in *Mogul Steamship Co. v. McGregor*, the House of Lords decided that a ring of shipowners engaged in the China trade who combined to underbid all rivals and to share out the trade among themselves, and who even threatened with dismissal shipping agents who obtained freights for non-members of the ring, was acting in a perfectly lawful manner. And ever since, the courts have refused to interfere with agreements between members of cartels, rings and monopolies designed to prevent competition, raise prices and restrict output.

The very next year, in the case of *Temperton v. Russell*, the Court of Appeal gave judgment in favour of a Hull builder who sued a joint committee of three trade unions for persuading various tradesmen, under threat of a strike, not to supply him with goods. The court held that the trade unionists were liable to pay damages because they had engaged in an unlawful "conspiracy" to prevent traders entering into contracts with the builder.<sup>1</sup> Yet they had done nothing that the ring of shipowners had not done in the *Mogul* case.

An account of *Temperton v. Russell* has been given because it contrasts in so striking a fashion with the *Mogul* case; but it is, of course, only one illustration, and by no means the most outrageous, of the way in which the judges developed the common law throughout the nineteenth century so as to undermine, weaken and obstruct the trade union movement. Only a few of the most notorious examples of judicial hostility to the trade unions can be mentioned here.

After the repeal of the Combination Acts in 1825 trade unions ceased to be illegal organisations. But the courts lost very little time in declaring that any organised attempt to obstruct an employer in his business, for example by striking, was an offence. For this purpose the judges invented a crime, called a common law conspiracy, which had never existed before.<sup>2</sup> Ultimately the great agitation conducted by the trade union movement forced the government to legislate. The Trade Union Acts, 1871-6, abolished the crime of common law conspiracy and removed certain other legal disabilities of trade unions, and for the first time in their history the trade unions were made legally secure.

<sup>1</sup> The danger that trade unions may be sued in connection with breaches of contract caused by a strike was greatly diminished by the Trades Disputes Act, 1906; but the danger still exists in certain circumstances.

<sup>2</sup> "For such a doctrine it is difficult to find historical warrant." Jenks, *A Short History of English Law*, p. 328.

The great revival of militant trade unionism towards the end of the century, however, alarmed the employers and this was reflected in a renewed judicial offensive against the unions. First came the doctrine established in the case of *Temperton v. Russell* already described. This was followed by the famous *Taff Vale* case, in which the Amalgamated Society of Railway Servants was held liable for the whole of the loss, amounting to £23,000, which the railway company had suffered in a strike. This judgment made strikes "for all practical purposes illegal",<sup>1</sup> and destroyed at one blow the legal security which Parliament had intended to give to the trade unions in the legislation of 1871-6. The unions led a precarious legal existence until a powerful campaign compelled the passing of the Trade Disputes Act, 1906.

Even then the judges had not finished. In the *Osborne* case (1910) the House of Lords decided that trade unions had no power to spend any of their funds for political purposes, even though the majority of their members wished them to do so, and in spite of the fact that they had been accustomed to use their funds in this way for decades and that Parliament in 1871-6 had clearly intended that they should be permitted to do so.<sup>2</sup> The *Osborne* case can only be explained as the judicial expression of the alarm of the ruling class at the rapid growth of the Labour Party, which had its first great electoral success in 1906. Not until the Trade Disputes Act of 1913 was the legal right of the unions to spend money for political purposes restored.

The *Taff Vale* and *Osborne* judgments demonstrate the far-reaching character of the law-making powers of the High Court judges. They are not confined to developing the ancient common law; the major part of their work is now the interpretation of statutes, and in extreme cases, as we have seen, they have been capable of interpreting a statute—such as the Trade Union Acts 1871-6—to mean the exact opposite of what Parliament intended.

This power of the judges is vividly illustrated in their interpretation of statutes concerning elected local authorities. In the middle of the nineteenth century the growth of the organised labour movement led to increasing expenditure by town councils on social services and an expansion of municipal trading which brought them into conflict with private gas and water companies. At this point the courts

<sup>1</sup> Lord Askwith: quoted in A. Hutt's *British Trade Unionism* (1952), p. 47.

<sup>2</sup> For a brilliant analysis of the judgment of the Law Lords in this extraordinary case see the Webb's *History of Trade Unionism* (1950 ed.), pp. 608-51.

developed the rigid "doctrine of *ultra vires*"—that it was illegal for a local authority to spend money on any purpose which had not been specifically authorised by Parliament. An ordinary citizen, on the other hand, may do anything unless it has been expressly forbidden by law. No such doctrine had ever been previously applied to municipal corporations or sanctioned by any Act of Parliament.

The case of *Roberts v. Hopwood* in 1925 reflected in a very clear way the distrust which was felt at that time for popularly elected local authorities on which the Labour Party was just beginning to win majorities. Although a statute gave the Poplar Borough Council power to pay "such wages as they think fit", the House of Lords decided that the Council had been grossly extravagant in fixing a uniform minimum wage of £4 a week for all its male and female employees. Lord Atkinson said that the Council had allowed themselves to be guided "by some eccentric principles of socialist philanthropy".<sup>1</sup> A fuller account of this case and its background is given in Chapter XVI.

It would be wrong to imply that the judges invariably make such extreme decisions as those quoted above. Thus after the passing of the first Workmen's Compensation Act in 1897, the judges of the Court of Appeal showed plainly by a series of decisions that they did not like the Act; but all the worst of their decisions were ultimately reversed by the House of Lords.<sup>2</sup>

Thus the growth of a strong working-class movement has indirectly affected the outlook of the judges just as it has influenced the character of parliamentary legislation. Moreover, the judges are particularly concerned, in accordance with the traditions of their profession, to maintain the greatest possible consistency in the law, and to give logical and convincing reasons for their judgments. Naturally, the degree to which judges are influenced by these factors varies according to the character and background of the individual judge, but in general it may be said that the higher the court, the greater the respect for legal consistency. It follows that in a case where the interests of the working-class conflict with the rights of property—as they do, for example, where a worker is injured in a factory—there may be a reasonable prospect that an unfavourable decision by a reactionary judge in a lower court may be reversed on appeal to a higher court.

<sup>1</sup> (1925), A.C. 594.

<sup>2</sup> Laski, *Studies in Law and Politics* (1932), p. 226.

### 3. THE JUDICIAL APPARATUS

So far we have been concerned with the nature of English law, and it is needless to enlarge on the conclusions already arrived at: whatever modifications may have been made through the impact of class struggles, the primary function of English law is the preservation of capitalist property relations. But in the words of Lenin, "without an apparatus capable of *compelling* the observance of legal rules, the law is nothing". That apparatus includes the law courts, the police and the prisons. Space does not permit a full examination of our complicated system of law courts; but the key positions in this system are unquestionably those at the summit and the base, the High Court judges and the Police Court magistrates.

The close identity of outlook between the High Court judges and the capitalist class is clearly reflected in the common law which they have developed in a long series of judicial decisions, of which examples have already been given. Not only do these judges decide all important cases involving property, they also preside with a jury over the Assize Courts where the gravest criminal charges are tried, and they hear applications for writs of Habeas Corpus and appeals from the refusals of lower courts to grant bail. They occupy the foremost position in the legal hierarchy and it is not surprising to find that they are drawn mainly from ruling-class circles.

Eighty-five per cent of the 58 judges in the House of Lords, Court of Appeal and High Court, for whom information about their education was given in the 1953 edition of *Who's Who*, went to "public" boarding schools or private day schools; only 15 per cent were educated at grammar schools controlled by local authorities. Eighty per cent of these judges went also to the privileged ancient universities of Oxford and Cambridge, and the whole 58 between them belonged to a total of 67 of the socially exclusive West End clubs in London.<sup>1</sup>

A shrewd Irish barrister who practised in England has written that the English Bench—

"is exclusively composed of men who have grown up in the artificial atmosphere of the ruling class, the public school, the university, the well-provided apprenticeship to the Inns of Court, lucrative practice and the accumulation of wealth. None have ever suffered

<sup>1</sup> No fewer than 19 judges belonged to the Athenaeum, the club which is the most favoured resort of the key personnel of the State, see p. 103.

that excellent corrective of theoretical opinion, hunger for the price of a meal."<sup>1</sup>

Appointment to high judicial office used to be made openly on political grounds. Out of 139 judges appointed between 1832 and 1906 no fewer than 80 were M.P.s at the time of their appointment and 11 had been Parliamentary candidates. Eight of these judges later returned to politics as Lord Chancellor who, as a member of the cabinet and responsible for advising the king on the appointment of new judges, recorders and magistrates, is in effect the political head of the entire judiciary.<sup>2</sup> As recently as 1951 Lord Simonds, a judge of the Court of Appeal, joined the Conservative Cabinet after a long period of office as an apparently non-political judge.

In recent years, however, there has been a tendency to appoint judges who have played no public part in politics. Thus out of the 58 judges referred to above, only nine had previously been active Conservative or Liberal politicians. The *appearance* of neutrality has become more important as the working class has approached political maturity. But the fundamental class sympathy of the judges, indicated by their judicial decisions and their educational background, remains the same as it ever was. The present-day judges have indeed fully maintained the tradition of fighting a rearguard action against social and penal reform. This was illustrated in the clearest possible fashion by the campaign, conducted in 1952 by the Lord Chief Justice with the declared support of the majority of the judges in the Queen's Bench Division of the High Court, in favour of the reintroduction of corporal punishment for all forms of felonious violence, which would have restored the position to what it was over a hundred years earlier; a proposition which was too reactionary even for the Conservative government, who rejected it.

An examination of the outlook of the judges would not be complete, however, without a study of the extent to which they are independent of the executive government. This independence has been an established principle of the British Constitution ever since 1701. The Stuart kings did not scruple to bring pressure on the bench by means of threats and favours, and to dismiss judges who would not give the decisions they wanted. After the Revolution Settlement of 1689 William III adopted the practice, which had first been introduced by the Long Parliament

<sup>1</sup> *The Last Sergeant. Memoirs of Sergeant A. M. Sullivan, Q.C.* (1952).

<sup>2</sup> Laski, *Studies in Law and Politics* (1932), p. 168.

in 1645, of appointing judges "during good behaviour" instead of "during the King's good pleasure", as had previously been done. Finally the Act of Settlement, 1701, laid down that judges should always be appointed "during good behaviour" and could not be removed except by a resolution of both Houses of Parliament. In practice no judge has ever been dismissed since then.

This is a tradition of the utmost importance. The judges have come to regard themselves as standing between the subject and any attempted encroachments on his liberty by the executive. Sir Lawrence Dunne was acting in this tradition when in 1949 he set free the Communist Gerhard Eisler, who had been forcibly removed from a Polish ship in Cowes Roads at the instance of the American government; he decided that there was no lawful ground on which he could be extradited to the United States and did not allow his judgment to be influenced by political bias. The Divisional Court (which is composed of three High Court judges) has in recent years in the course of Habeas Corpus proceedings released a number of persons who had been wrongfully detained under the Mental Deficiency Acts.<sup>1</sup> In 1936 the Judicial Committee of the Privy Council (which hears appeals from colonial courts) reversed the decision of a Trinidad court which had convicted the editor of a local newspaper of contempt of court for writing an article criticising two recent decisions of the Trinidad judges, and made a liberal statement of the law concerning the rights of citizens to criticise the decisions of the courts.<sup>2</sup> On the other hand, the judges showed in the nineteen-thirties that they were much influenced by the trend of opinion in ruling circles in those years in favour of curtailing the traditional liberties of the subject. Thus in 1933 the powers of search of the police were greatly extended by the case of *Elias v. Pasmore*,<sup>3</sup> and in 1935 there were two notable decisions: *Duncan v. Jones*,<sup>4</sup> giving powers to the police such as they had never before possessed to ban any political meeting in a street or public place of which they disapprove; and *Thomas v. Sawkins*,<sup>5</sup> giving to the police a wholly new power to enter private premises if they apprehend a breach of the peace. Thus the significance of the independence of the judiciary can only be properly estimated by taking into account the natural tendency for the judges to share the opinions and emotions of the ruling class. It is the government, after all, which

<sup>1</sup> A typical example was *R. v. Board of Control and Others, ex parte Ratty* (1956),

1 All E.R. 769.

<sup>2</sup> (1936), A.C. 322.

<sup>4</sup> (1936), 1 K.B. 218.

<sup>3</sup> (1934), 2 K.B. 164.

<sup>5</sup> (1935), 2 K.B. 249.

appoints all the judges in the first place. However immune the judges may be from interference by the government of the day, they cannot be separated from the State apparatus of which they form an integral part.

Second only in importance to the High Court judges are the thousands of unpaid Justices of the Peace, or lay magistrates, who sit in the "courts of summary jurisdiction" which, owing to their close association with the police, have become known as Police Courts. This system of unpaid amateur magistrates has a continuous history right back to the days of feudalism in the fourteenth century, when Justices of the Peace were first appointed by the king, largely to assist in suppressing the rebellious peasantry.<sup>1</sup> Dealing nowadays with approximately 96 per cent of all criminal offences, and with a great variety of other matters, such as the licensing of public houses, recovery by local authorities of rates, and all kinds of matrimonial proceedings short of divorce, these are the courts which concern the working people most closely.

The method of selecting magistrates is one of the most curious features of the British Constitution. Magistrates are formally appointed by the Lord Chancellor. In the case of borough magistrates, he relies on advice given to him by "borough advisory committees", set up in each borough and usually composed of some of the existing magistrates; in respect of county magistrates he is advised by the Lord Lieutenant of the county, who in turn takes the advice of a "county advisory committee". The entire proceedings of these advisory committees, even the names of their members, are shrouded in absolute secrecy. A more undemocratic mode of selection could scarcely have been devised.

Something is known, however, about the political composition of these advisory committees. The Report of the Royal Commission on Justices of the Peace, 1946-8, revealed that the composition of English and Welsh county advisory committees was Conservative 35.5 per cent, Liberal 23.5 per cent, independent 11 per cent and Labour 30 per cent. The occupations of the male Justices on the active list were also given by the Royal Commission; just over half were employers or people not gainfully employed, 21.3 per cent were professional people, 13.7 per cent were salaried people and a mere 13 per cent

<sup>1</sup> J.Ps. were first appointed in 1361, shortly after the Black Death, which had resulted in a severe labour shortage. One of the first duties of the J.Ps. was to fix wages and to punish demands for more.

were wage-earners.<sup>1</sup> It is true that fifty years ago the bench was preponderantly composed of Tory gentlemen and Liberal employers, and that the long campaign by the Labour Party for a fair representation on advisory committees and for more Labour magistrates has achieved a measure of success; but it is evident from these figures that the Labour Party still has a long way to go. Even more important, the kind of Labour magistrate appointed is almost invariably of the "suitable" variety, getting on in years and often an alderman or retired councillor; the selection of a trade unionist with a militant record, who is still working in a factory, is a very rare event.

In view of the type of magistrate appointed, it is not surprising to find a close relationship between the magistrates and the police. The average bench feels it to be its duty to support the police and, where evidence is conflicting, is more likely to believe the police than the defendant. An experienced solicitor who had practised widely in police courts has declared: "Where any question of politics or social prejudice enters into a case the magistrates become wholly unreliable."<sup>2</sup> He instances the treatment of the suffragettes, and goes on to say that "a similar attitude of violent prejudice existed during and after the General Strike."<sup>3</sup> The tendency of magistrates to believe the police is very much in evidence when strike pickets have been arrested. Thus it was reported in 1952 that five pickets in the strike at Briggs Bodies had been charged with obstructing the police by lying in the road to stop blackleg vehicles and alleged that the police had pushed them over. Sir Herbert Dunnico, chairman of the Stratford East Bench, said:

"If the right of pickets has to be preserved, it is equally important that they should not be overstepped. We cannot accept the suggestion that the police knocked these men down and then arrested them. That is beyond the conception of police activities in this country."<sup>4</sup>

This is typical of the attitude of magistrates up and down the country; during a strike, demonstration or any other kind of mass action which inspires fear in the hearts of the ruling class, the police can do no wrong in the eyes of the great majority of magistrates. The whole system of appointing magistrates would have to be completely changed by a socialist government, so that they should be drawn from the labour movement and from progressive elements in the population.

<sup>1</sup> Cmd. 7,463, pp. 5-8.

<sup>2</sup> *English Justice*, by Solicitor (1932), p. 73.

<sup>3</sup> *Ibid.*, p. 74.

<sup>4</sup> *Daily Worker*, August 7, 1952.



## 4. THE WRIT OF HABEAS CORPUS

In the course of history the British people have gained a number of safeguards which circumscribe in important ways the powers of the judiciary and of the police. Two of these safeguards, the writ of Habeas Corpus and the jury system, have become especially celebrated. Mr. Winston Churchill, writing to Mr. Herbert Morrison in 1943, praised—

“... the great principles of habeas corpus and trial by jury, which are the supreme protection invented by the British people for ordinary individuals against the State. The power of the Executive to cast a man into prison without formulating any charge known to the law, and particularly to deny him judgment by his peers for an indefinite period, is in the highest degree odious, and is the foundation of all totalitarian governments, whether Nazi or Communist. It is only when extreme danger to the State can be pleaded that this power may temporarily be assumed by the Executive. . . . Nothing can be more abhorrent to democracy than to imprison a person or keep him in prison because he is unpopular. This is really the test of civilisation.”<sup>1</sup>

What is the truth in all this? The writ of Habeas Corpus unquestionably amounts to a most effective safeguard against arbitrary imprisonment without trial; and many countries in the so-called “free world”, notably France and Belgium, do not have such an effective procedure.

Habeas Corpus was the outcome of the revolutionary struggles in the seventeenth century. In the years preceding the civil war the common lawyers, who were closely allied to the Parliamentary leaders, had waged a consistent struggle against the powers of arbitrary imprisonment without trial which were used by the despotic Stuart kings; and they developed the writ of Habeas Corpus to serve their purpose. After the Restoration in 1660 the fear that the king might again resort to arbitrary imprisonment led ultimately to the passing of the famous Habeas Corpus Act of 1679, which strengthened the writ and made it into an efficient safeguard against imprisonment without trial. Thus the writ is a legacy from the days when civil

<sup>1</sup> *The Second World War* (1952), Vol. V, Appendix, Memo. to Home Secretary dated November 21, 1943.

liberties were enlarged through the progressive struggle of the youthful capitalist class against the feudal State and against feudal counter-revolution.

Application for the writ is made to a High Court judge. There is no appeal from his decision in a "criminal cause or matter", but if one judge refuses the writ, application can be made successively to all the other judges. The result is that the writ of Habeas Corpus, reinforced by the laws preventing long delay between arrest and trial and prohibiting the fixing of excessive bail, amounts essentially to the right to a speedy public trial before imprisonment. The writ gives no protection against unjust laws and unfair trials. Its sphere of operation is purely procedural; but to say this is not to detract from its significance, for the protection of civil liberty is very much a matter of procedure.

Habeas Corpus is such a valuable safeguard, indeed, that it has not been immune from interference. It was suspended at the time of the Jacobite risings in 1715 and 1745, and again in 1777 during the American War of Independence. Alarmed by the growth of the radical and working-class movement at the end of the eighteenth century, Parliament suspended it from 1794-6 and again in 1817. It was suspended during both world wars. The suspension of Habeas Corpus was a weapon which was used repeatedly by Liberal and Conservative governments alike against the Irish people in the nineteenth century—when Ireland was an integral part of Britain, governed by Parliament from Westminster. Powers of imprisonment without charge or trial are still retained by the government of Northern Ireland under powers granted to it by the British Parliament. In theory the writ extends throughout the British Empire; but as soon as the liberation movement in some colonies—Malaya in 1947, Kenya in 1952, British Guiana in 1953 or Cyprus in 1955—reached a certain level, the right to Habeas Corpus was instantly suspended by emergency regulations promulgated by the Governor. Although it has not been suspended in England, Wales and Scotland in time of peace since 1817, the record of British governments shows that, faced with what they would consider to be an "emergency", it would again be in danger of suspension at home.<sup>1</sup> Only in a socialist Britain at peace with the world will the day come when it can be made secure for all time.

<sup>1</sup> And Churchill himself, in the passage quoted above, admits that Habeas Corpus should be suspended "when extreme danger to the State can be pleaded".

## 5. THE JURY SYSTEM

During the greater part of their history juries have not been distinguished for their independence and they have dutifully convicted those whom the government of the day wished them to convict. But there have been times when progressive causes have won the sympathy of the class from whom jurors have been drawn, and then the jury has acted as a safeguard against oppression. Thus in 1649 a London jury acquitted Lilburne because the Levellers had gained wide support among the middle classes of London. In 1794 a London jury defied the Tory government by acquitting Hardy, Tooke and Thelwall, Radical leaders of the London Corresponding Society. Perhaps the most famous case of all is Bushel's case in 1671, when the jury defied the direction of the Recorder of London that they were bound to convict the Quakers, William Penn and William Meade, who had preached before 300 people in Gracechurch Street, of creating an unlawful and tumultuous assembly. They found the Quakers not guilty and were thereupon fined 40 marks each by the Recorder for refusing to obey his direction on a point of law. They refused to pay and were committed to prison. Led by their foreman, Edward Bushel, they applied for Habeas Corpus and were set free by the court on the ground that the fine was illegal, because the juries were judges of matters of fact, and a matter of law could only arise after matters of fact had been settled. This decision ended the practice of fining jurors, and only then was the right of the jury to acquit the accused, regardless of what the judge might say about the law or the evidence, finally established.

Juries have sometimes defied the prosecution at political trials in modern times too. When the trial of Tom Mann and Harry Pollitt took place at Swansea in 1932, in the midst of intense agitation and protest, on a charge of sedition arising out of a hunger march of the unemployed, they were acquitted by the jury. And when the Labour government prosecuted seven dockers in 1951 for calling an unofficial strike in London and Merseyside, in contravention of the compulsory arbitration Order of 1940 which had been retained in force after the war, the jury failed to agree and the prosecution had to be dropped.

On the other hand, juries were not generally sympathetic to Chartists and trade unionists in the nineteenth century. There is all the difference in the world between Bushel's case and the Tolpuddle case a century and a half later. In the former a middle-class jury was trying middle-class Quakers; in the latter a jury of landowners and

farmers was trying agricultural labourers. A jury composed of local agricultural labourers would have acquitted the Tolpuddle Martyrs. Juries did not protect the Chartist leaders because charges of sedition and unlawful assembly were usually tried by special juries drawn from the propertied classes who had no sympathy with Chartism. In the eighteenth and early nineteenth centuries, if contemporary allegations are correct, the natural bias of the jury due to the property qualification was not always considered sufficient to ensure conviction, and jurors were specially picked for their reliable opinions, the Crown retaining special panels of jurors for the trial of charges of sedition.<sup>1</sup> Even today jurors are picked in secret by the sheriff or his officer, and there is no legal safeguard to ensure that they are genuinely chosen at random.

The most undemocratic feature of the jury system has always been the property qualification—or more correctly, the rating qualification. A juror must be a registered elector between the ages of 21 and 60 and must also be the rated occupier of premises assessed at not less than £30 in London and £20 in other parts of England and Wales. In the past this excluded the greater part of the working class, but the sharp rise in rateable values which took place in April, 1956, has now brought many working-class houses above the minimum qualifying figure. But the great majority of women are still excluded from jury service, for only one person can be qualified as the rated occupier of each house or flat, and this is normally the husband. A survey by the Central Office of Information in 1951 showed that 80 per cent of all jurors were men; and in practice the average jury consists of ten men and two women. As a judge of the High Court, Sir Patrick Devlin, has said: "The jury is not really representative of the nation as a whole. It is predominantly male, middle-aged, middle-minded and middle-class."<sup>2</sup>

The judge plays a vital part in the English system of trial by jury. He controls the jury in a variety of ways, and above all he can exercise great influence when he sums up the evidence immediately before the jury retires to consider its verdict. To quote Sir Patrick Devlin again: "The reality of trial by jury consists of a combination of judge and jury"; and he sums up the process in these words:

"It can be said that the object of the process is to produce a directed verdict if 'direction' is given its double meaning of guidance

<sup>1</sup> Glanville Williams, *The Proof of Guilt* (1956), p. 196.

<sup>2</sup> *Trial by Jury* (1956), p. 20.

as well as of commandment. The jury is not entitled to search for a verdict outside the circumference delineated by the judge; and within the circumference its search is directed by the judge in that he marks out the paths that can be taken through the facts, leaving to the jury the final choice of route and destination.”<sup>1</sup>

It follows that the outcome of a trial affecting civil liberty may well depend almost as much on the sympathies of the judge as on those of the jurors; and we have already said enough about the outlook of the average English judge.

The alternative to the jury system is a combination of professional judges and lay assessors, a system which is widely used by many European countries, both socialist and capitalist. This may well have some advantages over the English jury system for ordinary criminal cases; but since the judges and the assessors retire to consider their verdict together, the influence of the professional judge is likely to be even greater than it is under the jury system; and whether assessors are popularly elected or appointed by the government they are never likely to be so independent of the government as a jury selected at random from those citizens who are qualified to be jurors. From the point of view of the liberty of the subject, therefore, the English system of trial by jury is a better safeguard against harsh and oppressive prosecutions than any alternative system which has yet been devised. If the rating qualification were to be abolished, so that the right to serve on a jury was equated with the right to vote, trial by jury would become an even more valuable safeguard than it now is. Undoubtedly this would be one of the first reforms which a socialist government would need to undertake.

## 6. THE LAW AND CIVIL LIBERTY

Habeas Corpus and trial by jury are vital safeguards of personal liberty, but they operate essentially within the sphere of procedure. What, then, is the substance of the law in relation to freedom of speech, freedom of the press, the right of assembly and other civil liberties? The fundamental rule of English law is that a person may do anything which is not prohibited by law. He is therefore free to speak his mind so long as he does not say anything which is seditious, or is likely to cause disaffection in the armed forces, or is likely to lead to a breach of the peace, or offends against the law of slander.

<sup>1</sup> *Ibid.*, p. 120.

Consider the ancient offence of sedition. It is comprised under several different headings, including the endeavour:

- “to create discontent or disaffection”,
- “to bring the Government and Constitution into hatred and contempt”,
- “to promote feelings of ill-will and hostility between different classes of Her Majesty’s subjects”.

Sedition has never been defined by statute, but is a vague and elastic common law offence which was elaborated by the judges in the past. Any criticism of the government from a mildly socialist point of view would appear to fall inevitably under the definition of sedition. But such criticism is not automatically seditious. The standard textbook for magistrates’ courts, Stone’s *Justice’s Manual*, explains that “what may be perfectly innocent and unobjectionable at one time may, from the state of the country or the public mind, be extremely dangerous at another period”.<sup>1</sup> In plain language, so long as criticism is abstract and academic, so long as it has no serious tendency to move masses of people into action against the “Government and the Constitution”, it is free. Otherwise it becomes seditious and illegal. The value of the law of sedition to a reactionary government was well illustrated when the Conservative government of 1925, preparing for the general strike which was expected in the following year, decided that twelve of the most prominent leaders of the Communist Party should be removed from political activity for the time being. Although the party had been conducting political propaganda ever since 1920 with little interference from the government, the twelve leaders were suddenly arrested in October 1925 and tried before an Old Bailey jury on the charge of “conspiring since 1st January 1924 to utter and publish seditious libels . . .”. They were found guilty and sentenced to terms of imprisonment ranging from six to twelve months, which effectively removed some of them from the scene of action during the fateful days of May 1926.

Another remarkable and ancient law is the Justices of the Peace Act, 1361, dating from the days of Edward III, which can be used to imprison a person who has committed no crime at all. Under this Act a person may be required by a magistrate to give security to be of good behaviour on the ground that it is suspected that he *may* be going to

<sup>1</sup> 84th Edition, p. 2,253.

cause a breach of the peace. If he refuses he can be sent to prison. George Lansbury was imprisoned for three months under this Act in 1913 at the height of the militant suffragette movement, having refused to give security of £1,000 and to find two sureties for his good behaviour, each to be bound in the sum of £500.<sup>1</sup> In 1932 Tom Mann was imprisoned under the Act two days before an unemployed demonstration was due to take place; and in 1952 it was used to send Mrs. Pat Seares to prison for protesting in a London cinema against the film *Rommel—Desert Fox* and against the rearmament of Germany.

Although we have not examined by any means all the laws which can be used against freedom of speech, it can be seen that if the law of sedition and of incitement to disaffection in the armed forces and similar laws were enforced to the full, normal forms of political controversy would be severely restricted. But since the days of the Chartist movement prosecutions for sedition have been rare. It is a weapon that governments have preferred to hold in reserve. The amount of civil liberty enjoyed at any time depends, not only on the kind of laws in operation, but also on the extent to which they are enforced.

#### 7. THE ATTACK ON CIVIL LIBERTIES

The comparative economic and political stability which prevailed in the second half of the nineteenth century gave rise to conditions in which democratic rights were on the whole steadily enlarged and extended. But the critical position of British capitalism during and after the First World War led to a significant change in the attitude of ruling circles to the traditional liberties of the people. Since that time these liberties have been directly attacked and indirectly undermined in a great variety of ways; new offences have been created, old laws have been strengthened, the powers of the ordinary police have been increased and the influence of the secret police has extended.

Immediately after the outbreak of the First World War Parliament passed the Defence of the Realm Act, 1914 (popularly known as D.O.R.A.), giving the government power to make regulations "for securing the public safety and the defence of the realm", which meant in practice that regulations could be made forbidding almost any activity the government considered harmful. The Act was used against the Clyde Workers Committee whose militant leadership of the Scottish munitions workers was causing the government great anxiety in 1916. The most prominent leader on the Clyde, John Maclean, was

<sup>1</sup> *Lansbury v. Riley* (1913), 77 J.P. 440.

sentenced to three years' penal servitude for making statements "likely to prejudice recruiting, training and discipline", and for attempting "to cause mutiny, sedition and disaffection among the civilian population". William Gallacher and two other leaders were imprisoned for an article in *The Worker* headed: "Should the workers arm?" which was "calculated to cause sedition and impede the production and transport of munitions". In March 1916 a number of the most prominent leaders were arrested without charge or warrant and simply deported out of the district and forbidden to return. Those who refused to give an undertaking not to take part in any further strikes during the war were not allowed back until May, 1917.

The Defence of the Realm Act was also used extensively against those who opposed conscription after its introduction in 1916. A large number of persons were fined for making statements "likely to cause disaffection" or "likely to prejudice recruiting". Thus Bertrand Russell was fined £100 for pacifist propaganda. The mere possession of "papers which might be prejudicial to recruiting" was illegal; the searching of homes by force became a regular feature of police procedure and anyone found in possession of publications of the No-Conscription Fellowship was in danger of fine or imprisonment. "Meetings could be prohibited by the police without right of appeal; where they were held, volunteer mobs would sometimes wreck them and attack the speakers. The police, as at a famous meeting in the Southgate Brotherhood Church and an attempted I.L.P. conference at Essex Hall, withheld their protection in the fairly clear belief that dissentients deserved all they got."<sup>1</sup>

When the First World War came to an end the Defence of the Realm Act had to be repealed, but the tremendous increase in the power and militancy of the labour movement, reflected in such great national strikes as the railway strike of 1919 and the miners' strike of 1920, the Hands Off Russia movement and the foundation of the British Communist Party in the same year, led the government to obtain fresh powers to curtail civil liberties. By far the most important of these measures was the Emergency Powers Act, 1920, passed during the miners' strike, which has already been examined (see page 54). Under this Act the government can take powers wide enough to suppress by regulation nearly all our civil liberties, with the exception of the right to strike and Habeas Corpus, which are expressly preserved by the Act. It was actually used during the miners' lock-out of

<sup>1</sup> Cole and Postgate, *The Common People* (1947), p. 538.



1921, and in the General Strike and throughout the following seven months of the miners' lock-out. Under the regulations in force in 1926 it was an offence punishable by imprisonment to "do any act calculated to cause disaffection amongst the civilian population". The police were also empowered to enter any place suspected of being used for printing, producing, publishing or distributing any document calculated or likely to cause disaffection among the police, troops, firemen or civilian population. Mr. Saklatvala, Communist M.P. for North Battersea, was sentenced to two months' imprisonment for a May Day speech in Hyde Park (showing that speakers are not always free to say what they like at "Speakers' Corner"); and a member of the Labour Party was sentenced to two months' imprisonment for saying that "the government is out to crush the workers".<sup>1</sup> Many strikers and others were arrested under the regulations and given short terms of imprisonment.

In addition to the Emergency Powers Act of 1920, the critical period after the First World War saw also the passing of the Police Act, 1919 (see p. 140) and the Official Secrets Act, 1920, both of which strengthened the powers of the executive in different ways; while at the close of the period came that vicious piece of anti-trade union legislation, the Trade Disputes Act, 1927.

The attack on civil liberties was renewed in a rather different form after the world slump of 1929-32 had further deepened the crisis of British capitalism and brought into power the profoundly reactionary National Government. Its Incitement to Disaffection Act, 1934—designed as a modern supplement to the Incitement to Mutiny Act, 1797—makes it an offence for any person to seduce any member of the armed forces from his duty or allegiance, and then goes on to provide in section 2 that if any person is in possession of a document the dissemination of which might amount to incitement to disaffection among the forces, he is guilty of an offence. Thus section 2 makes the mere possession of a document a criminal offence, quite apart from whether it is published or whether any wrong use is made of it at all. Although there have hitherto been few prosecutions under the Act, it remains "a most dangerous measure, for it includes provisions of so wide and general a character that under it almost any pacifist or anti-war activity can be proved to be an offence."<sup>2</sup>

<sup>1</sup> The sentence was not actually served, as it was set aside on appeal after the strike was over, but the conviction was affirmed (W. H. Thompson, *Civil Liberties* (1938), p. 15).

<sup>2</sup> Kidd, *British Liberty in Danger* (1940), p. 68.

Even more serious, in view of the use subsequently made of it, was the Public Order Act, 1936, ostensibly passed for the laudable purpose of stopping the wearing of political uniforms and other practices tending towards the militarisation of politics which were at that time being adopted by the fascist blackshirt movement led by Sir Oswald Mosley. In reality, however, the Act went far beyond this. The offence of "using insulting words and behaviour likely to cause a breach of the peace", which previously applied only in London, was extended to the whole country and the penalty increased from 40s. to £50 or three months' imprisonment or both; and police authorities were given powers, such as they had never possessed before, to prohibit for a period of three months all processions or a particular class of processions in their area. Both these provisions have been used on various occasions, especially in London, against working-class political activities. Thus the traditional May Day procession in London, organised by the London Trades Council, was banned by the Labour Home Secretary under the Public Order Act in 1950 and 1951, until the protest movement against these undemocratic bans grew so strong that they were not renewed in 1952.

In three remarkable cases decided between 1933 and 1935 (already referred to on page 171), the judges of the High Court greatly strengthened the legal powers of the police in certain directions. In particular, in the case of *Duncan v. Jones*, they ruled that the police had the right to ban in advance any meeting in a street or public place, if they had reason to *suspect* that a breach of the peace *might* result when the meeting took place. Should the meeting be held in defiance of the ban, the speakers can be prosecuted for "obstructing the police in the execution of their duty". So long as the police can be sure of the support of the magistrates—and they normally can—this decision gives the police the right to decide who shall and who shall not be entitled to hold a meeting in a street or public place.

Economic and political conditions since the end of the Second World War have been very different from those prevailing in the 'thirties; mass unemployment and appeasement of Germany have given way to full employment and the cold war against the Soviet Union. The changed conditions have given rise to a different kind of threat to civil liberty, which has been subjected to an indirect process of undermining rather than a direct attack; ostensibly aimed against Communists and their sympathisers it has in fact affected far wider circles within the labour movement. There has been a growing

tendency for private owners and local authorities to refuse the use of their halls to the Communist Party and other left-wing organisations.<sup>1</sup> The ancient right of freedom of travel into and out of the realm, the boast of British statesmen for centuries, has been the subject of widespread interference. In 1950 large numbers of foreign delegates were prevented from entering the country to attend the Sheffield Peace Congress, and since then many distinguished persons from abroad, including scientists, lawyers and artists, have on various occasions been denied the right of entry at British ports. This is a good example of the relation between English law and civil liberty. The law confers no right of travel; on the contrary, the Home Secretary is given despotic power<sup>2</sup> to exclude foreigners from the country, and the Foreign Office has the right to withdraw the passport of a British subject at any time.

Most dangerous of all is the attack on freedom of thought through victimisation and the threat of victimisation. The right of every employer to sack an employee without giving any reason is one of the basic rights of employers which is secured to them by English law. Victimisation on account of trade union or political activities has, of course, long been the practice of British employers, and many militant trade unionists have suffered under the practice of blacklisting adopted in some industries. It is this which constitutes one of the fundamental limitations on freedom of thought and speech inherent in a capitalist system, however much those rights may be *formally* recognised. It is all the more dangerous because its operation is silent and insidious; the fear of dismissal and, in the case of teachers, scientists and others, the apprehension that prospects of promotion may be prejudiced, is often as effective as actual dismissal.

The launching of the civil service "purge" in 1948 by the Labour government, in imitation of the system of loyalty purging which has been carried to such lengths in the United States, was therefore an attack on civil liberties with far-reaching potentialities. The civil service "security test", as extended by the Conservative government in 1957, involves an enquiry into the private beliefs and friendships of every civil servant engaged on work deemed to be vital to the security of the State, in order to discover, not only if he is or has recently been a member of the Communist Party, but also if "he is or has recently

<sup>1</sup> In 1951-2 there was discriminatory refusal of halls by the Hornsey, St. Marylebone and Liverpool Corporations, and by the owners of the Liverpool Stadium. See the Annual Reports for 1951 and 1952 of the National Council of Civil Liberties.

<sup>2</sup> Aliens Order, 1953.

been sympathetic to Communism, associated with Communists or Communist sympathisers, or is susceptible to Communist pressure". This has led inevitably to a great increase in the influence of the secret police, for it is their opinion on the political outlook of an individual that is decisive. Political discrimination has spread from the civil service to private firms working on secret armament contracts for the government, and to the field of teaching, where Communists were in 1951 banned from appointments to the headships of schools under the control of the Middlesex County Council, in spite of strong opposition from the National Union of Teachers. The extension of political witch-hunting and victimisation to further spheres can only be prevented by the labour movement, expressing the hatred and disgust felt by the British people for this American-inspired technique.

This brief account of civil liberty since the beginning of the First World War shows that English law contains no absolute guarantee of freedom of speech. It is only too clear that the British ruling class will not hesitate to use the power, which the law gives them, to restrict civil liberty whenever they feel that their political power is seriously threatened in one way or another; and the more alarmed they become the fiercer will be their attack. The force of tradition and of public opinion are important factors which help to deter the government to some extent; in the last resort, since public opinion must be organised to be effective, civil liberty can only be defended by the vigilance, determination and strength of the labour movement. But to defend each particular liberty as it comes under attack is not enough. The only way to ensure the permanent preservation of our democratic rights is to take political power out of the hands of the monopoly capitalists and to create a socialist Britain.

## CHAPTER XII

### THE CIVIL SERVICE

WE have seen how the epoch of imperialism has witnessed, in Lenin's words, "an unprecedented strengthening of the State machine and an unprecedented growth of its bureaucratic and military apparatus".<sup>1</sup> The change from competitive to monopoly capitalism, and the developing crisis of the latter in the present century, has been accompanied by the growth of an enormous administrative apparatus. The great size and range of functions of this apparatus, as well as the decline in parliamentary control over its operations (described in Chapter IV) has correspondingly enhanced the power of the civil service chiefs who, in conjunction with the Cabinet, control the Treasury, Foreign Office, Home Office and all other government departments which together make up this great administrative machine.

The authors of textbooks on the British Constitution, whether their outlook inclines towards Conservative or Labour, unite in singing the praises of the permanent civil service. If some features of the Constitution are occasionally criticised by these writers, the British civil service is almost sacrosanct. It is frequently described as the "best civil service in the world".<sup>2</sup> The creation of the civil service was even declared by Graham Wallas to be "the one great political invention in nineteenth century England".<sup>3</sup> The outstanding merit of the British civil service is said to derive from three main qualities: its high efficiency; its freedom from bribery and corruption; and above all, its political impartiality. The third of these claims is by far the most important of the three. It implies that the civil service is a neutral machine, standing above classes, which would work just as enthusiastically and loyally with a future government pledged to introduce socialism as it has done hitherto with governments determined to maintain capitalism.

This conception of the impartiality of the British civil service is, of course, only one aspect of the general theory of the neutrality of the

<sup>1</sup> Lenin, *The State and Revolution*.

<sup>2</sup> See, for example, *Reform of the Civil Service*, Fabian Society, (1943), p. 1.

<sup>3</sup> *Human Nature in Politics* (1908), Constable Edition of 1929, p. 249.

entire State apparatus, which is challenged throughout this book as a false theory. The methods of educating, training and influencing those who rise to the leading positions in the civil service, and of moulding their outlook so that they accept without question the fundamental assumptions of capitalism, have already been studied in Chapter VII on the key personnel of the State apparatus. Further evidence on this subject of a very revealing character can be obtained by examining the circumstances which led, nearly one hundred years ago, to the creation of the British civil service in its modern form.

### I. THE ORIGIN OF THE ADMINISTRATIVE CLASS

In the first half of the nineteenth century the administrative departments were staffed entirely by the system of patronage. Vacancies in the civil service were filled by friends and relatives of Ministers and of those members of Parliament whose votes had to be influenced or rewarded in order to strengthen the majority of the government of the day.<sup>1</sup> When a change of government took place, some of those holding key positions in the civil service were liable to lose their jobs and be replaced by supporters of the new government; and the prospects of promotion of other civil servants depended largely on the parliamentary fortunes of the political party with which they were associated. In this way the civil service was closely linked with and dependent on the House of Commons. Another consequence of the system of patronage was that positions in the civil service were largely monopolised by the landed aristocracy which dominated Parliament and the Cabinet in those days, to the virtual exclusion of representatives of the industrial capitalists. The system has been well described as "the outdoor relief department of the aristocracy".

By the middle of the century the rapid development of industrial capitalism, bringing with it a host of complex social and economic problems and, above all, the growth of the modern proletariat, required a far more efficient administrative machine than such a system could provide. The rising industrial capitalists, moreover, wanted a share in the control of the administrative apparatus. Accordingly a strong demand arose for the reform of the civil service, which was crystallised in the famous Northcote-Trevelyan report of 1853.

It was no accident that Sir Charles Trevelyan, one of the authors of

<sup>1</sup> It must be remembered that nothing approaching the discipline of the modern party system existed in those days; M.P.s. were much more independent and more liable to change their political allegiance.

the report, had earlier been engaged for many years in administrative work in India, where the reforms recommended by the report were already being put into operation. The need to eliminate the gross corruption and nepotism which prevailed in the East India Company's administration and to provide satisfactory conditions for the profitable investment of British capital finally resulted, after a long campaign by liberal reformers dating from the days of Warren Hastings, in the introduction in 1853 of open competitive examinations as the sole method of recruiting the British section of the Indian civil service. At that time the British held a monopoly of all senior posts in the administration, while Indian clerks were confined to subordinate routine work. The Northcote-Trevelyan report recommended that the British civil service should be reorganised on the same lines as the Indian. This is a striking example of the way in which the British ruling class has used experience gained in colonial exploitation to strengthen their State machinery in the mother country.

A few years before the publication of the Northcote-Trevelyan report a powerful impetus towards reform had been supplied by events in Europe in the revolutionary year of 1848, when the emergence of the working class as an independent political force severely shook the complacency of ruling circles in Britain. As Trevelyan himself said: "The revolution of 1848 gave us a shake."<sup>1</sup> The resistance of the landed aristocracy prevented the immediate adoption of the reforms demanded by the report. The passage of the Second Reform Bill in 1867, however, reflecting the growing maturity of the British working-class movement, made a far more powerful impact than the European revolution of 1848. In ruling-class circles the demand arose for what Robert Lowe, the Whig politician who had fought in vain against the Reform Bill, described as "safeguards against democracy". Speaking in the House of Commons in 1865 he had said:

"Nothing is so remarkable among the working classes of England as their intense capacity to associate and organise themselves. . . . It is, I contend, impossible to believe that the same machinery which is at present brought into play in connection with strikes would not be applied by the working classes to political purposes. Once give the men votes, and the machinery is ready to launch those votes in one compact mass upon the institutions and property of this country." For himself, he could "fancy no employment more worthy

<sup>1</sup> See Greaves, *The British Civil Service*, p. 163.

of the philosopher and statesman than the invention of safeguards against democracy.”<sup>1</sup>

And in 1870, as Chancellor of the Exchequer in Gladstone's Liberal government, he sponsored the celebrated Order in Council of June 4 which carried into effect the recommendations of the Northcote-Trevelyan report.

There were two fundamental reforms. The first was the replacement of patronage by open competitive examinations organised by a permanent Civil Service Commission immune from interference by Ministers and Members of Parliament. The abolition of patronage was not merely a blow against the influence of the landed aristocracy in the State apparatus; it was not merely a method for securing a better trained and more competent type of civil servant; it was also—and this is the fundamental importance of the reform—a means of insulating the civil service from the influence of the majority party in the House of Commons. Henceforth the reformed civil service was to be one of the most important of those “safeguards against democracy” which Lowe—and the class he represented—so ardently desired.

Although the permanent civil service has now been established for a long time, it seems that even Conservative Ministers sometimes receive a shock when they take office and discover how limited are their powers over the staff of their department. In a revealing letter to *The Times* Mr. R. H. Dorman-Smith, Minister of Agriculture in 1939-40, subsequently wrote:

“One of the very first lessons my Permanent Secretary thought fit to teach me was, ‘Whatever you may think of me or any other civil servant here, you cannot sack us.’ I had no desire whatever to sack any of the Ministry of Agriculture civil servants, all of whom I had learnt to admire. But I was amazed to find that in fact a Minister had no individual control over his staff from the newest joined junior clerk or typist right up to the top.”<sup>2</sup>

The conception of an administrative apparatus, independent of parliamentary influence, but closely linked with the ruling class, has since been applied to all colonial constitutions. Wherever the people of a British colony have gained the right to elect their own legislative

<sup>1</sup> Quoted in Martin, *Life of Lord Sherbrooke* (1893), Vol. 2, p. 262.

<sup>2</sup> *The Times*, June 25, 1954.



assembly, control of the civil service is secured against the influence of an electoral majority and vested in the Governor. When the constitution of British Guiana was suspended in 1953 by the Conservative government, in consequence of the electoral victory of the People's Progressive Party on a programme of moderate social reform which it was proceeding to carry out, the government issued a White Paper (Cmd. 8,980) containing a long list of charges against the Ministers who were members of the People's Progressive Party. One of the most revealing of these charges was "attempts to gain control of the public service". In the words of the White Paper:

"It is fundamental, as it is in this country—and it is written into all colonial constitutions—that the public service should be free from all political influences. Accordingly, under the constitution responsibility for the public service is reserved to the Governor, who is advised on these matters by an independent Public Service Commission. Ministers, however, clearly showed that they resented this. They made clear their intention to abolish the Public Service Commission and to refuse to vote provision for it. . . ."

Here is an authoritative statement that the independence of the civil service from electoral majorities is a fundamental feature of the British Constitution.

The second great reform of 1870 was the splitting of the civil service into two parts on the lines of the Indian civil service: an upper, intellectual, policy-forming division, and a lower division confined to routine work. Previously the civil service had been a single, undifferentiated body without any rigid, horizontal divisions into classes; everyone took his share of every kind of work in the course of his career, and anyone who entered at the bottom might rise to become the head of his department. The principle of open competitive examinations could have been applied in a variety of ways. The reform of 1870 deliberately applied it in a very special way—by the creation of a division between intellectual and mechanical labour. Lowe did not attempt to justify this division on grounds of pure efficiency. He said:

"My own opinion, and I think the opinion of most people who have thought much about the matter favoured a single class service without any split."

But he and his colleagues had considered that with such a régime

"the public service would suffer for want of that sort of freemasonry which exists between people who have had a certain grade of education. . . ."<sup>1</sup>

The "sort of freemasonry" that Lowe desired as a "safeguard against democracy" was secured by basing the examinations for the first (intellectual) division—subsequently called by its present name, the Administrative Class—on classical and mathematical studies of the kind that were taught in the public schools and the universities of Oxford and Cambridge, which at that time were open only to the sons of the wealthy. The reasons for this were frankly explained by Lowe:

"As regards the internal work of an office it is not of much consequence whether a man has a classical education or is a good mathematician, but as far as communication with the world goes . . . I think it is of great consequence that you should have men whose associations and ideas belong to the class with whom they will have to deal."<sup>2</sup>

Thus it is only too clear that the division in the service was introduced, not to make it more efficient, but to ensure that the senior officials in the upper division possessed the right class outlook.

The replacement of patronage by competitive examinations was hailed as a great democratic reform. Certainly it seemed to be democratic because it appeared to throw open the civil service to everyone regardless of class origin; but in practice the opportunities it offered were useless to the working class owing to their inability to pay the heavy fees required to educate their sons at the public schools and universities; and it was democratic only in the limited sense that entry to the civil service was now open to the offspring of the entire ruling class instead of only to one section of that class, the landed aristocracy. It was carried through in such a way as to strengthen the State against future working-class advance. The reality behind it was perfectly understood by Gladstone. Writing to Lord John Russell in 1854 he had said:

"I do not hesitate to say that one of the great recommendations of the change in my eyes would be its tendency to strengthen and

<sup>1</sup> Evidence given before the Select Committee on the Cost of the Civil Service, 1873.

<sup>2</sup> Select Committee of 1873.

multiply the ties between the higher classes and the possession of administrative power."<sup>1</sup>

In fact the reformed civil service has developed into a far more powerful and sinister "safeguard against democracy" than the more obvious safeguards such as the House of Lords and the Monarchy. This has indeed been admitted by honest writers on the Constitution; thus Graham Wallas, Professor of Political Science at the London School of Economics, wrote in 1908:

"The real 'Second Chamber', the real 'constitutional check' in England, is provided not by the House of Lords or the Monarchy, but by the existence of a permanent Civil Service, appointed on a system independent of the opinion or desires of any politician, and holding office during good behaviour."<sup>2</sup>

## 2. CHANGES IN THE ADMINISTRATIVE CLASS SINCE 1900

In 1900 the non-industrial civil servants, excluding those in the Post Office, numbered about 60,000. By 1950 they had grown to 474,000. (The size of the Post Office has not changed very much; during the same period it grew from 240,000 to 250,000.) The Administrative Class has always been very small in relation to the rest of the civil service, in 1939 it numbered only 1,250. But it expanded rapidly during the war and by 1950 had reached some 3,100. The equivalent class in the Foreign Service—which includes the senior officials in the Foreign Office together with those serving abroad as ambassadors and others—contained in 1950 about 900 persons. This makes a total in round figures of about 4,000, or about 1 per cent of the whole.

This increase in size has been accompanied by a change in social composition. The caste system which prevailed at first has now been distinctly modified, owing to the pressure exerted from two main directions—from the rank and file of the civil service, and from the grammar schools.

The powerful, organised pressure of the trade unions in the Executive and Clerical Classes has forced an avenue of promotion into the Administrative Class. The proportion of the latter recruited in this manner was gradually rising before the Second World War; and

<sup>1</sup> Morley, *Life of Gladstone*, (1903), Vol. I, p. 649.

<sup>2</sup> *Human Nature in Politics*, p. 249.

during the war, in view of the inevitable shortage of university students, the rapid expansion in the Administrative Class necessarily led to the promotion of civil servants from the lower classes on a considerable scale. The result was that in 1950 about one-half of the Administrative Class consisted of civil servants promoted from below.<sup>1</sup>

The great development of grammar school education and of the provincial universities during the present century has created opportunities for boys of middle class, and even for a few of working-class origin to gain a university education and so pass the examination qualifying for direct entry into the privileged ranks of the Administrative Class. The growing responsibilities, range and complexity of the work of the civil service has placed a premium on real ability and brain power, and these have been forthcoming from the grammar schools in ever greater numbers.

All this has brought about a substantial change in the class origin of the highest ranks of the civil service. In 1898, out of fourteen heads of main departments, ten had been educated at the five most exclusive public schools; Eton, Harrow, Winchester, Rugby and Charterhouse. In 1938 the same five schools provided only four of the fourteen.<sup>2</sup> Taking the public schools as a whole, the figures given on page 87 show the precise extent of the inroads made by grammar school boys in the topmost levels of the civil service. It will be observed that there is a striking difference between the Foreign Office and the Home Civil Service; while the former is staffed almost exclusively on the "old school tie" principle, about one-third of the senior staff in the Treasury and other departments were educated at grammar schools maintained by local education authorities. And this trend towards the grammar school is continuing; in 1951-2 approximately one-half of the successful candidates for the Administrative Class and the Foreign Service were grammar school products, while the proportion educated at public boarding schools had fallen to about one-third.<sup>3</sup>

It is clear, therefore, that the original purity of the class composition of the *élite* of the civil service has (except in the Foreign Service) been diluted to a considerable extent since the First World War. The Administrative Class is no longer wholly composed, as it used to be, of persons from well-to-do families, who received their education as a

<sup>1</sup> Those promoted from below have not yet reached the highest positions in anything like the same proportion; in 1950 only seven out of 34 heads of departments had originally risen from the lower classes.

<sup>2</sup> Dale, *The Higher Civil Service*, p. 193.

<sup>3</sup> Cmd. 232, 1957.

matter of course at the most expensive of the public boarding schools, whose social background was one of affluence and privilege from the day of their birth, and whose loyalty to capitalism had therefore the most solid, material basis—namely, the possession of property. The loyalty of the civil servants of lower middle-class and working-class origin who have worked their way up to the top through the grammar school has a fundamentally different basis—an ideological rather than a material one. The influence of the kind of education they got at grammar school and university, the struggle for promotion within the civil service, and the remoteness of their official lives from the daily struggles and experiences of the working class—all this tends to give them a thoroughly orthodox outlook, and by the time they reach the top of the civil service most of them have become deeply imbued with the unconscious class assumptions of their ex-public school colleagues.<sup>1</sup> None the less, this change in the class composition of the upper ranks of the civil service clearly has potential dangers for the ruling class, who have only accepted it with great reluctance. Various measures have been taken to keep down the influx of grammar school boys; and outstanding among these has been the development of the technique of the oral interview for selecting entrants to the Administrative Class.

In 1870 a written examination alone was considered to be an adequate basis for the selection of candidates. But the rapid growth of the grammar schools after the Education Act of 1902 gave rise to a different attitude, and after the First World War an oral interview was added to the written examination. After the Second World War, when the competition from the grammar schools had become even fiercer, the government introduced a new system of selection, in which the oral interview was expanded into a prolonged testing by the Civil Service Selection Board lasting three days, on the lines of the selection boards used by the War Office during the war for selecting potential officers. There are a few written tests of a general character, but these play a relatively minor part. Since 1948 candidates for the Home Civil Service have been able to choose between the old academic system of a written examination plus oral interview and the new Selection Board method. There can be no doubt which method is preferred by candidates from the public boarding schools. Between 1948 and 1956 the boarding schools supplied 44 per cent of the candidates who were successful by the Selection Board method, but only

<sup>1</sup> This point was further developed in Section 2 of Chapter VII.

23 per cent of those who succeeded by the method of written examination.<sup>1</sup>

While about two-fifths of the vacancies for the Home Civil Service have been filled by the Selection Board method, it is significant that the Foreign Office—the greatest stronghold of the public schools—decided in 1948 to fill all their vacancies by this method; with the result that between 1948 and 1956 no less than 58 per cent of the successful candidates came from public boarding schools.<sup>2</sup> Thus the greater the competition from the grammar schools becomes, the smaller is the importance attached to the relatively objective test of a written examination.<sup>3</sup>

A new method of securing conformity in civil service opinion is the "purge" introduced in 1948, under which civil servants suspected of "Communist associations" are liable to be removed from their positions on grounds of national security. The merest suspicion that a civil servant has had "Communist associations" at any time in the past is sufficient to ruin his prospects for the rest of his life. These prospects depend, therefore, on the opinion of the secret police, who make the necessary enquiries into the political opinions and past activities of civil servants, and into the political opinions of their friends and relations. The number of civil servants actually removed from their jobs has not been large; but a few cases of political victimisation are enough to arouse apprehension in the hearts of the remainder. Every civil servant knows that his colleague may be a secret informer. The government now seeks to ensure conformity in the civil service through fear. But reliance on fear is a measure of desperation and a sign that capitalism is in deep crisis.

A Labour government was in office from 1945 till 1951. What changes in the top levels of the State administration did it make? The proportion of grammar school boys entering the Administrative Class, which had been steadily growing under Conservative governments

<sup>1</sup> Cmd. 232 of 1957, p. 25.

<sup>2</sup> According to the White Paper from which these figures are taken (Cmd. 232), it is thought that the Foreign Office may have missed some good recruits by relying on the Selection Board test as the sole method; for a five year period from 1958 not more than three-quarters of the vacancies will be allotted by the Selection Board method, the remaining vacancies being left for competition by written examination and oral interview. But the White Paper significantly adds that "special attention will be paid to the performance of candidates at interview".

<sup>3</sup> Another means of restricting entrants from the grammar schools is the limitation placed on promotion from below. Although this occurred on such a scale that in 1950 one-half of the Administrative Class consisted of persons promoted from below, it was cut down immediately after the war and by 1948 had been reduced to one-quarter of the annual entry into the Administrative Class.

before the war, increased from about one third in 1939 to one half in 1951. But this increase was due to the steady advance in grammar school education and would probably have taken place even under a post-war Conservative government; and the Labour government actually reduced the opportunity for promotion into the Administrative Class from the lower Classes in the civil service below the level it had reached during the war. Above all, the post-war Labour government left untouched the entire directing core of the Administrative Class, trained and selected by methods evolved by capitalist governments in the past. They even improved on these methods in certain directions: the introduction of the purge of civil servants suspected of Communist associations, and the greater importance given to the oral interview as a method of selection, were the work of the Labour government. It is indeed very clear that the Labour Ministers never contemplated making any important change in the key personnel of the civil service. Lord Attlee, Labour Prime Minister, subsequently wrote:

"When I succeeded Mr. Churchill as Prime Minister and returned to the conference at Potsdam, I took with me precisely the same team of civil servants, including even the principal private secretary, as had served my predecessor. This occasioned a lively surprise among our American friends who were accustomed to the American system whereby the leading official advisers of the President and of the members of his Cabinet are usually politically of his or their own colour. The incident brought out forcibly the very special position which has developed during the past hundred years as a result of the Trevelyan-Northcote reforms.

"I do not think that this remarkable attribute of impartiality in the British Civil Service is sufficiently widely known or adequately recognised for what it is—one of the strongest bulwarks of democracy."<sup>1</sup>

### 3. THE INFLUENCE OF THE LEADING CIVIL SERVANTS

Since Mr. Attlee was from the beginning surrounded by Mr. Churchill's advisers on foreign affairs, it is not at all surprising that the foreign policy of the Labour governments received the general approval of the Conservative Opposition throughout their period of office. The immense influence which the highest officials in the Foreign Office can exercise over the Foreign Secretary is discussed in the next

<sup>1</sup> *The Civil Service in Britain and France*, edited by W. A. Robson (1956), p. 16.

chapter; it is very great indeed because the Foreign Secretary is almost completely dependent on his officials and ambassadors for all his information about foreign countries.

The position of the senior officials in any other government department is not quite so strong in this respect, for the Minister can have a variety of contacts and sources of information apart from his official advisers. But the organisation of the modern administrative machine in Whitehall is very elaborate, and the problems with which most of the departments have to deal are extremely varied and complicated. The highly technical character of many of the financial and economic problems handled by the Treasury is a good example. The leading officials in any department possess a body of expert knowledge and experience which must inevitably make the Minister, however capable he may be, extremely dependent on them for information and advice. It should be remembered that we are here speaking, not of the entire Administrative Class of the Home Civil Service comprising over 3,000 persons, many of whom are relatively junior officials without much responsibility, but of the far smaller number of the most senior civil servants who come closely into contact with the Minister. In his book on *The Higher Civil Service*, Dale states that in the civil service, as in all large businesses, the Minister "is surrounded by a band of high officials who together control and are responsible for every part of the organisation, each having his own domain".<sup>1</sup> But as we have already pointed out, the Minister is in a quite different position from the head of any large business, since he has almost no power to dismiss, transfer or promote his own staff; he must accept the "band of high officials" who were already at the top of the department when he took office.

Moreover, most of the government departments have such a wide range of responsibility that the senior officials can flood the Minister with a mass of detailed matters for his decision and thus give the appearance that they are consulting him at every possible opportunity. If the Minister has a clear idea of what he wants to do with his department he may be able to overcome this and devote himself to the major issues—though many Ministers never do; but the tendency to be swamped in detail is reinforced by the necessity of spending a good deal of his time in the House of Commons, where by means of questions and by talking to the Minister in the lobbies, individual M.Ps. plague him with details of particular cases. Thus the peculiar conditions under

<sup>1</sup>P. 123.



which a Minister does his work make him especially susceptible to the influence of his principal advisers.

In this connection we may recall the analysis made in Chapter IV of the decline in the powers of the House of Commons to control the executive and the parallel rise of the powers of the Cabinet during the period of imperialism. The Cabinet would never be able to sustain the "dictatorship" which it nowadays exercises over the House of Commons without the indispensable assistance of the permanent civil service.

The power of the leading civil servants is still further enhanced by the fact that some matters are so secret that even the Cabinet and most of the Ministers are kept in ignorance about them. This applies principally to military affairs and to the secret police. The military conversations with France begun in 1906 and not revealed to the Cabinet until 1912 (p. 122), the war-time atomic energy agreement between Churchill and Roosevelt in 1943 which was not even revealed at the time to Attlee, the Deputy Prime Minister in the War Cabinet (p. 51), and the ignorance of Ministers about the activities of the various secret police agencies, as illustrated recently by the Crabb affair (p. 149), are all examples of the intense secrecy which prevails in these fields.

It is not possible to find public evidence of the opinions and activities of the leading civil servants. The policy of the government on any question of importance is evolved after discussions between Ministers, the senior officials in the department concerned, and financial, industrial or other interests who may be drawn into consultation. But the first *public* announcement of the policy is almost invariably made by the Minister in Parliament. It is indeed one of the principal functions of Parliament to act as the platform from which Ministers can announce decisions in this way. Senior officials, on the other hand, speak or write in public only on rare occasions, and even when they do, are extremely careful to confine themselves within the known policies of the government of the day. In short, a highly effective conspiracy of silence surrounds the activities of the civil service. This traditional secrecy is powerfully reinforced by the Official Secrets Acts, under which any civil servant who communicates an official secret to an outsider is liable to severe penalties; and the Acts are in no way limited to secrets which affect the security of the State.<sup>1</sup>

On rare occasions, during a period of crisis, civil servants have acted

<sup>1</sup> Thus in 1931 Mr. George Lansbury's son was prosecuted for having published in a book the substance of a Cabinet memorandum on unemployment to which his father had access when he was a member of the Labour Cabinet.

in such a way as to reveal something of their opinions to the public. One striking example is the famous incident of the Zinoviev letter, published by Foreign Office officials without the authority of any Minister a few days before the general election in 1924, which contributed to the downfall of the first Labour government.<sup>1</sup> Normally, however, it is quite impossible, in connection with any particular aspect of government policy, to discover the part played by the civil service chiefs behind the scenes. Inevitably it remains wrapped in mystery. But it cannot be doubted that the power and influence of the leading civil servants is very great indeed. As Graham Wallas said, they are a much more powerful "second chamber" than the House of Lords. Professor Chester, who had wartime experience of the civil service, has made this revealing observation:

"The characteristics [of the Whitehall machine] which struck me most forcibly were: the great weight and vastness of the machine which on occasion almost amounted to an immovable object, if you were against it, but was an irresistible force if you were on its side; and the tremendous power which lay in the hands of Ministers and in the hands of their nearest personal advisers."<sup>2</sup>

If the Whitehall machine "almost amounted to an immovable object" on some occasions during the war when proposals for radical reform were not in question, it is not difficult to imagine the degree of immovability which it would present to a government determined to make decisive changes in the social system—unless that government also took steps to ensure that the key positions at the top of the civil service were held by persons who believed in and understood the socialist cause.

This does not in the least imply the wholesale dismissal of all the most senior civil servants. On the contrary, their expert knowledge will be invaluable; and no doubt many of them will have been deeply influenced by the great popular movement which will have brought a socialist government to power, and will be ready to join in the task of building a socialist society. Even so, it will be important for the Ministers in a socialist government to have among their principal advisers people who understand the aims of the labour movement, who have learnt how to rely on the working class during the struggle for power, who know how to maintain close links with the people, and who have not spent all their lives in the cloistered seclusion of

<sup>1</sup> A full account is given on p. 212.

<sup>2</sup> *Lessons of British War Economy* (1951), p. 19.

Whitehall. In both world wars, when the capitalist State was in grave danger, representatives of the most powerful monopolies and financial interests, together with many economists and others from the universities, were brought in to occupy important positions in many government departments. A socialist government would only be following the same practice in bringing in representatives of the labour movement.

#### 4. THE RANK AND FILE OF THE CIVIL SERVICE

Nothing has yet been said of the great majority of the civil servants, comprising the clerical, professional and scientific workers who keep the administrative machinery turning and carry out the policies decided at the highest level.

The most significant development during the present century has been the spread of trade union organisation among the rank and file of the civil service.<sup>1</sup> Civil servants have in fact become one of the best organised sections of clerical and professional workers in the country. Although their life of isolation from the industrial working class, the relative security of their jobs and the prospect of a pension on retirement inevitably subjects them to the influence of capitalist ideas, they cannot be wholly cut off from the struggles and ideals of the working-class movement. The fundamental aim pursued by past governments has been, nevertheless, to insulate the mass of the civil service to the greatest possible extent from the labour movement.

The most crude and direct expression of this aim was contained in section 5 of the Trade Disputes Act, 1927—the anti-trade union measure enacted by the Conservative government immediately after the General Strike—prohibiting any civil service trade union from affiliating to the Trades Union Congress or from being associated directly or indirectly with any political party. The post office workers had a very long tradition of close association with the labour movement, and postmen's organisations that later became the Union of Post Office Workers were among the earliest trade unions to affiliate to the London Trades Council, even before the Trades Union Congress had come into existence. In the years before 1927, not only the Union of Post Office Workers, but also the Post Office Engineering Union, the Civil Service Clerical Association, the Inland Revenue Staff Federation, and the Ministry of Labour Staff Association, were all affiliated

<sup>1</sup> The most important of these unions are the Civil Service Clerical Association, the Society of Civil Servants, the Inland Revenue Staff Federation and the Institute of Professional Civil Servants.

both to the T.U.C. and to the Labour Party. The prohibition imposed by the Trade Disputes Act of 1927 was ultimately removed by the repeal of the entire Act by the Labour government in 1946, and all these organisations have re-affiliated to the T.U.C. But only the Union of Post Office Workers has re-affiliated to the Labour Party, so that the evil effects of the Act live on; and even though it has gone, it was none the less highly significant as an expression of the acute anxiety felt in ruling-class circles at the potentialities of close links between civil servants and organised labour.

An important method of keeping large numbers of civil servants isolated from the labour movement is the traditional restriction on their individual political activities, imposed in the name of the so-called political neutrality of the service. Strongly resenting this denial of elementary political rights, the Staff Side of the Civil Service National Whitley Council, which includes representatives of all civil service trade unions, made representations in 1948 to the Labour government, who appointed the Masterman Committee to report on the matter. At the very outset the government made it clear to the Committee, however, that "they would be totally opposed to any radical change in the non-political status of the Civil Service".<sup>1</sup>

In their report the Masterman Committee recommended complete political freedom for all industrial workers employed by the various government departments (some 400,000), for the manipulative grades of the Post Office and for a number of minor grades, such as messengers (some 250,000). As only about 200,000 industrial workers had previously enjoyed complete political freedom, this part of the report, which was accepted by the government, was a distinct advance. On the other hand, the Committee made recommendations for the remainder of the civil service, broadly covering all grades from typists up to the Administrative Class—and this covers the staff in the administrative machine with which we are concerned in this chapter—which were designed to restrict still further the limited political freedoms they had enjoyed for the past thirty years. After prolonged negotiations with the Treasury, the Staff Side secured limited improvements. The final result was that about 160,000 are barred from all political activities, except that they may apply for permission to take part in local government and local politics. A second category, comprising some 290,000, are eligible for permission to engage in all national political activities except parliamentary candidature, provided they observe a "code of

<sup>1</sup> *Masterman Report*, Cmd. 7,718, Para. 2.

discretion" enjoining them to observe moderation in political comment and to take every care to avoid embarrassment to Ministers or to their own department. It was estimated that about 55,000 of this category would not get permission.<sup>1</sup> It follows that a high proportion of all civil servants doing clerical, administrative and technical work, who together constitute the main central core of the State administrative apparatus, are subject to serious restrictions preventing many and hindering others from taking a fully active part in the labour movement, and these restrictions are more severe than they were before 1948. Their effect has been powerfully reinforced by the "purge" of civil servants suspected by the secret police of holding Communist opinions. The motive behind these growing restrictions on the political freedom of civil servants can only be to keep the main body of the civil service as far apart from the organised labour movement as possible. One of the first duties of a socialist government would be to break down these artificial barriers and to grant full political rights to civil servants.

<sup>1</sup> For full details see *Masterman Report* (Cmd. 7,718) and the Government *White Paper* of 1953 (Cmd. 8,783). The attitude of the Staff Side was expressed in the following extract from its statement made at the conclusion of the negotiations: "The staff side remains of the opinion that there should be no restriction on the political activities of any Civil Servant other than that imposed by the good sense and discretion of the individual himself" (*The Times*, March 13, 1953).

## CHAPTER XIII

### THE FOREIGN OFFICE

"That stable of King Augeias which appals human hearts, so rich is it, high-piled with the droppings of two hundred years. To clean out the dead pedantries, inveracities, indolent somnolent impotencies and accumulated dung-mountains there, is the beginning of all practical good whatsoever."

Carlyle on the British Foreign Office, *Latter Day Pamphlets*, 1850.

"This Conference . . . urges the speedy replacement of Foreign Office officials and representatives of his Majesty's Government at home and abroad by people more in touch with the aspirations of the common people of the world."

Resolution tabled at Labour Party Conference, 1947.

#### I. THE AIMS OF BRITISH FOREIGN POLICY

ORTHODOX political theorists and writers customarily argue that foreign affairs should be kept "above politics". However much the parties may disagree about policy on domestic matters, it is undesirable that foreign policy should become the subject of "party strife". The case is argued as follows by Sir Victor Wellesley, late Deputy Under-Secretary at the Foreign Office:

"A strong foreign policy under modern conditions cannot rest on divided counsels. Unless foreign policy can be lifted above party controversy it will be halting, vacillating, and uncertain. To achieve unity, the Government in power should take the opposition into its confidence, not merely at times of crisis, but by closer day-to-day contact."<sup>1</sup>

It is further argued that only by keeping foreign policy above politics can "continuity of foreign policy" be achieved.

The assumption behind these arguments is that there can be no serious dispute as to the basic aims of British foreign policy, which must be conditioned by the interests of the nation as a whole. But in fact the foreign policies adopted by successive governments in the last

<sup>1</sup> *Diplomacy in Fetters* (1944), p. 203.

hundred years have not, except for very limited periods, reflected the interests of the nation as a whole; they have reflected the interests of the capitalist class. Thus in the period up to the First World War the basis of British foreign policy was the conquest of foreign markets, the establishment of a far-flung colonial empire, and the defence of this empire against imperialist rivals. It was, as H. N. Brailsford put it early in 1914, the "epoch of concession hunting, of coolie labour, of chartered companies, of railway construction, of loans to semi-civilised Powers, of the 'opening up' of 'dying empires'".<sup>1</sup> British diplomacy was geared to these aims.

The First World War was the bitter climax to this epoch. But with it came also a great beginning—the victory of the working-class revolution in Russia. From then on British foreign policy underwent a change. Imperialist rivalries ceased to be the only preoccupation; they began indeed to take second place to the problem of how to defeat socialist revolution, how to hold back the world working-class movement, how to strengthen the anti-working class forces throughout the world. This change in British foreign policy was already apparent in 1918, as the following extract from a Foreign Office memorandum on the formation of the League of Nations indicates:

"We have to look forward to a period when Bolshevism—or the religion of international class war—will be a permanent factor in European policy, and may at any time seize the reins of power in States which are or desire to become members of the League. We ought to lay it down in set terms that Governments which promote propaganda subversive of the Governments of their neighbours are outside the pale of the League's membership."<sup>2</sup>

By the 'thirties, British foreign policy was condoning the invasion of Manchuria by Japan, conniving at the destruction of the Spanish Democratic Republic by Franco and Mussolini, and was actually encouraging the building up of the Nazi war machine in the hope that Germany would attack Russia. The Second World War was the inevitable result.

In the ten years following the Second World War the kernel of British foreign policy has been the Anglo-American alliance. The strategy for this alliance was laid down by Mr. Churchill in his Fulton speech in 1946. Its guiding aims have been the encirclement and defeat

<sup>1</sup> *War of Steel and Gold* (1914), p. 64.

<sup>2</sup> See R. P. Dutt, *World Politics* (1936).

of the socialist two-fifths of the world and the defeat of socialist movements elsewhere.

Such has been British foreign policy in the last hundred years. It has not been aimed at furthering the interests of the "nation as a whole". In each period it has been aimed at furthering the interests of the British capitalist class.

Thus those who support the theory of "continuity of foreign policy" are in reality supporting the continuity of a *class* policy. And the British Foreign Service, the main government department concerned with carrying out foreign policy, has been built up as a machine for ensuring the continuation of this class policy—no matter what government may hold office.

## 2. THE FOREIGN OFFICE BEFORE THE SECOND WORLD WAR

In the nineteenth century the Diplomatic Service was almost exclusively in the hands of the landed aristocracy, and this continued to be the case long after entry into the Home Civil Service had been open to the middle class through the competitive examinations which began in 1870. The Diplomatic Service was regarded as the special preserve of the aristocracy owing to their background, education and superior connections with the courts of foreign countries. So that in 1914 H. N. Brailsford was able to say:

"From Downing Street to Peking, the diplomatic service is based on the assumption that the relations of statesmen are in practice the relations of their upper classes. Commerce and finance enter into its calculations as they hardly did in earlier centuries. Yet diplomacy continues to be a game of courts. Entry to the diplomatic service is still by nomination though nearly every other branch of the Civil Service has been thrown open to competition."<sup>1</sup>

Until 1918, what is now known as the "Foreign Service" was divided into two separate organisations: the Foreign Office, which consisted of a staff of civil servants functioning in Whitehall, and the much more numerous Diplomatic Service, consisting of the embassy staffs abroad from ambassador downwards. Though entry into the Foreign Office at home did not depend on any property qualification, no one could enter the Diplomatic Service unless he was in possession of a private income of not less than £400 a year. Mr. Duff Cooper

<sup>1</sup> *Op. cit.*, p. 152.



described the position as it was just before the First World War as follows:

"Candidates who presented themselves for the Diplomatic Service had to guarantee before they took the examination that they had £400 a year of their own, and it was known that at an expensive post such as St. Petersburg or Vienna twice that amount was necessary to maintain the standard of living that was expected of any member of the Embassy Staff. Attachés received no salary during their first year. During the second they were paid £100 which increased by £25 annually. There was no house allowance and it was plainly impossible for any but wealthy young men to enter the service."<sup>1</sup>

In 1918, the Foreign Office and Diplomatic Service were fused into one organisation, the property qualification was abolished, and all became entitled to the same basic initial salary. Nevertheless those who started without any private income to supplement their pay were still at a disadvantage, and before being permitted even to enter for the Foreign Service Examination, candidates had to appear before a Selection Board which did its work so well that entrants were in practice almost always confined to members of aristocratic or big business families. So that in 1943 the government White Paper proposing reforms in the Foreign Service was obliged officially to admit that:

"Among the criticisms which have been brought against the Diplomatic Service the view has been expressed that it is recruited from too small a circle, that it tends to represent the interests of certain sections of the nation rather than those of the country as a whole, that its members lead too sheltered a life, that they have insufficient understanding of economic and social questions."<sup>2</sup>

Meanwhile the Consular Service, which was concerned with commerce and trade, functioned as a branch of the Department of Overseas Trade, and was kept quite separate from the Foreign Service, whose functions were purely political and diplomatic.

The outlook of the members of the Foreign Service corresponded almost without exception to the outlook of the narrow aristocratic and wealthy circles from which they were drawn. Writing of his experiences as a Foreign Office official Mr. Charles Duff, who resigned

<sup>1</sup> *Old Men Forget* (1953), p. 38.

<sup>2</sup> Cmd. 6,420, para. 2.

in 1936, said: "I had about eighteen years of it, during which I must have been the only Higher Division official in the whole office who always voted Labour."<sup>1</sup> And of the atmosphere in the 'thirties, he said:

"Abroad members of our diplomatic service still mix only with members of the diplomatic corps and the rich or powerful. They abhor ordinary people as nature abhors a vacuum. Young men enter the service as simple careerists or to collect rich wives or to climb socially or to consolidate what they or their parents have. Or as sometimes happens, to become useful to big business. . . . They refuse to recognise a democratic idea. Imagine then how much sympathy liberal democratic Spain and the U.S.S.R. received in that rarified atmosphere. . . . Everybody was from the beginning pro-Franco in the Spanish War."<sup>2</sup>

### 3. THE "REFORM" OF THE FOREIGN SERVICE

In 1943, during the middle of the war, proposals for reforming the Foreign Service were introduced by the Foreign Secretary, Mr. Eden. The proposals were in part the work of Mr. Ernest Bevin, who was at that time Minister of Labour. The main reason for the proposals was the fact that over the last fifty years foreign policy has had to embrace, to an ever growing extent, economic and commercial questions for which the upbringing and training of the old diplomatic personnel were completely unsuited. Moreover, it had begun to be realised that an understanding of the political situation in any given country required an acquaintance with the labour movement and social problems in that country—matters quite outside the range of the old-style diplomat.

The reforms which were brought in made substantial changes in methods of training and remuneration and fused the Commercial, Diplomatic and Consular Services with the Foreign Service, while separating off this combined service altogether from the Home Civil Service. This new arrangement has put the Foreign Service in a much more independent and powerful position than it was before, when the commercial and economic side of foreign policy was in other hands.

At the same time the method of recruitment was re-cast in order, it was claimed, to facilitate entry from "any social sphere". These new methods are very gradually leading to the recruiting of a larger proportion of lower middle-class people. The limited extent of the change however, can be gauged from an analysis of new entrants to

<sup>1</sup> *No Angels Wing* (1947), p. 121.

<sup>2</sup> *Ibid.*, p. 119.

the senior branch of the Foreign Service since the war. Between 1945 and 1953 just over two-thirds of the entrants into the senior branch of the Foreign Service (Branch A) came from public schools, including 32 from Eton, 27 from Winchester, 15 from Stowe and 12 from Rugby; and 85 per cent had been to either Oxford or Cambridge.<sup>1</sup> Meanwhile, whatever may be happening down below, the key personnel at the top have a class background which is almost identical with that in the pre-war period, a far greater proportion of them being drawn from the privileged classes than in any other section of the State apparatus. The table on page 88 shows that 86 per cent of those employed in the Foreign Office in 1953 at salaries of over £2,000 a year, and about whom details were known, had been at public boarding schools; and 95 per cent had been either at public boarding schools or private day schools. Among the ambassadors, 70 per cent had been at public boarding schools, and 88 per cent at public boarding schools or private day schools.

#### 4. THE INFLUENCE OF THE FOREIGN OFFICE

The influence that the Foreign Service personnel have in the formulation of policy is probably greater than that of the civil servants in any other government department. The job of those in diplomatic posts abroad—the ambassadors and embassy staffs—is not just to represent their own government in negotiations with foreign governments, or simply to carry out a policy laid down for them by the Foreign Secretary or Cabinet. One of their most important functions is to collect and sift information about the country in which they are stationed, and on the basis of this information to *advise* on policy. This is not a technical or passive job but a highly political one, involving political judgments. Not only will the advice an ambassador gives be coloured by his political standpoint, but the actual information he selects and transmits will often be chosen so as to support his standpoint. The Foreign Secretary can disregard the advice given him, but it is clearly extremely difficult to check the information on which the advice is based—particularly as it will be dressed up in the form of “expert” advice from “the man on the spot”.

The diplomats abroad have always acted in an advisory capacity. In the last century, however, the Foreign Office at home had little part

<sup>1</sup> Ernest Davies, Article on the Foreign and Commonwealth Services in *The Political Quarterly*, October-December, 1954. The “public schools” were all those schools belonging to the Headmasters’ Conference.

to play in the formulation of policies; it merely acted as a link between the Foreign Secretary and the diplomats. During the present century this position has changed; the Foreign Office itself has emerged as a body whose main job is advising on and influencing policy. Lord Strang says:

"This advisory function is comparatively new. The incoming and outgoing threads of official business have always, of course, passed through the Foreign Office machine, but it is only in quite recent times that they began to be at all extensively manipulated within the machine itself."<sup>1</sup>

He added that "the Foreign Office cannot avoid playing an even more important advisory role as time goes on".<sup>2</sup> Sir Victor Wellesley makes the same point:

"The staff of the Foreign Office thus ceased to be purely clerical and executive. It became largely advisory. As the volume and complexity of work increased and became more highly specialised, the drive, which used to come exclusively from the top downwards, tended to come more and more from below upwards. Thus the initiation of high policy fell increasingly into the hands of the staff . . . the Permanent Under-Secretary acted solely as the instrument for carrying into effect the instruction of the Foreign Secretary. Now, he has become the Chief Adviser, a role which is more and more thrust upon him."<sup>3</sup>

In his autobiography, Mr. Charles Duff made similar points a good deal more crudely:

"A propos of Foreign Secretaries, when a new one came to the F.O. everybody was all of a dither to know how he would 'shape'—not, bless your heart, from the point of view of evolving a sane foreign policy, but from that of the higher officials of *getting him into shape*, from their point of view. . . . The F.O. is not unkind to Foreign Secretaries who behave properly. If they don't, the chances are that sooner or later they will find themselves in such an unholy mess that they are glad to get out of the place. The office breathes again! 'Easy' Foreign Secretaries fall into line immediately; the 'tough' ones in a matter of weeks. Office policy resumes sway, and the whole machine purrs along smoothly to work it."<sup>4</sup>

<sup>1</sup> *The Foreign Office* (1955), p. 146.

<sup>2</sup> *Ibid.*, p. 148.

<sup>3</sup> *Op. cit.*, pp. 192 and 195.

<sup>4</sup> *Op. cit.*, p. 116.

There is one other aspect of Foreign Office activities which needs to be considered here, and that is the influence it exerts through its News Department. The function of this department is to issue regular information and guidance almost daily to the press and to the B.B.C.

"It easily makes itself indispensable since the Foreign Office has at its disposal a large volume of interesting and important news not accessible in any other way. Its function of selection gives it enormous power to mould opinion. The mere decision to release or withhold certain information, or certain types of information, about Ruritania may profoundly affect public emotions about that country and radically change the public attitude towards it; and the discreet advice which the department sometimes gives to play up or to play down points of friction with particular countries is scarcely needed. . . ."<sup>1</sup>

Ralph Parker, former foreign correspondent of *The Times*, writes of his experience of how material for the News Department was collected by the British Embassy in Russia during and just after the war:

"The influencing of British public opinion with the aim of misrepresenting or concealing the truth about the Soviet Union was one of the principal tasks of British diplomatists in Moscow. . . . If anything discreditable to the Soviet régime could be found, you could be sure that through the News Department of the Foreign Office it would find its way into the press . . . the guiding motive was to probe for 'weak spots'. The approach was not that of objective research, but of fulfilling the counter-propaganda assignment of the Foreign Office."<sup>2</sup>

The Foreign Service has thus grown into a vast machine staffed almost exclusively by persons whose origin, training and outlook is that of the most privileged section of society, whose special position in relation both to the Cabinet and the public gives them special power, and who have behind them years of experience in all the skills and techniques required to preserve continuity of a class policy.

What happens if a Foreign Secretary is really determined to carry through a policy of which the Foreign Office disapproves? The experience of Mr. Arthur Henderson, Foreign Secretary to the 1929 Labour government, gives some indication. Henderson came to the Foreign Office with a mandate to do certain things set out in the Labour

<sup>1</sup> E. H. Carr, *Soviet Impact on the Western World*, 1946, p. 76.

<sup>2</sup> *Conspiracy against Peace* (Moscow edition of 1949), pp. 215, 218.

Party's election programme; among these was the promise to strengthen the League of Nations, and to bring Britain under the jurisdiction of the Permanent Court of International Justice. Henderson was in a weak position because, among other things, his Prime Minister, Mr. Ramsay MacDonald, was not anxious to carry through Labour Party policy on these questions. Mr. Hugh Dalton has described the kind of sabotage, often of a very petty kind, to which Mr. Henderson was subjected by the Foreign Office. One tactic was to attempt to drown him in detail. When Henderson appointed Lord Robert Cecil to advise on League of Nations questions, and decided that for this purpose he should have a room at the Foreign Office, the permanent officials refused to find him a room; in the end Henderson had to find a room himself. Dealing with the matter of the International Court of Justice, Dalton recalls: "The Tories were against it. But we also ran into unexpectedly strong Departmental resistance", and he then added: "This was my first experience as a Minister of what later became very familiar to me—the Whitehall obstacle race—of trying to push or pull some piece of policy over, or through, a long series of obstacles. These included, in this case, first some of our own officials in the Foreign Office; second, some other Departments, particularly the Service Departments; third, some members of the Cabinet; fourth, some of the Dominions Governments."<sup>1</sup>

Another example of "departmental resistance" is given by Mr. Bruce Lockhart in his description of the efforts of Benes and Masaryk during the Second World War to get diplomatic recognition for the Czech emigré government in England. Mr. Eden as Foreign Secretary and Churchill as Prime Minister insisted that full diplomatic recognition be given at once, but the Foreign Office put up every kind of legal and technical obstacle for many months (including the argument that Britain was still a party to the Munich Agreement), and recognition was not finally accorded to the Czechs until the Russians forced the hands of the British by recognizing the Czechs a few weeks after they came into the war.<sup>2</sup>

It should not be assumed that the Foreign Office necessarily has a united and consistent policy which it is anxious to implement. The leading positions in the Foreign Office are occupied by members of the ruling class; their reactions and attitudes to political situations are similar to those of the ruling class. When the class is divided they tend to reflect these divisions. This happened to a certain extent during the

<sup>1</sup> *Call Back Yesterday* (1953), p. 237.

<sup>2</sup> *Comes the Reckoning* (1947), pp. 113-19.

Munich period when a substantial proportion of the Foreign Office staff had misgivings regarding Chamberlain's policy of building up Hitler and his war machine, just as Churchill and Eden had misgivings. Chamberlain was nevertheless able to find enough diplomats who shared his views and were prepared to carry out his policy—notably Sir Neville Henderson, British Ambassador to Germany, who was so pro-Nazi that one British newspaper dubbed him "our Nazi British Ambassador at Berlin".

Similarly, when a British mission was sent to Moscow to negotiate with the Russians in 1939, though there was no doubt that the negotiators themselves wanted the mission to succeed, the British Embassy staff in Moscow apparently embarked with gusto into making it a failure. Writing in the *Chicago Daily Times*, an American correspondent reported a discussion with Mr. Gordon Vereker, Counsellor at the British Embassy at the time:

"Vereker explained long before the British mission arrived, the embassy staff had received unofficial 'grapevine' instructions that on no account must it be permitted to succeed. To quote Vereker's own words, 'I must say I enjoyed that spot of sabotage.'"<sup>1</sup>

##### 5. FROM THE ZINOVIEV LETTER TO THE M-PLAN

As was explained in the previous chapter, civil servants rarely show their hand in public; their influence is for the most part exerted behind the scenes. And of all government departments, the Foreign Office is the most secretive, the most outwardly circumspect. An exception was the famous case of the Zinoviev letter in 1924, when the Foreign Office openly engineered an election stunt to get the Conservatives back. During that year the first Labour government had held office for a few months, and as a result of considerable pressure from the labour movement had for the first time officially recognised the Soviet government. On October 8 the government (which only held office with the agreement of the Liberals) was defeated in the House and a general election was announced. By a remarkable coincidence a copy of the so-called "Zinoviev letter" was received by the Foreign Office the day after Parliament had dispersed. This "letter" was a forged document purporting to be a letter sent by Zinoviev, the President of the Communist International, to the British Communist Party instructing the latter to prepare for "an armed insurrection". The document

<sup>1</sup> *Chicago Daily Times*, July 8, 1940.

was such a clumsy forgery that several government departments who received copies of it refused to treat it seriously. Mr. Ramsay MacDonald, who had combined the offices of Prime Minister and Foreign Secretary, was away electioneering in the provinces; on being sent a copy of the "letter" he instructed the Foreign Office to take great care to test its authenticity and pending the investigation to prepare to draft a protest to the Soviet government. On October 23 he received the draft protest which he amended and returned to the Foreign Office uninitialled and without authority to act pending proofs of the authenticity of the "letter". On October 24, without permission from MacDonald, and without consulting either Lord Haldane, who was deputising for MacDonald, or Mr. Arthur Ponsonby, Under-Secretary for Foreign Affairs, a highly placed official of the Foreign Office, Mr. J. D. Gregory, sent a strong protest to the Soviet Embassy, and without waiting for a reply, released the story to the press. The result was an unparalleled "red scare" which contributed materially to the overwhelming victory of the Conservatives at the polls a few days later.

There is no doubt that in taking this action the Foreign Office gambled on Mr. MacDonald's acquiescence after the event, and in this they were on strong ground, for in spite of the great anger and confusion in the labour movement Mr. MacDonald refused to disavow the Foreign Office's action.

A latter-day example of Foreign Office work bearing a strong resemblance to the Zinoviev letter affair was the case of Protocol M. This document was officially released by the Foreign Office on January 16, 1948, and was described as having been "known to the British authorities for some time"; it purported to be a lengthy directive from the Communist Information Bureau to the West German Communist Party instructing the latter to go into battle "for starting positions for the final struggle for the liberation of the proletariat of the world". This document was as obvious a forgery as the Zinoviev letter; its instructions to organise strikes, sabotage, etc., were as inept as its phraseology was nonsensical;<sup>1</sup> yet Mr. Hector MacNeill, Under-Secretary for Foreign Affairs in the Labour government, informed the House of Commons on January 21 that "H.M. Government believe this document to be genuine". After the document had been made an

<sup>1</sup> For example: "The unconditional prerequisites for the final victory of the working class are the maintenance of discipline among the comrades and the unscrupulous employment of all functionaries."



excuse for persecuting Communists in Western Germany, Mr. MacNeill was obliged to admit on April 9, 1948, that "the authenticity of the document now lies in doubt".

#### 6. THE ATTITUDE OF THE THIRD LABOUR GOVERNMENT

After the Labour government took office in 1945, the demand was raised on a number of occasions at Labour Party Conferences that the leading personnel in the Foreign Service be replaced by people who were at least not unsympathetic to socialist ideas. This was firmly resisted by the Labour leaders, Mr. Ernest Bevin saying: "I do wish the Conference [the Labour Party] would get it out of their heads that the Civil Service runs the government" (Margate Conference, 1947), and Mr. Noel Baker asserting that: "the main thing wrong with Neville Henderson was the instructions he received" (Bournemouth Conference, 1946). This last was rather an unfortunate choice by way of illustration, for Sir Neville Henderson himself testified that he was able to carry out Mr. Chamberlain's appeasement policy in Germany "all the more easily and faithfully since it corresponded so closely with my private conception of the service which I could best render in Germany to my own country".<sup>1</sup> It can hardly be suggested that such a man would help to carry out a socialist foreign policy either easily or faithfully.

The Labour leaders did more than defend the reputation of previous diplomats; they promoted to key positions many of those who had been heavily involved in operating Chamberlain's pro-fascist policy. A case in point is that of Sir Ivone Kirkpatrick, a Roman Catholic, who was First Secretary to the Embassy in Berlin, serving under Sir Neville Henderson all through the Munich period. On this period in Kirkpatrick's career *The Observer* remarked in a special article (November 15, 1953):

"One junior member of the Embassy Staff, also Irish, but an Ulsterman, resigned in protest against the Chamberlain policy. This probably never occurred to the fundamentally orthodox Kirkpatrick as a possibility. In any case, at Berchtesgaden, Godesberg, and at Munich, in the series of historic interviews with Hitler, he interpreted for Mr. Neville Chamberlain and did not revolt."

In 1950 the Labour government appointed this man, who had helped

<sup>1</sup> *Failure of a Mission* (1940), p. 17.

to carry through the Munich policy, as High Commissioner in Western Germany. *The Observer* remarks:

"His great success in Germany was with Dr. Adenauer, with whom he found a genuine affinity. Both are devout Catholics; both enjoy the rigours of politics and the subtleties of diplomatic manoeuvre; both excel at putting their ideas across."

Sir Ivone Kirkpatrick later became Permanent Under-Secretary for Foreign Affairs, and held that post until 1957. As such, he was Chief of the whole Foreign Service, holding the most powerful position of all in foreign affairs.

Ralph Parker wrote of the British Embassy in Moscow during the period of the Labour government as follows:

"Anyone who expresses his admiration for a Soviet achievement, or who shows any sympathy for the measures of the Soviet Government to raise the cultural and material standards of life in the land, not only draws on himself the ironical comment 'he is pro-Soviet' but risks harming his future career. I have known instances when foreign diplomats, whose names it would be better not to mention, since it would only harm their careers, have been virtually ostracised because they have not permitted themselves to adopt the fashionable tone of mockery aimed at everything Soviet. The charge of being 'pro-Soviet' is perhaps the most deadly that can be brought by his superiors against a member of the British Embassy in Moscow. . . . Promotion is rapid in the anti-Soviet army, and no ambitious diplomat is likely to neglect his opportunities."<sup>1</sup>

The reason why the Labour government would do nothing about the personnel in the Foreign Office was precisely because it did not operate a socialist foreign policy, but was indeed ensuring that "continuity of foreign policy" advocated by the right-wing theorists. This fact was often the cause of congratulations to Mr. Bevin and the Labour government by the Conservative Opposition. Thus Mr. Churchill said on January 23, 1948:

"On the whole the Government have maintained a continuity in foreign policy with that pursued under the National Coalition Government. . . . We have therefore tried to give them all possible

<sup>1</sup> *Op. cit.*, p. 235.

help and thus keep the foreign policy of Britain outside the area of party controversy."

Yet this was not what the Labour Party had promised. Writing in 1937, Mr. Attlee had said:

"It must be perfectly clear that the Labour Party rejects altogether the theory that foreign policy is something which must be kept out of party politics. It does not agree that there is some policy to be pursued by this country irrespective of what party is in power, a policy which is national and so transcends party differences. There is a deep difference of opinion between the Labour Party and the Capitalist parties on foreign as well as on home policy, because the two cannot be separated. The foreign policy of a Government is the reflection of its internal policy. Imperialism is the form which Capitalism takes in relation to other nations."<sup>1</sup>

If the Labour government had really wanted to carry through a socialist foreign policy, it would have had to deal with the Foreign Office. And so it is likely to be in the future. Any government determined to operate a socialist foreign policy could hardly leave in key posts men who have spent most of their lives in using the power of the British State to undermine and weaken the socialist countries, to defeat the striving of semi-colonial countries towards independence, and to protect the foreign investments of British capitalists whatever the cost in lives and human happiness. A socialist government would have to carry through a very thorough reorganisation of the Foreign Service, involving considerable changes among those in the senior positions both at home and abroad.

<sup>1</sup> *The Labour Party in Perspective* (1937), p. 226.

## THE ECONOMIC FUNCTIONS OF THE STATE

## I. FORMS OF STATE INTERVENTION IN INDUSTRY AND THEIR SIGNIFICANCE

**R**IGHT-WING Labour Party publicists are never weary of assuring us that *laissez faire* is dead; and no one—least of all a Marxist—will presume to disagree with them. The modern imperialist State is, of necessity, much more than a policeman and a tax-gatherer; it is a highly complex apparatus of economic organisation. For seventy years or more, the State has been “intervening” actively in economic affairs; the scope of its intervention has continuously increased, sometimes slowly, at other times very rapidly; and it is still increasing.

At no time, of course—not even in the mid-nineteenth century heyday of *laissez faire*—could the State restrict its economic role to that of preserving “freedom of contract”; but even as late as the beginning of the twentieth century one could still say, with some measure of truth, that the British State was “primarily a machine for doling out security and justice and for absorbing revenue”.<sup>1</sup> The present economic functions of the State, therefore, are overwhelmingly a product of the epoch of imperialism, and represent a response to the demands of monopoly capitalism, just as the former relegation by the State of economic activity to the sphere of “private” administration (i.e. to the comparatively unrestricted control of individual capitalists, competing with one another in a free market) was a response to the demands of capitalism in its individualistic phase of development.

The growth of modern forms of State “intervention”, then, can be dated from the 'seventies of the last century. Greatly stimulated by the First World War, when the inability of uncontrolled private capitalism to provide for the unappeasable demands of the front compelled the State to improvise “controls” and to enter into production on its own account on an unprecedented scale, they proceeded apace during the inter-war years, particularly during the depression and partial recovery of the 1930's, and reached new heights in the Second World War and in the immediate post-war period. They may be measured by the ever-increasing proportion of the national income absorbed by the State

<sup>1</sup> S. E. Finer, *A Primer of Public Administration* (1950), p. 10.

budget; by the development of fiscal policy as a means of influencing the trends of economic activity (e.g. the "cheap money" policy of the 1930's and the "dear money" policy of the 1950's); by the creation of new economic ministries, such as the Ministry of Labour, Ministry of Fuel and Power, Ministry of Supply, and Ministry of National Insurance, and the vast expansion in the functions of the older ones, such as the Treasury, Ministry of Agriculture and Fisheries, and Board of Trade; by the placing of certain basic industries and services under the control of Public Corporations; and by the setting up of central machinery, in the Cabinet and the Treasury, for such "economic planning" as a capitalist society can permit itself.

What is the significance of all this "intervention"? Does it imply that the State has "taken control" of capitalism, and is forcing it to act, up to a point, against its own selfish interests and in the interests of the nation as a whole? That is what the right-wing social-democratic theorists would have us believe. But it does not require a very deep analysis of existing institutions to show that the present forms of State regulation and control of our economy are aimed at maintaining and strengthening the capitalist system as a whole and at assisting the great monopolies to establish their predominance within this system.

In what ways do they endeavour to secure these objects? Some of them are old and familiar, others comparatively novel.

It is well known, for instance, that the government plays an active and important part in regulating the relationships between capital and labour. Ever since the birth of capitalism, the State has been more or less openly on the side of the employers in industrial disputes. In earlier days, it did not even trouble to conceal its partisanship. Today, although no less partisan, it has to walk more warily, because of the strength of the working-class movement. Except at times when the class struggle rises to a pitch of great intensity, either generally as in the General Strike of 1926 or over a particular field of industry as in the dock strike of 1949, it affects "impartiality" and pretends to wield nothing more than a "conciliatory" influence. But, in point of fact, its principal objects remain constant: to secure for capitalist industry a regular and flexible labour supply, and to assist employers to maintain or to restore an "industrial peace" which enables them to extract the maximum profit from industry with the minimum of disturbance in the form of strikes, lock-outs, go-slow movements, etc. It has established labour exchanges to help them recruit their "hands", and a Juvenile Employment Service to facilitate the absorption of young people into the jobs

where they will be most serviceable. It provides machinery, such as the Industrial Court, the Wages Councils and a host of specialised tribunals, for arbitration and conciliation in industrial disputes, and lays down the conditions upon which such machinery must or may be used. It actively intervenes, through the Industrial Conciliation Service of the Ministry of Labour, whenever a strike occurs or is threatened. In the last resort, it will bring in the police and the Army to coerce and defeat strikers in "essential services", by charging picket lines, breaking up meetings, and providing uniformed blacklegs to maintain the flow of supplies—always, of course, in the "interests of the community". Under the Emergency Powers Act of 1920, it has provided itself with virtually dictatorial powers to "protect the community" against stoppages in vital sectors of the economy. When the General Strike broke out in 1926, it was able to bring swiftly into action an "Organisation for the Maintenance of Supplies" carefully built up by Mr. Churchill during the previous months. The development of the class struggle in the epoch of imperialism gives particular importance to all these forms of State intervention in labour relations. It is significant that a separate Ministry of Labour dates from the bitterly-fought industrial battles of the period immediately following the First World War.

Another familiar form of intervention is the active assistance given to the capitalists of this country to capture foreign markets, to beat foreign competitors, to secure imported raw materials on the most favourable terms, and to find opportunities for profitable capital investment abroad, particularly in the colonies and other under-developed countries. Formerly, in *laissez faire* days, most of these functions were regarded as lying outside the competence of the State. Individual capitalists, enjoying an overwhelming superiority in the world market conferred on them by the fact that England was the first country to undergo an industrial revolution, could be left to fend for themselves (except, of course, to the extent that Britain's possession of India and other colonial territories gave them special advantages—an important qualification too often neglected by economic historians). Today, in the period of the general crisis of the capitalist system, when British capitalism is fighting for survival against powerful competitors, the protective, market-seeking, investment-securing functions of the State have become of vital importance, occupying the continuous attention of the highest State organs and of a whole group of government departments and agencies. Tariffs, prohibitions, quotas, exclusive

trading agreements and barter transactions have completely undermined the fabric of "free, multilateral trade" to which some theoretical economists still pay lipservice. Exchange manipulation is used by all capitalist governments to confer differential advantages on their own capitalists. The Sterling Area, with its London-held balances, is employed as a device to maintain the precious dollar-threatened financial position of British capitalism at the expense of the colonial and semi-colonial peoples.

Somewhat newer than these devices is the use of the State's legislative and administrative powers to effect reorganisation and regulation in the industrial field. Such reorganisation and regulation has, in general, two main objects. It may be applied to industries which capitalism has allowed, through bad management and short-term pursuit of immediate profitability, to become almost bankrupt. Where an important industry is using obsolete equipment and—because of its comparative unprofitability—cannot obtain fresh supplies of private capital to bring itself up to date, there is an obvious case for State intervention. Excessive splitting-up of an industry into small, competitive units, which limits the profit that can be obtained from the reduction of overheads and the keeping up of prices, and hampers the introduction of modern methods and weakens its competitive power in the world market, is also an indication that some action on the part of the State may be necessary. Secondly, there are industries of a basic kind which, because of their enjoyment of monopolistic advantages, are in a position, if left uncontrolled, to obtain "excessive" profits at the expense of other industries which use their products and services. In an industry such as the railways, where both of these factors apply (i.e. bad management and "unfair" monopoly), the purely capitalist case for State intervention has been irresistible.

Reorganisation and regulation, with these objects, may take several different forms. The State may leave the industry concerned, or certain sectors of it, in private hands, and establish some kind of administrative control of prices, output, quality and general conditions of supply. This was the case with non-municipal gas, water and electricity before nationalisation, and also with the railways from the Regulation Act of 1844 to the Nationalisation Act of 1946. About one third of gas and about two-thirds of electricity, before nationalisation, were under municipal ownership and control. Municipal undertakings, of course, were also regulated by the central government, as those that are left, such as transport, still are. Private road transport, both passenger and

goods, remains subject to the licensing provisions of the Road Traffic Acts.

These forms of State intervention were—and are—aimed principally at ensuring regularity of supply, at “reasonable” prices, of basic services which no capitalist State can leave for an indefinite period to the tender mercies of the uncontrolled private owner. So long as we live under capitalism, no sensible person can seriously object to them—although he may often object to the manner in which they are used; for the capitalists cannot very well protect themselves from exploitation by their fellows who provide community services without also protecting, in considerable measure, the non-capitalist consumer of these services.

Quite different considerations, however, apply to the State-promoted industrial reorganisation schemes which abounded during the industrial depression and partial recovery of the 1930's. The main object of such measures as the Coal Mines Reorganisation Act of 1930, the Agricultural Marketing Acts of 1931-3, and the Cotton Industry Act of 1938 was to enable the capitalists, by restricting production and limiting competition, to maintain high prices and high profits at the expense of the consumer. In the case of iron and steel, a similar type of “reorganisation” was promoted by the banks, which “moved in” on the industry after the 1929-33 depression had almost ruined it; and the government, through the Imports Duties Advisory Committee, gave it protection against foreign competition on condition that it became “efficient”. These examples illustrate the preparedness of the capitalist State to promote monopoly in industries where the normal processes of monopolisation, through the bankruptcy of small firms and their absorption by a few giants, or the more or less voluntary merging of individual concerns under the aegis of the most powerful of them, is taking place too slowly or in a manner that threatens the general interests of capitalism and the special interests of the capitalists concerned.

The greatest lengths to which State reorganisation of industry can go in a capitalist society are seen in the creation of *public* monopolies, of which the industries nationalised since 1945 are outstanding examples. Such public monopolies have been more or less familiar features of advanced capitalist societies for many years, and there is nothing “socialist” about them, as Friedrich Engels clearly recognised in the 70's of the last century. “If the Belgian state”, he wrote, “for quite ordinary political or financial reasons constructed its own railway lines; if Bismarck, without any economic compulsion, took over the main lines in Prussia, simply in order to be better able to organise and use



them for war . . . and . . . to secure a new source of revenue independent of parliamentary votes—such actions were in no sense socialist measures.”<sup>1</sup>

In England, there was little that could be described as nationalisation before 1914, apart from the Post Office, the Port of London Authority, the Admiralty Dockyards and the Royal Ordnance Factories. The semi-independent public corporation, which is now the normal means of running a nationalised industry, was mainly an inter-war product, developed by both of the main political parties. The Central Electricity Board (which controlled the “wholesale” distribution of electricity through a national grid of its own construction) emanated from Mr. Baldwin’s Conservative government in 1926; the British Broadcasting Corporation took over the broadcasting monopoly from the association of radio manufacturers known as the British Broadcasting Company (1922–6) under the same Conservative administration; the London Passenger Transport Board, originally devised in 1931 by Mr. Herbert Morrison as Labour Minister of Transport, was established by the overwhelmingly Conservative “National Government” in 1933. Labour, of course, has been responsible for all the post-1945 measures of nationalisation, which were brought in largely as a result of the leftward political swing of the working class during and after the war. But had nationalisation not taken place when it did, it is almost certain that the capitalist class would have had to reorganise in one way or another most of the industries concerned. It is significant that the Conservatives, when they came to office again in 1951, never proposed to denationalise coal, gas, electricity, civil aviation or the railways. Even their denationalisation of road haulage and iron and steel was accompanied by schemes of State supervision or control, less “harsh” in their effects on individual capitalist “enterprise”.

During the same post-war period, the State has taken steps to influence the level and direction of capital investment, to regulate consumption, through taxation and rationing, to distribute raw materials, to fix the prices of essential commodities, and to restrict home supplies for the benefit of the foreign market. Controls of this type were first experimented with during the First World War, and became particularly important during the Second World War and its aftermath of “reconstruction” and then rearmament. Their over-riding aim is to ensure that, when resources are scarce, the long-term interests of the capitalist class as a whole have priority over the short-term interests

<sup>1</sup> *Anti-Dühring* (1878), Part II, Chapter 2.

of individual capitalists. It is in this general context of maintaining the stability of the capitalist system that the protection afforded to the public by some of these measures (e.g. rationing, price control and subsidising of essential foodstuffs) must be understood. It must also be noted that such controls are invariably used to strengthen the position of the great monopolists at the expense of their comparatively small-scale rivals. Under capitalism, what passes for economic planning inevitably places more power in the hands of those great captains of industry and financial wizards to whose words every government, whether Conservative or Labour, always lends a respectful ear.

Attempts by the monopoly capitalists to plan their own economic system, however, are necessarily incomplete and unscientific. The anarchy inherent in private profit-making and production for the market remains, and is even intensified. With 80 per cent of industry still in private hands, hit or miss "planning by target" of the kind with which the third Labour government familiarised us represents the limit of "overall" State intervention; for the government is dependent on the willing co-operation of the capitalists, and can only approximately gauge their response to the various inducements offered and restrictions imposed. Under capitalism, "planning" must be of a kind that offers private investors financial inducements which they consider to be adequate. If it fails to do so, serious difficulties will arise; there will be an outcry about the "running down" of the economic machine and the stultification of enterprise by bureaucratic regulations—and either a change of policy or a change of government.

Such then, are the ways in which the modern capitalist State in Britain endeavours to maintain the essential conditions of capitalist production for profit. It remains to assess rather more exactly the general significance of this "interventionism".

## 2. THE GROWTH OF STATE MONOPOLY CAPITALISM

Marx and Engels, in the *Communist Manifesto*, described the capitalist State as "a committee for the administration of the consolidated affairs of the bourgeois class as a whole". This statement still holds good, except that, in the epoch of monopoly capitalism, the phrase "as a whole" needs some qualification. Under the earlier, individualistic type of capitalism, these "consolidated affairs" were predominantly politico-legal in character. The main job of the State was to provide the legal framework (e.g. law of contract, law of partnership, company law, etc.) and repressive apparatus (Army, police, law courts, etc.),

necessary to ensure to individual capitalists freedom and security for profit-making and capital accumulation. At this stage, having passed beyond the phase of primitive accumulation, when the State played an important positive role in the expropriation of the small producer and the promotion of overseas trade, they were engaged in freeing themselves from the "shackles of State tutelage", and required from the government little direct assistance of a strictly economic kind (although, of course, only too ready to reap the profits of former and contemporary colonial conquests). With the advent of monopoly capitalism, however, the "consolidated affairs" of the bourgeoisie have increased vastly in scope, and the State has been compelled to enter the economic field, as owner, controller, provider of incentives, etc., in the interests of the system as a whole and of the great monopolists who increasingly dominate it. Monopoly capitalism has developed into State monopoly capitalism.

This enhanced economic role of the State, which today receives its most striking illustration in the virtual domination of the economic scene by State armaments contracts, amounts to a fundamental qualitative change within the limits of the evolution of capitalist society. Two of its characteristic features are the enormous increase in taxation and the ever-mounting burden of State debt. The first represents a mobilisation of resources by the capitalist State for the better organisation of the bourgeoisie's "consolidated affairs"; the second represents the tribute exacted by the capitalists for the collective use of "their" money.

### 3. THE PURPOSE OF TAXATION

It is of the first importance that the significance of State taxes and State debt in the monopoly stage of capitalist society should be clearly understood, for they are consistently misrepresented by bourgeois economists as "encroachments" on capitalist preserves, and by social-democratic theorists as having something to do with an advance towards socialism via a redistribution of incomes. That taxation encroaches on the "free" incomes of the capitalists is obvious enough, and we are used to hearing bitter complaints from bankers and company directors about its stifling effects on free enterprise. These gentlemen invariably ascribe the "crushing burden" to the provision of needlessly expensive social services to unappreciative and insufficiently productive workers. In actual fact, however, the worker pays for a very high proportion of these benefits through direct and indirect taxes that come from his own pocket, through his own social insurance contributions,

and even through his employer's (to the extent that these can be passed on to the consumer in the form of higher prices).<sup>1</sup> If those in the "lower income brackets" are regarded as paying for the greater part of the benefits that the capitalist State confers upon them to keep them reasonably quiet, it will readily appear that a very high proportion of the taxes paid by those in the "higher income brackets" is absorbed, not in providing a meagre "social security" for the "under privileged", but in meeting the costs of past, present and future wars. Much of this money, moreover, flows back into capitalist pockets in the form of interest on the national debt and profits on rearmament contracts and other State-financed enterprises. "Everything I give to Thee, returned a thousand-fold shall be." It is not social security, but the top-heavy military and bureaucratic apparatus, necessary for the maintenance, defence and expansion of capitalist society, that is responsible for the "crushing burden" of which the capitalist complains. But his enthusiasm for economy is limited to economies of certain kinds. What he wants is that less of the worker's contribution to State expenditure should be absorbed by services directly beneficial to the worker himself, and that more of it should be devoted to things such as rearmament, that directly benefit the capitalist, with the result that the capitalist's own contribution can be proportionately reduced. Even so, if his intelligence is not below average, the capitalist clearly understands that at least some of these "expensive" social services are essential, in these days, for the maintenance of "social peace", and therefore only demands that they should be kept down to the minimum (variously calculated) which is likely to secure this purpose.

As long as the State remains a capitalist State, taxation of the capitalists, however high, remains a levy by the capitalists on themselves to provide funds for the pursuit of their own collective purposes—a levy, moreover, which those who hold State bonds or have secured government contracts find by no means uncreative of opportunities for profit-making.

#### 4. THE MEANING OF CAPITALIST NATIONALISATION

These collective purposes, financed by taxation and State debt, can be achieved, as we have seen, only by active intervention by the State in economic life. Now socialism also involves such intervention. In fact, it involves intervention on an incomparably greater scale, taking

<sup>1</sup> This is examined in more detail in the next chapter on the Social Services.

the forms of full ownership and control of the means of production by the State as representative of the community as a whole, and the regulation of production and distribution in accordance with a centrally-formulated and deliberately-applied economic plan. In this sense, there is a superficial similarity between socialism and monopoly capitalism, which makes it possible for social-democratic theorists to present the measure of planning and nationalisation emanating from the capitalist State as socialism itself—or at least a substantial instalment of it. They achieve this identification by conveniently forgetting that socialism means something more important than mere “state control”, viz. the expropriation of the capitalist class and the ending of the exploitation of man by man—objects which can be achieved only when the working class has dethroned the monopolists and captured State power. It is remarkable, from the standpoint of the politically unsophisticated, what complete unity exists between the right-wing social-democrats and the Conservatives on this matter of the “advance towards socialism”. The Labour leaders identify nationalisation with socialism because they wish to convince us that the process of reforming capitalism out of existence has already started; the Conservatives make the same identification because they hope, not without reason, that the workers will soon become disillusioned with “socialism” of this kind and withdraw their support from a Labour Party unable or unwilling to bridge the gap between promise and performance. Hence, so far as the leaders of the two main parties are concerned, there is what amounts to a conspiracy of silence about the real meaning of socialism. It is therefore necessary to examine rather closely the significance of State ownership of industry in a capitalist society.

Capitalist nationalisation (or State capitalism, as it is sometimes called), is sharply distinguished from socialist nationalisation by the following characteristics among others: its purpose is not to improve the standard of living of the working class, but to provide the capitalists who run the non-nationalised sector of industry with cheap goods and services; it changes the *form* of control (i.e. replaces private boards of directors by a Public Corporation) without changing its content, in as much as capitalists, ex-capitalists and capitalist-minded administrators form the majority of the personnel of the controlling body; and it does not abolish the exploitation of the workers in nationalised industry, but may even have the effect of intensifying that exploitation and rendering it more efficient. All these characteristics are well illustrated by the post-1945 nationalisation measures.

The first characteristic would be obvious, if it had not been systematically concealed by persistent capitalist complaints about the "excessive" prices charged by the nationalised industries. These complaints are understandable, for they help to discredit nationalisation in the eyes of the working class and to justify resistance by the public corporation to wage demands; but they have no real foundation. The fact is that, in a period of general price increases, the nationalised industries have put up their charges much less than the industries under private capitalist control, as the Boards in their reports and Ministers in their parliamentary speeches have frequently pointed out, with plenty of statistical evidence to prove their case. There can be no doubt whatever that, if these industries had remained under private control, the prices charged by them would have gone up very much more steeply. Moreover, in most cases, the prices charged to other industries as distinct from the prices charged to the domestic consumer, have been kept low. Capitalism, therefore, has every reason to feel satisfied with their record in this respect.

The personnel of the Boards in 1951 was examined by the Acton Society in a study entitled *The Men on the Boards*, which fully confirms the criticism of their composition voiced at several post-war Trades Union Congresses. Of a total of 131 full-time and part-time members, 63 were listed in the *Directory of Directors*. Of the remaining 68, 23 were knights, 9 lords, and 3 high-ranking army officers. Full-time members (47) included 35 who could be said to possess a capitalist outlook (13 company directors, 10 managers and engineers, 4 civil servants, 3 accountants, 3 members of the armed forces, and 2 solicitors), and only ten members of the trade unions and the Co-operative Movement, all of them completely "safe" right-wingers. The Acton Society, after rebutting the familiar accusation that the Boards are stuffed with civil servants, trade unionists and retired military men, declared that "the accusation that the 'same old gang' are in charge cannot be answered so briefly". In point of fact, it cannot be answered at all, for the simple reason that it is substantially true. Workers' participation in control, demanded by the Labour Party Conference in 1948, is non-existent. Nor did the Labour Party leaders responsible for the nationalisation statutes have any intention of introducing it. Their method of finding people to sit on the Boards was baldly stated by Mr. Herbert Morrison in 1946, when he advocated that the State should "go out into the market and buy brains". He was only repeating the policy of the Labour renegade, Snowden, who announced to the

Labour Party Conference of 1928: "We are going to get socialism largely in this way, through a public corporation controlled in the interests of the public by the best experts and business men." Is it conceivable that these capitalist experts and businessmen would agree to take responsibility for a socialised, as distinct from a nationalised, industry?

These men are practised exploiters of labour, and nationalisation by no means reduces their opportunity to play this all too familiar game. Under nationalisation, exploitation is continued in three ways: (1) through the statutory provisions for compensating the former private owners of the industry; (2) through the statutory provisions for the raising of new capital by the Boards; and (3) through the possibilities opened out to private capitalists in the 80 per cent of industry not nationalised to increase their profits by obtaining cheap goods and services.

By 1956, the annual interest on compensation stock for the four main nationalised industries—coal, transport, electricity and gas—totalled about £64 million a year. To this must be added about £12½ million a year for redemption and repayment of capital. Annual interest and repayment of capital on account of compensation in coal was about 1½ times the average profits of the coal industry in the five most prosperous pre-war years. In transport in 1956 interest and redemption of compensation was equal to 18s. per week per worker employed; in electricity 30s. per week; in gas 22s. per week.

When new capital is raised for industrial expansion and reconstruction, a further burden is necessarily imposed. Annual interest on and redemption of new capital in the four industries took by 1956 very nearly as much as compensation—over £63 million, and rising rapidly. Only after these charges have been met do the industries show a profit or a loss.

To this open exploitation must be added the *concealed* exploitation for which nationalised industries are peculiarly adapted. In a private industry, heavy exploitation is often revealed in unusually high profits. Nationalised industries, however, are not expected to make any profit at all, "taking one year with another". They are expected, as the saying goes, to "break even". This means that they can charge lower prices, passing on the benefit to the consumers of their goods and services, and thereby *transfer* a part of the surplus value they are extracting to the capitalist who buys coal, gas and electricity and who uses public transport to carry his goods to the market. This transfer of surplus

value has additional advantages from the capitalist point of view, for low profits, or losses, in nationalised industries provide an excellent excuse for resisting wage demands. The Conservatives, furthermore, can argue that the nationalised industries "don't pay" because they are inefficient, thereby providing themselves with a justification for further increasing the rate of exploitation and for claiming that "socialism" has failed.

Nationalisation, in fact, provides a brilliant illustration of the point that the enhancement of the economic role of the State is by no means incompatible with capitalism. Only in one sense can it be regarded as "a step along the road to socialism"—in the sense that the growing concentration of ownership and control in the hands of the State facilitates the building of socialism *once State power has been won by the working class*. But until that revolutionary transfer of State power has been achieved, "State intervention", far from being socialist, is in fact a necessary condition for the very existence of capitalist institutions in the epoch of monopoly and imperialism. To pretend otherwise, as the right-wing social-democrats do, is to create illusions as to the nature of the State and of the tasks of the working class in relation to it.

This does not mean that the working class should not strive for measures of nationalisation before it has achieved State power. On the contrary, nationalisation can provide opportunities to wring concessions from the capitalist class. No miner today, for example, would wish to return to private ownership of the mines.

But only if the State were above classes, and if the capitalists were real enemies of State intervention, could the equation "progress of State intervention equals progress towards socialism" be substantiated. Neither supposition has any relation to the facts. The State remains the capitalist State, and the capitalists, far from being the enemies of State intervention, cannot get on without it. And so long as this is the case, State-owned industry, whatever else it may be, cannot be socialist. The right-wing social-democrats, therefore, can maintain their case only by (a) redefining—or refusing to define—socialism, and (b) identifying capitalism with its *laissez faire* variety of last century, which everybody knows has disappeared. They are assisted in their work of sowing these illusions by three important characteristics of the present situation and of its historical development. The first is the fact that many forms of State intervention have undoubtedly benefited the working class, and represent, in part, concessions wrung from an unwilling capitalism by the growing political consciousness and



solidarity of the workers. National insurance, health services, municipal housing and improved educational facilities are all "interventions" of this kind. The second is the fact that, owing to Britain's former privileged position in the world of imperialism, it has been possible, up to now, to win such concessions without conflict of the kind that brings the two classes into head-on collision. The third is the fact, already noted, that the capitalists themselves wring their hands about State intervention and declare their undying devotion to "free enterprise"—for reasons that have also been noted. Thus the position of Britain, and the distinctive features of British capitalist development, have provided a particularly favourable ground for the cultivation of these illusions about the significance of the State's economic functions, and hence about the nature of the capitalist State itself. It is no accident that municipalised gas and water was first described as "socialism" in this country; and it is no accident that Britain is the home of Fabianism, which expresses these illusions in their most consistent theoretical form.

But State monopoly capitalism, for all its efforts, cannot remove the contradictions inherent in the capitalist system of production. In fact, it can only intensify them. As the highest expression which is possible under capitalism of the *social* character of production (Lenin called it "the threshold of socialism"), it throws into the sharpest possible relief the basic contradiction between this social character and the continuance of individual appropriations of the results of production. That is why the attitude of the capitalists towards it displays a mixture of fear and love. That is why the Conservatives, who have shared with the Labour Party the responsibility for developing it, perpetually decry their own handiwork and proclaim their intention of confining State intervention within the narrowest possible limits. They themselves realise that in the long run it facilitates the transition to socialism. The working class, too, needs to understand this; but they also need to understand that it can do so only *after* they have captured State power.

## THE SOCIAL SERVICES

## I. THE SOCIAL-DEMOCRATIC THEORY

"SOMETIMES our critics, even members of the Party, ask: Are we in the 1950 period breaking faith with the pioneers? My answer is 'No' and I ask: where is the evidence? Their socialism was the assertion of social responsibility for matters which are properly of social concern and so it is with us. . . . The assertion of social responsibility, and therefore the principle of socialism, is effected in all the work of economic planning and control, the social provision for the young and the old, the sick and the unemployed, education and housing. . . ."

So said Mr. Herbert Morrison in his speech to the 1950 Labour Party Conference. He is not alone in his view. There are many people who identify State-run services with socialism. Mr. Aneurin Bevan himself described the National Health Service as "genuine, undiluted socialism",<sup>1</sup> and a quite general misconception prevails that the more social services we have the more "socialism" we have.

This is not a new theory. The Fabians promulgated the same view. The "fourth line of Socialist advance," wrote Sidney Webb in 1916, "is the constant elaboration of the collective provision for those unable to provide for themselves whatever may be regarded for the time being as the national minimum that the modern State undertakes to secure to every citizen."<sup>2</sup>

This theory ignores the most important fact of all—that the main basic feature of a socialist system of society is that the means of production, distribution and exchange are in the hands of the working people. When a factory worker in capitalist society fights for and manages to win an increase in wages, this does not mean that he thereby starts to own part of the factory, or that a "little bit of socialism" has taken place. No worker is under any illusion about this. And in the same way, though social services may at certain times take a little bit more out of the capitalist's pocket and pass it on to the worker, the social services do not affect the ownership of the means of production. They

<sup>1</sup> *Reynolds News*, May 6, 1951.

<sup>2</sup> *Toward Social Democracy?* (Fabian Society, 1916), p. 39.

may involve a certain redistribution of *income* on certain occasions (though not invariably, as we shall discuss later). But the sources of that income remain in exactly the same hands as before.

The refusal to acknowledge this basic fact is the foundation of the immense edifice of illusion which has been built up over the past seventy years or more on the whole question of the public social services. More and better social services and the consequent amelioration of the most immediate and grinding poverty has been presented as the final aim and object of the working-class movement, which has thus been diverted from challenging the basic *causes* of poverty. As Engels said: "It is the essence of bourgeois socialism to want to maintain the basis of all the evils of present day society and at the same time to want to abolish the evils themselves."<sup>1</sup>

Bound up with this false theory about the social services is the idea that the more the State does the more "socialism" we have. The government may be in the hands of capitalists, but when it takes responsibility for any side of human activity, this is described as "socialism", and the actual volume of activity undertaken by the State is regarded as a measure of the "socialism" achieved.

Here again, the idea is not new. *The Economist* was talking about the "advance to socialism" in 1895, and listing the large number of functions the State had taken over. "Little by little, and year by year, the fabric of State expenditure and State responsibility is built up like a coral island, cell on cell," it said in a passage full of foreboding—an almost exact replica of arguments used by the Conservatives during the period of the third Labour government. Yet in a socialist society not only the means of production, but State power itself must be in the hands of the working people.

It is this false theory that "socialism" consists of social services plus more State activity, which has led to the myth about the Welfare State. During their period in office the Labour leaders were in the habit of constantly underlining the very considerable volume of social legislation which had been carried through since 1945, and talking of it as though it constituted in itself a revolution. "Try and see what is happening with the eyes of a nineteenth-century citizen", said Mr. Herbert Morrison in a speech to the London Labour Party in 1946. "It is a British revolutionary period. It is the social revolution of our time."<sup>2</sup> And to the Labour Party Conference of 1948 he said: "We

<sup>1</sup> *The Housing Question.*

<sup>2</sup> *The Peaceful Revolution* (1949), p. 7.

have swept away the Charity and Poor Law State and established the Social Security State."

Thus a picture was built up of the so-called Welfare State as a benevolent State which with fatherly tenderness cares for each citizen from the cradle to the grave. How far this picture ever tallied with reality we shall discuss in a moment. The point is that probably never before has the mere existence of State-run social services been used so widely to confuse people about the real nature of the State.

## 2. THE REASONS FOR SOCIAL SERVICES UNDER CAPITALISM

This does not mean that social services and social legislation are not worth having. On the contrary, they are worth fighting for, like wage increases or any other concessions that the workers can win from the capitalists. And no small part of our social legislation of today is the direct outcome of prolonged battles by the working class. Thus the struggle for poor law reform and fair treatment for the unemployed has been a central demand from the days of the Chartists right through to the Webb's Minority Report, the stand of the Poplar guardians, and onward to the Hunger Marches of the 'thirties. The social security Acts are the direct outcome of this struggle. Our Rent Restrictions Acts of today owe their origin to the great strikes on the Clyde and elsewhere in the First World War.

There have, however, been factors quite apart from direct working-class action which have also been instrumental in the establishment of social services.

In the first place a certain minimum of sanitation and environmental services are essential to the capitalist class if it is itself to survive. Referring to the appalling epidemics of cholera and other diseases which had been rife in the working-class districts of industrial towns, Engels said:

"Capitalist rule cannot allow itself the pleasure of creating epidemic diseases among the working class with impunity; the consequences fall back on it and the angel of death rages in its ranks as ruthlessly as in the ranks of the workers. As soon as this fact had been scientifically established the philanthropic bourgeoisie began to compete with one another in noble efforts on behalf of the health of their workers. . . . In England particularly, where the greatest number of large towns existed, and where the bourgeoisie itself was most immediately threatened, great activity began. . . ."<sup>1</sup>

<sup>1</sup> *The Housing Question.*

Hence the passing of the Public Health Act, 1848, which began the process of covering the country with a network of local sanitary authorities capable of providing sewers and other necessary services and of curbing the worst excesses of the slum landlords.

Apart from their own personal health and comfort, it was gradually borne in upon the ruling class that the working population had to be kept in a relatively healthy condition if there was to be an adequate supply of labour for the factories and of manpower for the armed forces. It was a salutary shock to discover during the Boer War that 40 to 60 per cent of would-be recruits had to be rejected as physically unfit. This discovery led to the setting up in 1903 of the Interdepartmental Committee on Physical Deterioration, which recommended school medical inspection, school feeding, reform of the milk supply and many other health measures which have since been adopted. Thus it led the ruling class to lend a sympathetic ear to the persistent campaign by the labour movement for school meals—the first Act for which was passed in 1906.

This understanding by the capitalists that the efficiency of capitalist economy depends on a certain level of social services is now fully developed. As Sir John Anderson (wartime Conservative Chancellor of the Exchequer) said in 1949:

“On a long view the improved standard of health and education resulting from the development of the social services ought to increase enormously our productive efficiency as a community” (House of Commons, April 11).

Finally, quite apart from direct self-interest, the farseeing members of the ruling class have always recognised the uses of the social services in keeping the workers quiet and maintaining the *status quo*. Joseph Chamberlain horrified his colleagues when he put it bluntly in 1885: “I ask what ransom will property pay for the security which it enjoys?”<sup>1</sup> And then a few days later: “What insurance will wealth find it *to its advantage* to provide?”<sup>2</sup> His suggestions for advisable insurance included free education and the “provision of healthy decent dwellings in our large towns at fair rents.”

Though the *amount* of ransom given has depended on the general level of militancy of the working class, the *form* in which it has been given has often differed from what the working class was demanding

<sup>1</sup> J. L. Garvin, *The Life of Joseph Chamberlain* (1932), Vol. I, p. 549.

<sup>2</sup> *Ibid.*, p. 552. (Our italics.)

at the time. For there is no doubt that, if the capitalists are forced to make concessions at all, they prefer to do so by extending social services rather than in any other way, because, unlike wage increases, or wider democratic rights, the capitalist class can to a certain extent take advantage of social services for its own ends. Not only can social services be used to keep the workers quiet—they can be used to keep them loyal to the State, to “bribe” them, as Bismark discovered; they can be used to deceive them as to the real nature of the State, a use which has been exploited since the Second World War probably more than at any previous period. Moreover, they can be so organised that a large part of their benefit can be paid for out of the pockets of the workers themselves rather than out of profits.

In short, social services of a certain given level are a product of modern industrial capitalism, and all the legislation, deemed so “revolutionary”, carried out by the third Labour government had its roots in previous measures passed by governments which did not even *claim* to be socialist. When Mr. James Griffiths, introducing the National Insurance Bill as Minister of National Insurance, said “to a large extent this is a Bill consolidating existing measures” most of which have “already been before Parliament, fully debated, and which have stood the practical test of many years of administrative application”, he revealed the essence of the whole situation.

### 3. SOCIAL SERVICES AND CAPITALIST STRATEGY

While the capitalist class fully recognises that social services are not socialism, and that, indeed, they can even be used to strengthen the capitalist State, it is also keenly aware of their cost; while willing to pay “ransom” for its security, the ruling class is constantly striving to keep the ransom at as low a figure as possible. This leads to continual demands for reductions in expenditure on social services, using any argument to hand, though the most effective argument is invariably that of “defence”.

The methods whereby economies are achieved vary. Firstly, there is the demand that social services should be confined to those who “need” them. This line has been pushed persistently by the Conservative Party in relation both to housing subsidies and the National Health Service, where the charge of “abuse” is constantly made. And in order to make sure that only those who “need” them get them, the principle of the means test is encouraged. Conservative M.Ps. Iain Macleod and J. Enoch Powell defined their attitude in this respect as follows:

"The question therefore which poses itself is not 'Should a means test be applied to a social service?' but 'Why should any social service be provided *without* a test of need?'"<sup>1</sup>

Coupled with this open struggle to spend less is the more subtle fight to see to it that as much as possible of the money spent on social services should be got out of the workers themselves either by means of direct payments, indirect taxation, insurance contributions, or other forms of money-raising which fall proportionately more heavily on the workers than on the capitalists.

Next there is the persistent fight by the capitalist class to see to it that whatever extensions of social services may take place, class privilege and class distinction is maintained within them, even to the detriment of social services for everybody.

Finally, no social service must be of such a character as to interfere with the level of wages paid in capitalist industry.

This then is the strategy of the capitalist class in relation to social services. Its effects can well be illustrated by an examination of the social security legislation launched by the post-war Labour governments.

The declared object of the National Insurance Act of 1946 (based largely on the proposals of Sir William Beveridge, who was a long way from being a socialist) was firstly, that it should provide minimum payments sufficient for basic needs for anybody who for reasons of age, sickness or other disability was temporarily or permanently incapable of self-support; secondly, that it should cover *everybody*, and not just certain categories. These were not only the declared objects of the Act; it has been described in fulsome language as carrying them out. Thus Mr. Attlee said: "Since 1945 a series of Acts have been put on the Statute Book which strike at the very roots of poverty and for the first time in our history provide for a minimum standard of living below which no one may fall. . . ."<sup>2</sup> The 1949-50 *Labour Party Speakers' Handbook* said: "Labour's achievements in the field of social security, coupled with the maintenance of full employment, can be expressed in one simple sentence: *We have abolished poverty*" (p. 273). Mr. James Griffiths said of the National Insurance Act that it "will provide for everybody without exception".

<sup>1</sup> *The Social Services: Needs and Means*, published by the Conservative Political Centre (1950), p. 5.

<sup>2</sup> Foreword by C. R. Attlee to *The Family Circle: The Story of Britain's New Age of Social Security* by Douglas Houghton (Labour Party), 1948.

Yet the *facts* are that the National Insurance benefits are so inadequate both in scale and scope that already by 1951 no less than 2½ million people were being supported by the National Assistance Board after submitting to a means test. This is no less than one in every 20 of the population. About one-third of these wretched applicants are not entitled to any insurance benefit at all; they entered the scheme too late, or never entered it at all, and it is a matter for speculation how many decades will pass before in fact "everybody without exception" will be covered by the National Insurance Act.

But the really striking aspect of the whole matter is that about two-thirds of the applicants *are* getting national insurance benefits, but far from "striking at the very roots of poverty" these benefits are so inadequate that the Assistance Board has to supplement them with further payments, if the recipients are not to starve outright. Sir William Beveridge, after searching enquiry, fixed the insurance payments on a basis which would, in his opinion, provide for minimum subsistence without further recourse to public funds except for very exceptional cases. This Beveridge "minimum" was on the lowest conceivable fodder basis; yet when the National Insurance Act was passed in 1946 it provided rates of benefit which were already below this subsistence level in terms of prices prevailing at that time—already old age pensioners who had nothing but their pensions to live on had to apply for supplementation from the Assistance Board. Since then prices have risen so sharply that the insurance payments have had to be raised at successive intervals; they have nevertheless persistently remained below subsistence level.

Not content with fixing pensions and benefits at a level which is much too low, there are continual attempts to narrow their basis. Thus old people are encouraged to postpone going on Retirement Pension, and the question of raising the general retirement age has come up for discussion and will no doubt do so again.

And who pays for these pitiful benefits? They were so arranged to begin with that the workers were paying 35 per cent, the employers paid 33 per cent, and the State paid 26 per cent out of taxation. But after April 1951, the Exchequer reduced its contribution, while those of the workers and employers were increased, so that by 1953-4 the workers were paying 41 per cent out of contributions, the employers 39 per cent and the Exchequer 12 per cent. Here we see that the capitalist strategy has succeeded beyond all expectations—the workers pay a very large part of the amount out of contributions and this



amount is increasing as the years go on. Indeed, before the war the Exchequer was paying 28 per cent of the cost of unemployment, health insurance and pensions. Moreover, this strategy of the capitalist class has actually been adopted with enthusiasm by the Labour leaders, as though there were something peculiarly meritorious in a scheme which makes the workers pay instead of making the rich pay. Thus Mr. James Griffiths said at the Labour Party Conference in 1946:

"The Movement has committed itself to a scheme of Social Insurance on a contributory basis. We have discussed that and we have argued that. It was an essential feature of the Beveridge Report, from which this legislation was derived. The arguments put forward for it then were that a contributory scheme was the one most in keeping with the character of our people and most in keeping with our traditions."

Sadly enough, the movement has allowed itself to be gulled into accepting this "I am sure we don't want something for nothing" attitude (as though the creation of surplus value were "nothing"), and has been misled into thinking that payment of contributions for benefits is the only alternative to being put on a means test.

The same line of approach was applied in relation to the 1946 Industrial Injuries Act, and with even less justification, were that possible. Here again, benefits are of course inadequate, but that is not the main point at issue. Up till the 1946 Act it had always been the tradition that the *employer* should pay compensation for accidents incurred by his employees while at work, and this was actually the arrangement under the old Workmen's Compensation Acts. But under the cloak of perfectly justifiable arguments that payment of such compensation should be taken away from the machinations of the insurance companies, the Labour government actually *reversed* this tradition, and ushered in an altogether new conception in this field—the conception that *employees* should contribute half the cost of industrial accidents—which they now do under the new Act, with a consequent great saving to employers.

It must be confessed, therefore, that in respect of three out of four of the social security Acts<sup>1</sup>, the strategy of the ruling class has been remarkably successful. They have managed to keep the "ransom" ridiculously small; they have managed to make the workers themselves

<sup>1</sup> I.e., the National Insurance Act, the Industrial Injuries Act, and the National Assistance Act.

pay for a large and ever growing percentage of it; best of all, they have got 2½ million of the population under a means test—a number quite remarkable in an era of full employment.

In contrast to this, it must be stressed that the capitalist class was initially very much less successful in relation to the fourth of the social security Acts, the National Health Service Act. Whatever may have been the defects of this Act (and one major one is the class privilege retained by paying patients), there is no doubt that its implementation was an outstanding victory for the working class; its benefits to working people have been considerable and were felt to be so.

Under the original Act, the health service was to be financed almost entirely out of taxation; only a very small proportion of the money came from insurance contributions or rates—both sources which hit the workers hardest. All treatment was to be given without payment; nobody was to be subjected to a means test before using it.

That the Act ever reached the Statute Book is a remarkable tribute to the strength of the working-class movement at the close of the war and after. It is worth considering the reasons for the contrast between the great concessions made under the National Health Service Act and the infinitesimal concessions made to the old age pensioners and to unemployed under the National Insurance and National Assistance Acts. These two latter Acts involve weekly cash payments. Where these are involved the capitalists will fight fanatically to prevent them rising to a level which challenges the wage level. For once they reach the level of the lowest-paid wage earner, employers may be forced to raise minimum wages. This attitude has its roots in the 1834 Poor Law; it has been apparent all through the century of struggle for higher standards for the aged, the sick and the unemployed. It is the only thing which explains the readiness with which the capitalist class permitted the spending of huge sums on the National Health Service while refusing much smaller sums to the old age pensioners. It is one more sign of how firmly the capitalist class remained in the saddle all through the period of a Labour government.

The National Health Service Act represented a gigantic temporary concession in a sphere which would damage the capitalist class least. It became clear early on that even this concession would be modified so soon as opportunity occurred; no sooner was the Act on the Statute Book than the ruling class began fighting to whittle it down.

In this they are succeeding to an ever growing extent. In the beginning the building of Health Centres was indefinitely postponed,

though these are the key to the transformation of the scheme into the comprehensive service originally envisaged. Hospital building and the level of nurses' wages have been kept down, so that the waiting lists for hospital treatment grow ever longer. As prices rise, the Hospital Boards find themselves crippled for lack of finance; hounded from above with cries for "economy", their freedom of action is each year further restricted. Meanwhile, the demands for drastic reductions in expenditure (voiced first in public by bankers, industrialists and members of the House of Lords, and subsequently by the Conservative Party) were in practice acceded to by the Labour government when it decided in 1950, at a time of rising prices, to impose a "ceiling" of £400 million for the whole country on net expenditure under the Act; charges for spectacles and teeth were imposed in 1951, and the Labour leaders, thus hopelessly compromised, were in no position to battle against the shilling on prescriptions, the charges for dental treatment and hospital appliances, and all the other measures which have by now begun seriously to jeopardise the outstanding achievement of the so-called Welfare State.

We have dealt with the social security Acts in some detail because they illustrate the place of State-run social services under the capitalist system.

As a result of pressure from the working class for improved standards there has been a considerable extension of these services. To run them there has been a vast expansion of the bureaucracy, and an ever growing tendency for centralised control, remote from the people—a tendency which we discuss in more detail in the next chapter on Local Government. Meanwhile, many of the real concessions which have been made—such as the National Health Service—are being whittled away. The great forward movement which inspired the election victory of the Labour Party at the end of the war was sidetracked away from the advance to socialism and concentrated on measures which, while they tended to strengthen the machinery of the capitalist State, conceded only temporary advantages that have since been continually under fire. Bitter experience shows that so long as capitalism endures, the provision of social services and social security on a scale which meets the basic needs of the people will remain a mirage.

## LOCAL GOVERNMENT

IN the previous chapter we discussed the place and function of social services in capitalist society. These services are administered in two main ways; some, like National Insurance, National Assistance and the major part of the National Health Service, are in the hands of the central government; others, like housing and education, are administered largely by elected local authorities.

The British system of local government is often held up as evidence of our democratic way of life. Students from colonial countries are urged to take it as a model, on the grounds that the introduction of a similar system in their own countries could be a step towards "self-government". Officially, the Labour Party tends to accept this standpoint. Thus the *Labour Party Speakers' Handbook* (1946-7) claimed that the functions of local government had now developed "to the positive ones of giving to every citizen the best possible opportunities for a full and happy life".

This attitude completely ignores two tendencies which are a marked feature of our present system—firstly, the progressive tightening up of administrative, legal and financial control over all local authority activities by the central government; secondly, the increasing tendency to take away the powers of local authorities altogether.

## I. CHANGING RELATIONS OF CENTRAL AND LOCAL GOVERNMENT

From the beginning of the eighteenth century right up until the middle of the nineteenth, local government was truly "local". This does not mean that it was in the hands of the local working people; on the contrary, the rural areas and many of the urban areas were ruled by the landed gentry, while many towns were governed by corrupt municipal corporations in the hands of a small section of the local property owners. The passing of the Municipal Corporations Act of 1835—the first step towards local government as we know it today—was the result of pressure from the rising industrial capitalists, who wanted control of their towns taken out of the hands of this very inefficient and hidebound closed circle.

The gradual shift of control from the landed aristocracy to the rising industrialists and businessmen in the localities did not however mean any lessening of local autonomy. The central control over local authorities which has grown up in the last hundred years developed for two main reasons. In the first place, there came a time when the capitalist class required not only an effective police system and an exceptionally repressive poor law, but in addition, as we have seen in the preceding chapter, a wide expansion of services of various kinds, starting with the provision of sanitation and continuing with measures of education, health and housing. For all of these the local authorities were eventually used as agents, and the weight of the central government was used to enforce the provision of the necessary minimum services.

But in the second place, as the franchise widened and the opportunities grew for the working class to elect their own representatives, the central government was used to hold back any activities by local authorities which offered a challenge to the wishes of the capitalists themselves.

In orthodox textbooks on local government the first of these reasons is always stressed; the second is always ignored, and the conflict between local authorities who resent the loss of their autonomy and the central government which is fighting to maintain rigid control is often presented as a struggle between "efficiency" and "liberty". The central government has been depicted as an organisation striving to persuade backward local authorities to enforce "minimum" standards.

This is a distorted picture of the real state of affairs. For the last hundred years the struggle has been one of trying to get the local authorities to be efficient servants of the capitalist class. This has certainly involved, particularly in the earlier period, the enforcement of "minimum" standards, not only in respect of repressive services like the police, but also in respect of sanitation, education and the like. But whenever a local authority has tried in contrast to be an efficient servant of the *working* class, the boot is on the other foot. Far from encouragement, it has met with the utmost opposition, resistance and repression from Whitehall.

While there are still "backward" local authorities to this day, on the whole the central government's progressive influence in stimulating local authorities to greater activity has long since taken second place to its restrictive influence in preventing activities which would go too far.

The importance to the ruling class of tight central control over the activities of local authorities only became really crucial after the First World War.

## 2. THE STRUGGLES OF THE INTER-WAR PERIOD

The period following the First World War was marked by the fact that certain local authorities ceased temporarily to act as obedient agents of the central government, and tried instead to carry out the wishes of their working-class electors. What happened to the local Councillors concerned, and how the government mobilised the whole power of the bureaucracy and the law courts against them, is a lesson in itself. The pioneers in this struggle were the famous Poplar Councillors, headed by George Lansbury.

The background to the Poplar struggle was the industrial depression following the First World War, the rapid increase in unemployment and the fighting mood of the working class. Unemployment insurance was totally inadequate in scale or scope, and the unemployed were forced in growing numbers to apply for poor law relief, which was at that time administered by Boards of Guardians, who were elected locally but who had to submit to close control by the Minister of Health. The Guardians' main source of income was from the local rates which were levied by the local Borough Councils.

As unemployment rose, the cost of relief rose also, so that in the areas most affected the rates soared. Poplar was such an area, and the Poplar Council found itself faced with a rate of around 38s. in the pound. The Poplar Guardians, who were throughout backed to the hilt by their working-class electors, insisted on applying standards of relief which, though far from extravagant, were a good deal less harsh than those approved by the Minister of Health. As the overwhelming majority of ratepayers in Poplar were working people, many of whom were actually on relief themselves, the Poplar Council argued that the burden of relief should not be borne by each area separately, but should be pooled so that the rich areas would contribute towards the poorer ones. Thus in London, they argued, Westminster, which had little or no poor rate burden, should contribute to the impoverished East End boroughs.

The Poplar Council made some unsuccessful attempts to persuade the government to take action on these lines; finally, on March 21, 1921, the Council decided to refuse to levy rates for outside authorities like the London County Council, the Metropolitan Police and the

Metropolitan Asylums Board, and to levy rates for its own expenses only.

After some months of litigation the Council was summoned to the High Court on July 29. The Councillors marched to the Court at the head of a procession with a band and banner inscribed with the words "POPLAR BOROUGH COUNCIL marching to High Court and possibly to PRISON." The High Court ordered the Council to levy the precepts, the Council refused, and on September 1 thirty Councillors, including the Mayor, were sent to prison for contempt of court. They stayed six weeks in Brixton Prison, while huge popular demonstrations for their release were held outside. In the end the government gave in; the Councillors were released, and a Bill was hurriedly passed laying it down that the cost of outdoor relief in London should be met by a common Metropolitan Poor Fund. As a result Poplar's rates fell sharply, and in the subsequent elections the Poplar Labour Councillors carried all seats but one with vastly increased majorities.

The struggle did not end with this victory. The Minister of Health laid down a new scale of relief above which Guardians were not supposed to go; when the Poplar Guardians asked for a loan to tide them over immediate difficulties, he instituted a special enquiry into Poplar's administration of the Poor Law, and then issued a definite order to the Guardians that they were to operate the Minister's scale of relief. The Poplar Guardians defied the Minister, continued to operate their own relief scales and published a pamphlet: *Guilty and Proud of It*. The District Auditor then surcharged for the excess, which meant that Guardians and Councillors were made personally responsible for refunding all money spent in excess of the Minister's relief scales. The Councillors ignored the surcharge and in fact they were never brought to court; in 1924, John Wheatley, Minister of Health under the first Labour government, rescinded the order and announced that no action would be taken regarding surcharges imposed for illegal relief given before its rescission.

Poplar was not the only council which challenged the Minister in the 'twenties and early 'thirties, and in 1926 Mr. Neville Chamberlain, the new Conservative Minister of Health, secured the passing of the Guardians (Default) Act to strengthen his hand. Under this Act, the West Ham Guardians, who had continually operated a relief scale which was higher than that approved by the Minister, were completely superseded, and their functions handed over to three paid administrators nominated by the Minister, who proceeded to cut relief

scales drastically. In the following months, both the Chester-le-Street and the Bedwelty Guardians were removed for the same reason.

In 1929, Mr. Chamberlain introduced the Local Government Act which abolished the Poor Law Guardians and transferred responsibility for Poor Law relief to the Public Assistance Committees of the County Borough and County Councils. This had the effect of pooling the rate burden to a certain extent—many of the hardest hit areas were no longer solely responsible for financing relief. Moreover, because many of the County Councils were dominated by Conservatives from the rural areas, the government no doubt calculated that for the most part they could be relied on to operate government instructions as rigidly and as harshly as was intended. Nevertheless, guerrilla war still went on. The vicious household means test imposed on the unemployed by the National Government in the 1931 economy drive raised a storm which shook the country. Many local Public Assistance Committees protested and refused to operate the means test and were only brought to heel by maximum pressure; in particular the Public Assistance Committees of Rotherham and of County Durham were both removed from office and replaced by government-appointed Commissioners in 1932.

The final stage in the struggle was reached when in 1934 the government decided to take the unemployed out of the hands of local authorities altogether and to put them under the control of the Unemployment Assistance Board.

In this struggle, which went on for more than a decade, there were all along certain fundamental questions at issue which have been touched on in the previous chapter. Even in the 'twenties the attitude to and treatment of the unemployed still had its roots in the notorious 1834 Poor Law Act, a measure which sprang partly from the determination of the capitalist class to create a free labour market. The theory was, firstly, that relief must necessarily be made so unpleasant and degrading that the "idle" would be forced to work, and, secondly, that in no circumstances should relief be high enough to compete with the lowest wages paid by employers. Already in 1911, in the monumental Minority Report of the Royal Commission on the Poor Law which advocated the break up of the Poor Law altogether, Beatrice Webb, George Lansbury and others had stressed the fact that to make the lowest-paid employment the test for relief levels was encouraging the gross underpayment which existed in many trades. Those authorities who refused to operate the Ministry's relief scales, therefore,



were not only refusing to participate in the economy drive; they were deliberately challenging low wages, a matter on which the ruling class is more sensitive than on almost anything else.

### 3. THE MECHANISM OF CENTRAL CONTROL

#### (1) *Finance*

Exactly how is the central control over local authorities exercised? There are various methods. The principle weapon is finance.

A local authority's opportunities for independent action are primarily based on the fact that it has an independent source of revenue—the rates. But in practice the amount which can be derived from the rates is limited by the fact that it is a very *regressive* tax which falls proportionately more heavily on the poor than on the rich, unlike income tax which is graded the other way round. The rates are very inelastic, therefore; a working-class authority is unable to draw more money from its wealthiest ratepayers without at the same time penalising its poorest.

In order to persuade local authorities to provide the services required, the central government was obliged to supplement the rates by grants taken out of national taxation. It is worth recalling that the first government grants-in-aid accorded to local authorities were mainly designed to strengthen the repressive part of the local government machine and were hardly "benevolent" in character. These were a grant given in 1835 to the County and Borough Justices towards their expenses in handling prisoners—for prison administration remained partly under the control of the County authorities until 1877; a grant given in 1846 towards the salaries of poor-law doctors and teachers in workhouse schools; and a grant given in 1856 towards the cost of establishing whole-time police forces by the County and Borough authorities. Sanitation attracted no grant until the 'seventies.

Over the years, the grants system expanded on an increasing scale. The grants had "strings" attached; they were only given on condition that the local authority carried out its functions in a manner approved by the central government; if a local authority did not do this the grant could be withdrawn. This gave the central government the opportunity to supervise activities in very great detail and to determine the scale of the major social services within very narrow limits.

The threat to withhold grants has been used on numerous occasions. For example, in the early 'twenties the Poplar Council fixed the rents

of its newly built houses lower than the level approved by the Minister, and was threatened with withdrawal of the housing grant unless it raised the rents. Poplar refused and the matter went to arbitration, where the Council won a partial victory. But most local authorities do not go to these lengths; the fact that a grant is conditional on "approval" is enough to make them give in. A modern illustration of how the grant system is used to restrict services was the enforcement of the 5 per cent cut in education estimates required by the Ministry of Education circular issued in December, 1951. The education service is financed to a large extent by the government's education grant, and in the summer of 1952, when it became clear that many local authorities were failing to implement the required cut, the Minister of Education wrote a sharp letter to about a hundred of them asking them to explain why their estimates had not shown a bigger reduction, and saying that the Minister wanted to be satisfied that the cuts were adequately reflected in the estimates before she could consider them when settling the instalments of grant to be paid during the current financial year. This was the situation until 1958. At the time of writing, the government is preparing to abolish the percentage grant for education and to replace it with a block grant.

Local authorities have become so dependent on government grants that they now receive considerably more from the national exchequer than they do from the local rates. Yet successive governments have rejected every proposal that has been made to provide local authorities with additional sources of revenue of their own, such as a local income tax or an entertainments tax. Moreover, they have seriously weakened the rating system by the derating of agriculture which began in 1896, the partial derating of industry from 1929, and of shops and commercial property from 1957. They have thus compelled local authorities to rely to a growing extent on financial assistance from the national exchequer, and to submit to the increasingly stringent control that has inevitably accompanied it.

The system of loan sanction is also of great importance. No local authority can raise a loan to defray capital expenditure without the permission of the appropriate government department. Since nearly all local government activities involve capital expenditure on buildings, vehicles, sewers or other things, this gives the central government very wide powers to control the rate at which local authorities are able to improve the social services they administer.

The central government has in the past used its loan sanction powers

to interfere seriously with the freedom of an elected council to decide what was most needed for the people living in its area. Thus in 1925 the Salford Council applied for loan sanction for the purpose of building a swimming pool; the Minister of Health refused permission, expressing the opinion that there appeared to be sufficient swimming pool accommodation in the borough already, and that the site did not appear to be satisfactory.

In the early 'thirties the alleged necessity for economising in public expenditure was used by the government to curtail drastically the volume of loans raised by local authorities, though in fact large-scale municipal public works would have done more than anything else to ease the unemployment which then prevailed.

Since the Second World War this control over the borrowing powers of local authorities has been exercised far more strictly than ever before, and they have had to submit to severe limitations on their capital expenditure on account of the "national economic situation"—limitations which have often been much more severe than those imposed on private enterprise, and which have largely stemmed from the need to restrict expenditure on social services in favour of the huge rearmament programme instituted in 1950.

## (2) *The Doctrine of "Ultra Vires"*

A progressive local authority is hampered in ways quite unconnected with finance. The most important restriction derives from the doctrine of *ultra vires*—beyond the powers. Unlike the ordinary citizen who is entitled to do anything which the law does not forbid, local authorities are only allowed to do things which they are specifically authorised by law to do. Anything for which express permission is not given by statute is beyond their powers.

The doctrine of *ultra vires* in its present form was the product of a series of judicial decisions made in the nineteenth century, and is a striking illustration of the powers of English judges to make new laws (see Chapter XI). Previously, local authorities had engaged in a variety of activities for which they had no express statutory powers. Thus in 1817 the Manchester Police Commissioners set up a municipal gas works which ran for several years without any specific statutory authority whatever.

The main sphere in which the doctrine of *ultra vires* has operated is that of municipal trading. Local authorities were permitted—though only reluctantly, and after prolonged struggles in the nineteenth

century—to engage in the supply of water, gas, electricity and road passenger transport; but any extension into other fields which could be a source of profit to private enterprise has been most strenuously resisted.

On no fewer than eight occasions between 1921 and 1939 Labour M.Ps. introduced into the House of Commons enabling Bills for the purpose of widely extending the trading powers of local authorities. Thus the 1921 Bill proposed to confer on them power to undertake activities having for their purpose “the acquisition of gain, or the promotion of commerce, art, science, charity or any other object which might lawfully be established or carried on by a company, limited or unlimited . . .”. Not one of these enabling Bills ever got beyond a second reading. When the Labour Party at length secured a majority in the House of Commons in 1945, however, this tradition was forgotten. Apart from a welcome extension of the powers of local authorities to provide public entertainments and to run civic restaurants, the Labour government took no steps to extend the trading powers of local authorities and actually deprived them of two of their most important functions of this kind—gas and electricity.

Local authorities are thus prohibited by the principle of *ultra vires* from engaging in most fields of trading activity. From time to time enterprising councils have managed to obtain permission to carry on a particular form of trading by means of a local Act of Parliament; there is the Birmingham Municipal Bank, the Hull telephone system, the Colchester oyster fishery and the hotel and the wool conditioning house owned by Bradford Corporation; but local Acts conferring powers of this kind have always been few and far between, and seem lately to have become even rarer than they used to be.

The doctrine of *ultra vires* has always been construed strictly by the courts. Thus in 1906 the Manchester Corporation was prohibited from spending money on a general parcels delivery business as part of the tramways which it was authorised to run, and in 1921 the Fulham Corporation was not permitted to run a municipal laundry when it had only been authorised to provide a washhouse. An even more drastic decision was made in 1954 by the Court of Appeal in the case of *Prestcott v. Birmingham Corporation*. The council, who were authorised to operate a transport undertaking by Act of Parliament and to charge such fares “as they may think fit”, adopted a scheme for permitting men over 70 and women over 65 to travel free on the corporation’s buses, the resulting deficit to be made good out of the

rates. The Court of Appeal decided that the entire scheme was illegal and beyond the powers of the corporation, on the ground that fares ought to be fixed in accordance with ordinary business principles, and that the scheme amounted to an unlawful discrimination in favour of a particular section of the community at the expense of the general body of ratepayers. Any layman would surely have been justified in thinking that Parliament could hardly have chosen any language more lucid and simple to indicate that the council was to be given a free hand in fixing fares. This decision is an extreme example of the interference by appointed judges with the discretion of elected local authorities.<sup>1</sup>

### (3) *The Power of the District Auditor*

Bound up with the restrictions imposed by *ultra vires* is the power of the district auditors appointed by the Minister of Housing and Local Government. The system of district audit applies to the accounts of all local authorities except county borough councils and borough councils outside London; the expenditure of these authorities on education and other services for which they receive government grants is also subject to district audit, and some of them have voluntarily adopted the system for all their accounts. The function of the district auditor is to examine the accounts; he is under a duty to disallow any item of expenditure which is contrary to law, and in addition he has the drastic power to surcharge the amount of any loss or deficiency resulting from the illegal expenditure upon the persons responsible—which means that the Councillors concerned have to find the money from their own pockets. This right of surcharge has been used over and over again for actions which are deemed to be *ultra vires*. For example, in 1922 members of the Southwark Borough Council were surcharged because in asking for printers' tenders they inserted a clause in the contract that only trade union labour should be employed in all departments, i.e. that the printer should be on the "fair list". The contractor whose tender was lowest struck out this clause and accordingly lost the contract, which resulted in the Council's paying £293 19s. 6d. above the lowest tender price. The District Auditor ruled that the insertion of such a clause was *ultra vires* and surcharged the Councillors with the sum lost.

<sup>1</sup> Since then the Public Service Vehicles (Travel Concessions) Act, 1955, has been passed, permitting local authorities which were operating travel concessions before December, 1954, to continue to do so; but it remains illegal for any other local authority to do so.

The District Auditor also has power to declare illegal any expenditure on a *permitted* object if in his opinion this is "exorbitant" or "unreasonable" in amount. The decisive case on this matter was the Poplar Wage Case (known as *Robert v. Hopwood*) of 1924. From May 1, 1920, the Poplar Borough Council had fixed a minimum wage of £4 a week for all its employees, including women. After 1921 the cost of living fell and so did wages, but the Poplar Council maintained its £4 a week minimum though the trade union rates and Whitley Council scales were at a lower figure than this. The Council took the line that a Labour controlled public authority should be a model employer and that under the Metropolis Management Act of 1855 the Council was expressly given power to pay such wages and salaries as it thought fit. The District Auditor took the view that the minimum of £4 was excessive and unreasonable, and accordingly disallowed a sum of £5,000, which was surcharged on the Councillors. The Councillors exercised their right to appeal to the Courts. The King's Bench Divisional Court upheld the auditor's surcharge, but in the Court of Appeal it was quashed. The Auditor, however, appealed to the House of Lords, who reversed the decision of the Court of Appeal and upheld the Auditor. The five Lords who allowed the appeal showed certain differences of opinion in their judgements; it is notable that Lord Atkinson stated that in his opinion the Council would be failing in their duty if in settling the employees' wages they "allowed themselves to be guided . . . by some eccentric principles of socialistic philanthropy or by a feminist ambition to secure the equality of the sexes in the matter of wages in the world of labour".<sup>1</sup>

This decision meant that the District Auditor was placed in a position of much greater power than before. His function, originally conceived as one of preventing corruption, is now greatly extended. It is now his duty to declare illegal any expenditure which he regards as "unreasonable", and in the last resort he must rely on his own judgement as to what is or is not unreasonable. Professor Robson has pointed out that:

"The power which the law now places in the hands of the auditors is so extensive that it may well be asked whether they are fitted by training or position to exercise it in a satisfactory manner; and in particular why their 'reason' should be entitled to take precedence over the 'reason' possessed by the councillors and the electorate."<sup>2</sup>

<sup>1</sup> *Law Reports* (1925), A.C. 594.

<sup>2</sup> W. A. Robson, *The Development of Local Government* (1948 edition), p. 356.

And he adds on the question of auditors in general:

"Their outlook appears to be excessively narrow and lacking in vision. The type of man who regards it as improper for a great local education authority like the London County Council to provide necessitous school children with fruit, cod liver oil and malt extract under the Education (Provision of Meals) Act, does not possess the mental equipment likely to produce the most satisfactory method of audit."<sup>1</sup>

The curious thing about District Auditors is that, although the Minister of Housing and Local Government appoints, promotes and pays them, they are regarded as independent officials discharging duties imposed upon them by law. Accordingly the Minister disclaims all influence over them, and takes the view that he is not responsible to Parliament for their actions.

#### (4) *Default Action*

The central government not only has powers to prevent a local authority doing what it wants, but may act in default of a local authority which refuses to act in the way required of it.

One of the earliest occasions on which default action was threatened occurred after the passing of the Education Act, 1902, by the Conservative Government of the day. The Act provided that church schools were to be subsidised by local authorities from the rates, and this evoked the most bitter opposition from the radical elements in the Liberal Party (led by Lloyd George) and from Nonconformists. The opposition was strongest in Wales, where some local authorities simply refused to make the grants required by the Act. In the end the government rapidly passed through Parliament the Education (Local Authority Default) Act, 1904, giving the Board of Education power to make any payments to a church school that should have been made by a local authority. In practice the mere threat to use these powers proved sufficient to force the unwilling councils to operate the Act, and the opposition was effectively crushed.

There are default powers included in nearly every major statute conferring powers on local authorities;<sup>2</sup> and at crucial moments these

<sup>1</sup> *Ibid.*, p. 358.

<sup>2</sup> For example in the Public Health Act, 1936; the Housing Act, 1936; the Education Act, 1944; the Town and Country Planning Act, 1947; and the National Assistance Act, 1948.

have been used, as in the cases of the removal of the Poor Law Guardians and Public Assistance Committees described earlier in this chapter. The most recent examples have concerned the issue of the hydrogen bomb. In 1954, when the Coventry City Council refused to carry out its civil defence functions in protest against the government's failure to take any effective steps towards the abolition of the hydrogen bomb, the Home Secretary used the default powers contained in the Civil Defence Act, 1948 to appoint a Commission to take over the Council's civil defence functions. In 1957, St Pancras Borough Council decided to discontinue civil defence as a protest against the hydrogen bomb; here again the government appointed a Commission to carry out the Borough's civil defence functions.

#### 4. APPEARANCE AND REALITY

It would take too long to give a complete account of all the powers which the central government has accumulated in its hands in the course of the past hundred years and which have enabled Whitehall to exercise an ever more detailed supervision over local authorities. Their capacity for independent action has now been so severely circumscribed that they play the part of agents of the central government rather than servants of the people who elect them. The elected Councillor may feel responsible to the people who elect him, but he cannot in practice carry out their wishes if these are not in line with what the central government approves or, at best, permits.

The capitalist class in Britain has been extremely successful in adapting the traditional system of local government so as to retain the appearance of democratic local control of social services by the people, while in practice maintaining firm direction behind the scenes.

It must not be assumed from this that every local authority is straining at the leash, ready and willing to jump into action were it not for the restraining hand of Whitehall. On the contrary, in the County Councils and the smaller authorities outside the industrial areas the Conservatives are strongly entrenched—often camouflaged as "independents" who are not concerned with "party politics". Although this is breaking down and "independents" are being steadily replaced by open Conservatives, the idea that party politics should be kept out of local government is still widely held, and helps to conceal the class character of the local government apparatus.

Meanwhile, in those areas where a further stage has been reached and the party system is in full operation, the main tendency among Labour



Party Councillors has been to accept in practice the entire existing framework of local government, with all its limitations.

Where this happens, the two-party system, far from giving the electors "freedom to decide", has simply helped to foster the main illusion—just as it has in Parliament. Once the municipal elections are over, majority and minority parties tend to co-operate closely in the smooth running of the machine. And the value of the two-party system to the capitalist class is shown by the ease with which local working-class leaders, once they are elected, become absorbed in the petty details of administration, lose all traces of militancy and regard minor reforms and improvements as ends in themselves rather than steps towards fundamental change.

The lead in this direction is constantly given by the Labour Party leaders themselves. "Poplarism" was frowned on in the 'twenties, just as Coventry and St Pancras have been frowned on in the 'fifties. The following speech to the National Conference of Labour Councillors by Mr. Herbert Morrison on December 8, 1945, illustrates the attitude to local council work:

"If I may, I would urge you not to be the slaves of dogma. Take, for example, direct labour. It is a worthy principle and our bias should be in its favour. But it is only justified as and when it is in the public interest—like nationalisation. If it is not, let it go. And municipal workers under direct labour should not be encouraged in the view that municipal employment means a slothful Utopia. The municipality is entitled to more, rather than less, energetic service from its workers than the private contractor. The municipal employer as a model employer—by all means; but as a soft employer—no."<sup>1</sup>

Where a militant Labour majority is determined to act in the interests of its working-class supporters, and rebels against direction from above, all the illusions about "local democratic control" are blown sky high—for such a council quickly finds itself hamstrung unless it is prepared to break the law and defy the central government. Poplar is the outstanding example in this respect, because here not only was the fight waged on many fronts at once—relief standards, rates, rents, wages—but each battle was fought through to a finish. The fact that the Poplar Council was actually able to win victories over the mammoth forces ranged against it is attributable to two things: the

<sup>1</sup> *The Peaceful Revolution: Speeches by Herbert Morrison* (1949), p. 69.

splendid courage and determination of its Councillors, and the equal determination of the working-class people of Poplar who supported their Council's actions through thick and thin.

### 5. THE DRIVE TO CENTRALISATION

Simultaneously with the progressive tightening up of control over local authorities' activities, there has developed the increasing tendency to take services out of the hands of local authorities altogether.

The first major step in this direction was taken by a Conservative government in 1934, when it set up the Unemployment Assistance Board to take over from local authorities responsibility for those unemployed who had exhausted their right to insurance benefit. The events leading up to its formation have been recorded earlier in this chapter; it is clear that the reason for setting it up was the recognition by the capitalist class of the danger of leaving such a vital matter as unemployment relief in the hands of bodies which, because they were locally elected, were subject to local pressure. The answer was to eliminate popular control altogether and put the service into the hands of a remote and independent bureaucracy. The avowed intention was to "take relief out of politics"—which is another way of saying that elected persons, whether Councillors or M.Ps., should have as little to do with it as possible.

For this purpose the Board was given a new and autonomous status not unlike the "independence" accorded to the B.B.C. While the Minister of Labour had a general responsibility for the policy of the Board, and the draft regulations from which the Board worked were laid before Parliament for its approval or otherwise, once the regulations were approved the Board, to all intents and purposes, could go its own way. Its decisions on individual cases could not be interfered with by the House—could not even be subject to parliamentary questions; the Minister had no personal responsibility for the actions of the Board; any questions concerning the general work of the Board were answered through the formula: "I am informed by the Unemployment Assistance Board . . .".

The Board was initially given the task of operating a highly unpopular Unemployment Act, involving an exceptionally vicious form of means test. Since that time the Board has gradually extended its sphere of action; step by step responsibility for caring for the aged, the destitute, the blind, the widows and orphans and the chronic sick has been taken away from elected local authorities and handed to this

organisation which is non-elected from top to bottom. It now constitutes a vast bureaucratic machine which governs the lives of some 2½ million people, and with every year that passes its duties are further extended.

The Labour government renamed it the National Assistance Board in 1948, but, astonishingly enough, its "independent" constitution remained word for word the same as that of the old U.A.B. The word "democratic" has surely never been put to more curious use than on the occasion when Mr. Herbert Morrison said that the National Assistance Act of 1948 constituted "a great landmark in British democratic social advance".<sup>1</sup>

Since the end of the war the process of depriving local authorities of services has been ruthlessly speeded up. Under the National Health Service Act, 1946, responsibility for all hospitals has been transferred to Regional Boards appointed by the Minister; beneath them function hospital management committees also appointed from above. Municipal electricity and gas undertakings have been "nationalised"; the only say which the local consumer now has in the management of these industries is the right to make representations to a "Consultative Council" which meets behind closed doors, is difficult to locate and only has advisory powers in any case. Many other duties of less importance than these have been taken away from local authorities. Not least is the function of valuation for rates, which was transferred to the Board of Inland Revenue in 1948. Many excellent technical reasons were always given for these steps. Thus it was contended that the supply and distribution of electricity and gas, and the organisation of hospitals, could be done much more efficiently over wide regions—much wider than those corresponding to local government boundaries. But the larger regions which many of these services require could and should have been provided by the long overdue reorganisation of local government boundaries. The deliberate failure of successive governments to take the necessary steps to revise boundaries has been made the excuse for depriving local authorities of some of their most important functions.

The borough and district councils that now form the lower tier within the counties have suffered just as severely as the major local authorities from the incessant drive for larger areas of administration. Since the end of the war a big transfer of services from the district councils to the county councils has taken place; the borough police

<sup>1</sup> *Op. cit.*, p. 93.

forces, elementary education, maternity and child welfare, fire brigades and town and country planning have all passed into the hands of the county councils. These changes assume special significance when it is remembered that they often meant the transfer of services from Labour-controlled borough councils to county councils with big Conservative majorities. Here again, the central government preferred to deprive the borough and district councils of many important functions rather than to reorganise them into larger units, thus strengthening the more remote county councils at the expense of the borough and district councils which are necessarily in much closer touch with the people living in their areas.

#### 6. THE FUTURE

The process of weakening local government—depriving it of powers, and cramping and limiting it in the exercise of those powers which remain—has led to apathy among local government electors and frustration and disillusion among Labour Councillors. The disillusion was heightened by the experience under the post-war Labour government, during which many Labour groups achieved a majority for the first time. The initial eagerness and enthusiasm with which Labour Councillors started out in 1945 was rapidly dispelled. Not only were important services being taken away from them with increasing speed, but their freedom of action was, if anything, more severely circumscribed by decisions taken above than previously. It is probable that during this period local authorities received more circulars from Whitehall and were subject to more detailed control than ever before.

The frustrations of this period are usually now (and were then) attributed to the economic scarcities of the immediate post-war period, and there is no desire here to minimise these difficulties or to suggest that they were not an important influencing factor. But what is often overlooked is that the Labour government was not a socialist government; it found itself in the dilemma which faces any government which tries to "control" capitalism, rather than to undermine or abolish it; which tries to use the existing capitalist State apparatus for the purpose of grafting a measure of "central planning" on to capitalist society itself. Hemmed in by the obstruction of local vested interests down below, and obstruction of bureaucratic control from above, it is not surprising that a kind of paralysis overcame many Labour councils.

A real socialist government, pledged to the task of ending a system

of exploitation which has endured for more than three hundred years and of building an entirely new form of society, would not just encourage, it would urgently need a system of local government transformed out of all recognition. For the essence of socialism is that the working people take the running of society into their own hands and control it in their own interests; this involves, simultaneously with the transfer of the ownership of the main means of production, wide decentralisation and greatly extended popular participation. A policy of socialist decentralisation in this country would require, among other things, a great expansion in the scope and functions of local government as we know them today.

One of the first tasks of a socialist government would be a fundamental reorganisation of the structure, areas and finance of local government. The areas of many local authorities, now far too small to permit efficient administration and therefore used as an excuse to deprive local authorities of their powers, would have to be widened, if the powers already filched from local government were to be handed back and further powers added.

The complex structure of local government in England and Scotland makes it difficult to give a clear picture of the kind of reform that is needed; and in any case a socialist government would have to make a very thorough investigation before putting forward its proposals for reorganisation. But it seems clear that the basis for any reform must be a system of directly elected regional councils.<sup>1</sup> Each region would need to be large enough to perform all those functions which require larger areas than the existing ones, but should not be so large as to become too remote from the people. Thus a region would probably require a population of at least a million, while some would be a good deal larger; about 25 regions might be needed for the whole of England. The regional councils could begin by undertaking the provision of hospitals, the distribution of gas and electricity, road passenger transport, regional town and country planning and the building of new towns, fire brigades, sewage disposal where necessary, technical education, trunk roads and the police (except in large boroughs). A concrete example of the kind of region which is contemplated was the very constructive proposal for the urban areas surrounding Manchester which was made at a conference called by the Manchester and Salford Councils in 1948 and attended by 27 local authorities. The proposal was

<sup>1</sup> We have used the term "regional council" to make it clear that they would generally cover much larger areas than the existing county councils.

for a new county council—to be called the Manchester County Council—having a population of 2,630,000 and comprising the county boroughs of Bolton, Bury, Oldham, Rochdale, Salford and Manchester in Lancashire and Stockport in Cheshire; 11 boroughs in Lancashire, 6 in Cheshire and 2 in Derbyshire; together with several rural districts. Owing to the absolute opposition of all the county boroughs concerned except Manchester and Salford, and to the negative attitude of the Labour government, this boldly conceived scheme died as soon as it was born.

The lower tier of the new structure would be based on the existing county borough, borough and district councils; and their boundaries would have to be revised where necessary in order to create authorities large enough to administer services, such as education and maternity and child welfare, which have in recent years been transferred to county councils. The borough and district councils could thus administer all their existing services such as housing, sanitary functions, sewerage, refuse disposal, district roads, parks and playing fields, libraries, museums and art galleries; and in addition they could undertake all the services now controlled by county councils, other than the small number which would go to the regional councils;<sup>1</sup> these new services would include primary and secondary education, maternity and child welfare and the provision of health centres, the day to day management of hospitals, the welfare of old people, and police (in large boroughs). The restoration of these services to borough and district councils would reverse in a striking fashion the decline in their importance (in relation to county councils) which has been going on for the past fifty years, and would bring the administration of many vital social services much closer to the people.

All this is only one aspect of the transformation that would be needed. Equally important would be the abolition of the reactionary doctrine of *ultra vires*, so that instead of being confined to those functions which have been expressly authorised by statute, local authorities would be able to do anything not forbidden by law. This would mean that our elected local authorities would for the first time be able to expand their functions in accordance with the wishes and needs of their electors, and to take over many things now run by private enterprise, which might well include industries of a localised nature, some types of retail and wholesale distribution, and the provision of cinemas, theatres and social and cultural facilities of all kinds.

<sup>1</sup> Such as fire brigades, regional planning, and technical education.

How would local government be financed? The rating system is so unsatisfactory as the sole source of local revenue that a socialist government would naturally seek to supplement it, and perhaps eventually replace it altogether, by other kinds of local taxation which would be fair in their incidence as between one individual and another, and which would produce a substantial enough yield to give local authorities a reasonable degree of independence from the central government. At the present time it seems that a local income tax is the only tax which could fulfil these conditions, and there can be no doubt that its introduction would greatly improve the financial position of local authorities.<sup>1</sup> It may well be that a local income tax would still be a valuable form of local tax in a socialist society, at any rate in the early stages of such a society. But the special value of a local income tax under capitalism—that it makes all those who derive their incomes from company profits contribute their fair share to local expenditure—would no longer have the same importance after the principal means of production had been nationalised. When that time arrives, a tax based on the turnover of local industry and trade may prove to be the best form of local tax.

The transfer of the land and the means of production to social ownership would also remove many of the major financial obstacles which at present confront local authorities, such as the high cost of land in urban areas and the heavy rate of interest on loans for capital expenditure.

A big expansion in the functions of local government would probably call for the election of a larger number of Councillors for each area in order to cope with the additional work involved and to maintain close contact with the electors. The undemocratic institution of Aldermen would be abolished; and local authorities would be encouraged to work closely with all kinds of local organisations, such as trades councils, tenants' associations, youth organisations and old age pensioner associations so as to draw the maximum number of people into the work of local administration.

With all its limitations, local government in this country has grown up with one great advantage—the committee system, whereby large

<sup>1</sup> Until recently a local income tax was generally dismissed on the ground that it was administratively impracticable, but this argument is no longer tenable since the publication of the expert "Report of a Study Group of the Royal Institute of Public Administration" entitled *New Sources of Local Revenue* (1956), which recommended that local authorities should be permitted to impose a local income tax not exceeding 3d. in the pound. They also recommended that the right to levy entertainment tax and motor vehicle duties should be transferred to local authorities.

numbers of elected councillors have been able to participate closely in local administration, and who have in this way acquired a vast fund of experience, often combined with an intimate knowledge of the problems of the people. Many Councillors, inspired with the desire to improve the lives of their fellow beings, have given outstanding and devoted service to those who elected them. The programme of reform outlined above would provide them with opportunities which they can never hope to have in a capitalist society. The way would be open towards the tremendous expansion in the social services and the extensive rebuilding of towns and cities that will be made possible through the social ownership of the means of production.



## CHAPTER XVII

# THE B.B.C. AND THE I.T.A.

### I. THE IMPORTANCE OF PROPAGANDA

ANY analysis of the methods whereby the ruling class maintains power has to take account of propaganda. For had the ruling class not been successful over long periods in persuading the ruled that the State institutions were, by and large, acting in their interests—or at least could be made to do so—the whole course of history would have been changed. This “persuasion” has involved the deliberate attempt to educate the working class to accept life under capitalism, to condition the workers into habits of thought which are advantageous to the ruling class.

The far-seeing members of the ruling class understood the need for this “conditioning” process long before modern methods of moulding thought were developed or even thought of. Lord Chancellor Brougham had foreseen the problem as early as 1834, when he said of the workers:

“It is no longer a question whether they shall read or not . . . it is no longer a question whether they shall be politicians, and take part in the discussion of their own interests or not; that is decided long ago. The only question to answer, and the only problem to solve, is how they shall read in the best manner, how they shall be instructed politically and have political habits formed the most safe for the constitution of the country. . . .”

Walter Bagehot in his classic on the English Constitution wrote in 1866:

“As yet the few rule by their hold, not over the reason of the multitude, but over their imaginations and their habits; over their fancies as to distant things they do not know at all, over their customs as to near things which they know very well.”<sup>1</sup>

And after the partial extension of the suffrage in 1867 he wrote:

<sup>1</sup> *The English Constitution* (1867), World's Classics edition of 1949, p. 239.

"Our statesmen have the greatest opportunities they have had for many years, and likewise the greatest duty. They have to guide the new voters in the exercise of the franchise; to guide them quietly, and without saying what they are doing, but still to guide them. The leading statesmen in a free country have great momentary power. They settle the conversation of mankind."<sup>1</sup>

The extension of the suffrage in this country was accompanied by the extension of elementary education, and from then on the ruling class became far more dependent on propaganda and deception than before. Literacy can bring knowledge and understanding to the workers which is dangerous to the ruling class, and creates a greater need for the latter to organise systematic propaganda, but at the same time literacy provides the opportunity to carry out such propaganda. Hence the tremendous developments in the techniques of mass propaganda which have taken place over the last seventy years.

A detailed study of the rise of the "popular" press is outside the scope of this book, but it should be noted that initially the work of creating mass propaganda organs was entirely carried through by private enterprise. The modern techniques for influencing mass public opinion through the newspapers owe their origin to Northcliffe's *Daily Mail*, founded in 1896. The *Daily Mail*'s political attitude was never in doubt; it was expounded in the following manner on the fourth anniversary of its publication in 1900:

"The *Daily Mail* is the embodiment and mouthpiece of the Imperial idea. Those who launched this journal had one definite aim in view. It was, and is, to be the articulate voice of British progress and domination. . . . We know that the advance of the Union Jack means protection for weaker races, justice for the oppressed, liberty for the downtrodden. Our Empire has not yet exhausted itself. Great tasks lie before it, great responsibilities have to be borne. It is for the power, the greatness, the supremacy of this Empire that we have stood."

In 1913 the *Daily Express* was bought by Lord Beaverbrook, who rapidly proceeded to improve on the *Daily Mail*'s techniques; later he founded the *Sunday Express* and acquired the *Evening Standard*. Lord Beaverbrook when asked by the Royal Commission on the Press what was his main purpose in running his papers replied: "I run the

<sup>1</sup> *The English Constitution*, p. 268 (from the Introduction to the Second Edition of 1872).

paper purely for the purpose of making propaganda, and with no other motive".<sup>1</sup>

In 1920 the Berry brothers—Lords Kemsley and Camrose—entered the newspaper world, and a third great press empire was founded. And so the process continued, so that today our "free" press consists for the most part of great newspaper chains in the hands of great monopolists.

Thus the press, the first great instrument of mass propaganda, has been left to the monopolists to manage direct. But in the 'twenties a second great instrument even more powerful than the press was developed—sound broadcasting—only to be followed a couple of decades later by the most potent weapon of all, television. And just as we have seen that the development of monopoly capitalism in other fields entailed growth in the size and functions of the State, so we see it in the field of mass propaganda. Sound broadcasting has been almost from its inception managed by a State-appointed organisation, while television is now managed jointly by State and monopolists together.

## 2. THE B.B.C. AS A PROPAGANDA WEAPON

One of the most carefully fostered theories is that the British Broadcasting Corporation is and should be "impartial". Just as the State itself is claimed to be "above classes" and "neutral", so the State-appointed B.B.C. is said to be "neutral", "impartial" and "objective", and to act not on behalf of one class or another, or one political party or another, but on behalf of the nation as a whole. Indeed, the B.B.C. says of itself that "the words 'Trustee for the national interest' have always been taken as a guiding principle".<sup>2</sup>

Furthermore, the B.B.C. also says of itself the following:

"One of the most important aspects of the B.B.C. is that it has no politics of its own. This political impartiality springs directly from the nature of its constitution as a body, which does not serve any private interests, and is not directly controlled by the Government of the day. The B.B.C. is under an obligation to give its listeners at home and overseas news that is objective and without political bias, and to see that over the whole range of its programmes political comment is fair and balanced."<sup>3</sup>

<sup>1</sup> *Report of the Royal Commission on the Press 1947-49*, para. 87. The type of propaganda is summed up in his own book as follows: "The *Daily Express* believes that the British Empire is the greatest influence for good that the world has ever seen" (*Politician and the Press*, by Lord Beaverbrook, 1923, p. 126).

<sup>2</sup> *B.B.C. Handbook* (1955), pp. 11-12.

<sup>3</sup> *Ibid.*, p. 9.

This claim was substantially endorsed by the Beveridge Committee on Broadcasting which reported in 1949 and which paid tribute to the efficiency of the B.B.C., "to the sense of public spirit which animates it, and to its substantial success in maintaining impartiality".<sup>1</sup>

The B.B.C.'s claim to "impartiality" rests, it would appear, on three things: firstly, the rule (which is strictly adhered to) that the Corporation should not *itself* express opinions on current affairs or matters of public policy; secondly, that it allocates time for party political broadcasts; and thirdly, that so-called "controversial" broadcasts other than party political ones should form some part of its programmes.

An examination of both the "party political" and the "controversial" broadcasts in practice reveals their limitations. For political broadcasts, the B.B.C. meets annually the representatives of the main political parties and decides the allocation of their broadcasts in accordance with their polls at the last general election. In addition, when a general election takes place the B.B.C. makes available to the three main parties a certain number of periods for election broadcasts; the claims of minority parties are considered only after Nomination Day, when any party nominating a requisite number of candidates (usually 50) is given the chance to broadcast for a shorter period and at a less important time than the main parties.

What this means in practice is that this field is dominated by the two-party system; the two major parties in agreement give a sop, in the shape of perhaps one broadcast a year, to the Liberals and cut out all other parties, including not only Communists but Welsh Nationalists and others. The official argument on this matter is, that it is right and proper that broadcasting time in political broadcasting should reflect the broad division of public opinion as shown at the polls. In practice, of course, this veto on minority parties is one of the main factors preventing their rise. By denying to a minority party access to and use of one of the most powerful means which exist for the formation and moulding of public opinion, the B.B.C. is actively maintaining the two-party system intact.

The tight domination by the two main political parties was illustrated during the controversy on Welsh broadcasts in the summer of 1955, when the Postmaster General vetoed a proposal by the Welsh Broadcasting Service to run its own regional party political broadcasts. More than 100 local authorities in Wales had pressed for these broadcasts,

<sup>1</sup> *Report of the Broadcasting Committee, 1949* (Cmd. 8,116), para. 183.

as well as many religious bodies and cultural societies, but the Postmaster General made a Direction prohibiting the B.B.C. from allowing any party political broadcasts other than to the whole country.<sup>1</sup>

Apart from formal "party political" broadcasts, the B.B.C. does arrange fairly regular "controversial" broadcasts, for example, round table discussions in which those taking part express different points of view. A large proportion of the "controversy" is on relatively superficial questions; views on fundamental matters are not usually permitted to be aired unless they are fairly "orthodox". Thus on the question of peace, the British Peace Committee, under whose auspices a million odd signatures for a five-power peace pact had been collected, was never allowed to broadcast a statement of its objects. A series of six talks given on the Overseas Programme in the autumn of 1951 on "Is a settlement with Russia possible?" were all given by persons with pronounced anti-Soviet views; a request by Mr. D. N. Pritt, Q.C., to have at least one speaker who would present the case for the Soviet Union was firmly refused. And when strikes take place, how often are the strike leaders given an opportunity to state their case?

It must be stressed that both the Conservative and Labour Party official machines in "controversial broadcasts" connive at limiting the expression of unorthodox views by "rationing" back-bench M.Ps. to a maximum number of broadcasts in which they may participate.<sup>2</sup> The limitations imposed on political and controversial broadcasts are therefore considerable.

However, the main criticism of the B.B.C. is not that in its "controversial" programmes the genuine left is so often inadequately represented. The main criticism is that for all the supposedly "non-controversial" programmes (the great majority), the right-wing view is considered to be the *normal* one; moreover, the B.B.C. has consistently lent itself throughout the thirty years of its existence to the deliberate formation of "safe" political habits in the broader sense.

Take, for example, the question of the monarchy. In chapter V we analysed the uses of the monarchy to the ruling class. It is the B.B.C. above all which has exploited these uses. In a penetrating article Dr. William Salter traced this process from the initial Christmas Day broadcast by George V in 1932:

<sup>1</sup> *The Times*, July 28, 1955, and letter in *The Times*, August 15, 1955.

<sup>2</sup> For evidence on this, see letter from Robert Boothby in the *New Statesman*, August 15, 1955.

"It is exactly here that [the B.B.C.'s] greatest achievement lies; herein is its most important contribution to orthodoxy. When all other factors have been allowed for, it is the B.B.C. conspicuously that has created the specifically modern attitude to the monarchy in England, that attitude of respectful adulation which turns the Sovereign into a sort of domesticated film star and which renders criticism of royalty unthinkable because NOT DONE. . . . Our automatic responses to royalty have been set up almost entirely by the B.B.C., and that they have been organised quite deliberately there can be very little doubt. . . . The monarch as a symbol has been brought home—literally—to us all, and the end of orthodoxy, which is that people shall think and feel alike, has been attained".<sup>1</sup>

Or, take religion. The B.B.C. prides itself on the amount of broadcasting time given over to religion. According to the *B.B.C. Handbook* for 1955 there are "every week about thirty religious programmes of different kinds" on the Home Service and Light Programme combined.<sup>2</sup>

Now it is admitted on all sides that the churches have a small and dwindling following;<sup>3</sup> the B.B.C. can therefore hardly claim (as with party political broadcasts) that the amount of time devoted to religion reflects the broad division of public opinion. What it does claim, and with pride, is that "it is estimated that nearly one-third of the adult population hear at least one of the religious broadcasts on a Sunday, and the majority of these listeners are believed to be men and women who are not regular church-goers".<sup>4</sup>

The object of religious broadcasting was quite explicitly stated by the Beveridge Committee to be the maintenance of "Christian and liberal" values as laid down in a Memorandum of the British Council of Churches. This Memorandum makes it clear that the fostering of "Christian and liberal values" is seen as the main antidote to "materialism" and to "Marxism".<sup>5</sup> On the question of religion, indeed, all talk of "impartiality" falls to the ground.

But not only this. The standpoint of maintaining "Christian and liberal values" (i.e. anti-materialist, anti-Marxist ideas) colours the greater part of what the B.B.C. undertakes, quite outside religious

<sup>1</sup> *New Statesman and Nation*, February 20, 1954.

<sup>2</sup> P. 58. It is however noticeable that the Third Programme has very little in the way of religious broadcasts other than discussion on theology. Evidently religion is for the masses and not for the *élite*.

<sup>3</sup> See below, p. 277.

<sup>4</sup> *B.B.C. Handbook*, 1955, p. 59.

<sup>5</sup> Cmd. 8,116, para., 250; Cmd. 3,817, p. 411.

broadcasting as such. As the Director-General of the B.B.C. declared in 1948:

"We are citizens of a Christian country, and the B.B.C.—an institution set up by the State—bases its policy on a positive attitude towards the Christian values. It seeks to safeguard these values and to foster acceptance of them. The whole preponderant weight of its programmes is directed to this end".<sup>1</sup>

And so, under the banner of "Christian values"<sup>2</sup> all the techniques for "slanting" news in an anti-socialist direction, all the tricks for distorting the truth and conditioning people's minds for the acceptance of capitalism, for teaching them "safe" political habits, have become part of the B.B.C.'s stock-in-trade.

The Executive Committee of the Labour Party had this to say of the B.B.C.'s supposedly "non-controversial" programmes at the time of the Labour government:

"The Labour Party Executive receives many complaints from listeners whose sympathies are with Labour about the one-sidedness of talks, and often there are complaints of anti-Labour bias in news bulletins . . . while pamphlets issued by the Labour Party are sometimes banned from the air, it seems to be rare for the pamphlets of our opponents not to be reported. This was noticeable in the treatment given in news bulletins on the Labour pamphlet written to support the nationalisation of the steel industry and the Conservative pamphlet written against nationalisation. One received no mention, the other was reviewed in three or four successive news bulletins. We feel that an anti-Labour bias often colours what are supposed to be impartial talks and news bulletins. . . . Our biggest general complaint, however, is against the class bias that all too frequently shows itself in variety shows, minor plays and light entertainment."<sup>3</sup>

The National Council for Civil Liberties who, among other things,

<sup>1</sup> Cmd. 8,116, para. 246.

<sup>2</sup> It is here worth noting that the B.B.C. does not hesitate to dispense with Christian values if and when they run counter to the wishes of the employing class. In the General Strike of 1926, when the "whole preponderant weight" of the B.B.C. was thrown behind the government to break the strike, the B.B.C., which for the first three days of the strike was the only source of news to the general public, *refused* to broadcast a statement from the Archbishop of Canterbury, signed by all the Church leaders, asking for reconciliation of the opposing sides. This was refused on the direct request of the Prime Minister, Mr. Baldwin.

<sup>3</sup> Memorandum of Evidence, Report of Broadcasting Committee, Appendix H, p. 348.

presented evidence to the Beveridge Committee alleging bias in the presentation of news, also made the following observations:

"The B.B.C. has been accustomed for many years to abrogate to itself the right, in normal times, to censor the expression of views by outside speakers invited to the microphone. A practice which would never be permitted to the Government is a matter of daily routine in the Corporation. Disquieting information is received from time to time that certain well-known public figures are black-listed."<sup>1</sup>

### 3. WHO RUNS THE B.B.C.?

We have seen that for the most part "orthodox" views, which means right-wing views, are taken for granted on the B.B.C. How does this come about? Mainly through the type of personnel employed by the B.B.C. from top to bottom. The executive of the Labour Party put its finger on the spot:

"The B.B.C., like many other businesses and services, looks on members of its staff with socialist views as being dangerously political in outlook, but takes the curious stand that those with anti-Labour views are somehow non-political. As a result, anti-Labour bias appears in programmes as a matter of course; only Socialist views are questioned."<sup>2</sup>

This was written at a time when the Labour government was in office, and when the majority of the population had shown in their votes that they were pro-Labour. The Labour Party adds:

"It seems that in the past the recruiting of programme staff has been confined to too narrow a field, mainly to University graduates whose experience has been restricted to their school and university careers. They have not moved around among the people they attempt to portray and as members of the B.B.C. staff they have had few opportunities of widening their contacts. The B.B.C. should now be encouraged to broaden its field of recruitment and bring into broadcasting more and more scriptwriters and producers who have been inside factories, shipyards, coal-mines, docks and transport depots, and know how the people of Britain live, how they talk and how they behave".<sup>3</sup>

The Trades Union Congress made exactly the same point:

<sup>1</sup> Cmd. 8,117, p. 314.

<sup>2</sup> *Ibid.*, p. 348.

<sup>3</sup> *Ibid.*



"We take the shortcomings in the B.B.C.'s handling of social and economic questions to be the result, in part, of a certain social bias among many members of its staff deriving no doubt from too narrow a field of recruitment."<sup>1</sup>

Nothing illustrates the outlook of the B.B.C. more clearly, perhaps, than, its attitude to trade unionism. Year in year out it has fought a rearguard action against the organisation by its employees into unions affiliated to the T.U.C. The latter said in its evidence:

"We consider the B.B.C. somewhat remote from public opinion and the national life, and we think there is no better example of this than in the Corporation's attitude towards our affiliated unions."<sup>2</sup>

The composition of the B.B.C.'s Board of Governors reveals the same "social bias". Five of the seven male members of the Board in 1956 were old Etonians. Its chairman was Sir Alexander Cadogan, who held leading posts in the Foreign Office until 1950; after that he was a director of the National Provincial Bank and Phoenix Assurance. Of the nine members of the Board, two were of working-class origin—one was Lord Macdonald of Gwaenysger (the Chairman of the Welsh Council) who was originally a miner and subsequently a Labour M.P. for many years; the other was Dame Florence Hancock, Chief Woman Officer for the Transport and General Workers' Union. The remaining six included three company directors—one having been a Conservative M.P.—one former company director, a woman who had been a Conservative M.P., and the Vice Chancellor of Bristol University; one of the company directors was Lord Rochdale, President of the National Union of Manufacturers and member of the Central Council of the Economic League, the employers' anti-socialist propaganda organisation.

Thus this immensely powerful machine, with unmatched powers for influencing thoughts and actions, is in the hands of people the overwhelming majority of whom automatically support the present economic system under which we live and the ideology that springs from it.

#### 4. THE B.B.C. AND THE STATE

What are the relations of the B.B.C. with the State?

The government appoints the Governors, and there in one sense it begins and ends. The Broadcasting Committee put it this way:

<sup>1</sup> *Ibid.*, p. 350.

<sup>2</sup> *Ibid.*, p. 354.

"The formal power of the Government of the day over the British Broadcasting Corporation is absolute. The Governors who constitute the Corporation can be removed at any time by Order in Council and can be replaced by others. The licence can be revoked by the Postmaster General, if at any time the Corporation in his opinion is failing in its duties. The Postmaster-General can veto any proposed broadcast or class of broadcast, and in so doing can require the Corporation to refrain from announcing that a veto has been imposed. . . . In practice it has become the agreed policy of successive Governments, accepted by Parliament, that the Corporation should be independent of the Government in the day to day conduct of its business, including both the making of programmes, etc. . . . The policy of maintaining the independence of the B.B.C. is justified in the White Paper of 1946 as the policy 'best calculated to ensure freedom of expression on the air and to remove from the party in power the temptation to use the State's control of broadcasting for its own political ends'."<sup>1</sup>

The setting up of "independent" institutions is an old device of the British ruling class. It is a method of insulating the institution concerned from democratic control; at the same time it helps to maintain the fiction of "impartiality".

What this "impartiality" amounts to when there is a Conservative government in power is illustrated by the account in Lord Reith's autobiography of what took place during the General Strike. At this time, Mr. Winston Churchill wanted to commandeer the B.B.C., but the majority of the Cabinet were against, Reith himself pointing out that the B.B.C. held "the goodwill and affection of the people—its influence is widespread". The B.B.C. was therefore not commandeered, but Reith was in constant fear that it might be and in a note to the Prime Minister, Mr. Baldwin, expressed the view that "it is necessary that candid and constant liaison be in operation". The nature of the liaison is described by Lord Reith as follows:

"Happening on the Prime Minister in a club at lunchtime on the first day of the strike, he said the B.B.C. was in a key position and that everybody depended on it."<sup>2</sup>

After the General Strike was over, the Prime Minister sent "a special word of thanks for the great help and service which the B.B.C. rendered to the Government" and the country during the emergency.

<sup>1</sup> Cmd. 8,116, paras. 27, 28.

<sup>2</sup> *Into the Wind* (1949), p. 107.

But "independence" has a second and more subtle advantage for the ruling class. It means that when there is a Labour government in power and a large number of Labour M.Ps. prepared to question the choice of programmes and staff, the B.B.C. is immune to all such onslaughts, because the Corporation is free from Ministerial direction and from any liability of Ministers to defend its actions in Parliament. Thus the ruling class in this country has an instrument of propaganda expressly designed so far as possible to carry on as it is, no matter what happens outside or in Parliament itself.

#### 5. THE INDEPENDENT TELEVISION AUTHORITY

1954 saw in the field of television the introduction for the first time of a service outside the auspices of the B.B.C. The government's main argument for this development was expressed in a White Paper which said:

"As television has great and increasing power in influencing men's minds, the Government believes that its control should not remain in the hands of a single authority, however excellent it may be."<sup>1</sup>

The argument for the introduction of commercial television was indeed centred round the dangers and drawbacks of "monopoly". The labour movement was united in its opposition to this development, rightly stressing that the new organisation was intended to give more power to the big monopolies.

"This anti-monopoly argument is the biggest piece of snivelling hypocrisy that we have ever heard from across the floor of the House . . . this television scheme is not anti-monopolistic. It is going to help monopoly. This television scheme is going to help big business."<sup>2</sup>

These words were to prove true as soon as the new Independent Television Authority (I.T.A.) got under way.

Under the Television Act 1954, the Postmaster General appoints the members of the Independent Television Authority and may at any time, by notice in writing to be laid before each House of Parliament, terminate the appointment. Probably as a concession to the opponents of commercial advertising the members appointed initially in 1954 were on the face of it slightly more "liberal" and more representative

<sup>1</sup> Cmd. 9,005, para. 3.

<sup>2</sup> Herbert Morrison, House of Commons, March 25, 1954.

of the arts and educational circles than the B.B.C. Board of Governors. The chairman was Sir Kenneth Clarke, who was also chairman of the Arts Council; and the remainder of the Board in 1956 was made up of Lord Layton, vice-chairman of Daily News Ltd. (which publishes the *News Chronicle*) and of the Economist Ltd.—a Liberal Peer; two other company directors and a bank director; the Rector of Glasgow University; a former principal of Cheltenham Ladies College who was also a member of the Women's Conservative Advisory Committee; the film critic of the *Sunday Times*; and a former general secretary of the Transport Salaried Staffs Association.<sup>1</sup>

The Television Act lays it down that the programmes broadcast by the I.T.A. shall as far as possible be provided by "programme contractors" who pay the I.T.A. for the right to broadcast, and who in turn have to meet their own costs from advertising revenue. The programme contractors in 1956 were as follows:

*A.B.C. Television:* The main shareholder in this company was the Associated British Picture Corporation, the giant cinema owners and film producers, but minority shareholdings were also held by the Birmingham Post and Mail (of which Lord Iliffe is the Chairman and principal proprietor), the Birmingham Gazette and Dispatch, and Bradford and District Newspapers. The two latter newspapers were owned by the Westminster Press Provincial Newspapers, which owned a chain of provincial newspapers and which in turn belonged to one of the Pearson companies with Lord Cowdray at its head.

*Associated Rediffusion:* The main shareholders were Associated Newspapers (Chairman, Lord Rothermere) which owned the *Daily Mail* and the *Evening News* and controlled the *Daily Sketch*; British Electric Traction, the passenger road transport giant; and Broadcast Relay Service, a holding company which included Lord Swinton and Conservative M.P. Sir Wavell Wakefield among its directors.

*Associated Television:* The directors included Prince Littler, theatre proprietor; Sir Robert Renwick of Associated Electrical Industries and Power Securities Corporation; C. O. Stanley, Chairman of Pye Ltd. and Sunbeam Wolsey; H. K. Cudlipp of Daily Mirror Newspapers and Sunday Pictorial Newspapers. The latter had a substantial minority shareholding in the company.

*Granada T.V. Network:* This company was owned by Granada Theatres, one of the big cinema owners.

<sup>1</sup> Since that time a new chairman has been appointed—Sir Ivone Kirkpatrick, whose career is outlined in Chapter XIII, on the Foreign Office.

*Scottish Television:* The major shareholder was Scotsman Publications, which owned the *Scotsman*, the right-wing newspaper in Scotland.

The programmes are thus in the hands of big business—in particular in the hands of those who have provided the ruling class with some of its main instruments of propaganda in the past in the newspaper and film world. These concerns in turn are subject to pressure from the big national advertisers.

The programmes broadcast by these programme contractors are subject to a certain amount of supervision by the I.T.A.—for example, the latter must satisfy itself that the programmes do not “offend against good taste”, that there is a “high general standard of quality”, that “due impartiality is preserved . . . as respects matters of political or industrial controversy” and so forth; but these provisions mean little more than they mean in the case of the B.B.C.

The alliance between the State and big business has never been more clearly demonstrated than by the introduction of commercial television. If the I.T.A. were firmly in socialist hands, the conflict between itself and the programme contractors would undoubtedly cause immediate breakdown. It is clear that in a socialist society commercial television would find no more place than newspapers owned by a handful of millionaire combines. In addition, the B.B.C. would have to be transformed, so that instead of serving the ruling class as an instrument of propaganda it would serve the working class and the great majority of the people of this country.

## CHAPTER XVIII

### THE ESTABLISHED CHURCH

THE British ruling class has never believed that religion is a private matter which the citizen should be left free to decide for himself. On the contrary, it has always sought to indoctrinate the British people with the kind of religious ideology which leads to a passive acceptance of capitalist society and of the existing form of political power. This has been done mainly through the privileged position conferred on the Church of England in relation to the State; and, to a lesser though very important extent, through the various benefits which have also been granted to the Roman Catholic and Free Churches. During recent years, when the foundations of British capitalist society have been growing more insecure, the State has become increasingly active in promoting religious propaganda, especially through the B.B.C. and the schools.

A remarkably frank statement on the importance of teaching the right kind of religion in the schools was made in a pamphlet published by the Conservative Party during the war. Dealing with the "religious factor in education" they declared that: "Religion in the United Kingdom needs to be conceived, politically and administratively, in general terms as a basic and vital element in the national life, to be deliberately encouraged and fostered." And they went on to show that the kind of religion they wanted is one that will help to strengthen the existing State:

"The moral teaching inspired by religion in this country varies greatly in its content and character as well as in its effectiveness, and may at times even imply a threat to the State's very existence. Religious pacifism, for instance, weakens the power of the community to resist aggression. We question, very seriously, whether the State is fulfilling its own moral purpose if it fails to require from all religious teachers, whom it admits to the schools, an undertaking that their teaching will 'render unto Caesar those things that are Caesar's'."<sup>1</sup>

<sup>1</sup> *First Interim Report of the Conservative Sub-Committee on Education*, published by the Conservative & Unionist Party Organisation, 1942, pp. 26, 32.

The Church of England as established by Henry VIII and his successors was never a popular church; and in the last days of the feudal State under Charles I his notorious Archbishop Laud made it so hated that in 1649, after the English Revolution, the victorious bourgeoisie deprived it of all its privileges and suppressed the bishops. This new religious freedom enabled all kinds of Puritan congregations to flourish, whose politics tended to be as radical as their religion. Consequently in 1660, just as the bourgeoisie found it advisable to bring back the monarchy and the House of Lords to keep the radicals in check, so they restored the Church of England to its former privileges, and subjected all other Protestants to the persecution of the Clarendon Code. The origin of the present establishment of the Church of England was therefore profoundly undemocratic.

Ever since then the leading figures of the Church, the two archbishops and the bishops, have exerted great influence in affairs of State through their close association with the Crown and their membership of the House of Lords. They have been chosen in the main from the ranks of the ruling class; 66 per cent of the bishops in 1953 had been educated in public boarding schools and 88 per cent at Oxford or Cambridge. Not infrequently in the nineteenth century, indeed, they ranged themselves alongside the most reactionary section of the House of Lords in opposing moderate democratic reforms. Thus in 1810 and again in 1813 a number of bishops formed part of the majority in the House of Lords which rejected a bill passed by the Commons to abolish the death penalty for stealing to the amount of five shillings in a shop. The majority of the bishops in the House of Lords voted against the repeal of the Combination Laws in 1825 and against the Reform Bill of 1831. As the working-class movement has grown to maturity the bishops have become more cautious and their approach more subtle. But the influence of the Church of England in ruling circles remains very great. It is largely responsible for the state of our divorce laws; and the Church has not hesitated to give its official blessing even to the manufacture and use of nuclear weapons.<sup>1</sup>

<sup>1</sup> The Archbishops' Commission on "The Church and the Atom" reported in 1948: "On the assumption that today the possession of atomic weapons is genuinely necessary for self-preservation, a government which is responsible for the safety of the community committed to its charge, is entitled to manufacture them and hold them in readiness. The Commission believes, moreover, that in certain circumstances defensive necessity might justify their use against an unscrupulous aggressor." And speaking in the debate in the House of Lords on March 16, 1955, on the government's decision to manufacture the hydrogen bomb, the Archbishop of York declared that "the possession of the bomb seems to me the one possibility of preserving peace in the years immediately ahead".

The giving of moral support to the existing ruling class is not an essential part of Christian doctrine. The spread of early Christianity was closely linked with the opposition of the peoples of the Near East to the decadent ruling classes in the cities and to the rule of the Roman Imperial State, and they were bitterly persecuted in consequence. Again, the religious ideas of the Dissenters formed an integral part of the revolutionary outlook of the bourgeoisie during the English Revolution—though unfortunately they have long since forgotten their rebel origins. And today there are many Christian Socialists who believe that the teaching of the New Testament is utterly distorted by the Church leaders, and that true Christianity can never be reconciled with the exploitation of man by man. But the main emphasis of the religious teaching of the Church of England has always been on the sins of individuals rather than on the wickedness of governments, and its influence has tended to discourage the people from engaging in active struggle for political power and fundamental change. As the child is taught to answer in the Catechism:

“My duty . . . is . . . To honour and obey the Queen, and all that are put in authority under her: To submit myself to all my governors, teachers, spiritual pastors and masters: To order myself lowly and reverently to all my betters: . . . Not to covet nor desire other men's goods: but to learn and labour truly to get mine own living, and to do my duty in that state of life, unto which it shall please God to call me.”

Although the influence of the Church of England remains important, the time is long past when the great majority of the population belonged to it. It was officially admitted in 1945 that only “from 10 to 15 per cent of the population are closely linked to some Christian Church”, that “25 to 30 per cent are sufficiently interested to attend a place of worship upon great occasions. . . . 45 to 50 per cent are indifferent to religion though more or less friendly disposed towards it”, and finally that between 10 and 15 per cent are actively hostile to the Christian Church.<sup>1</sup> Moreover, the active church-going minority of the population is divided into three fairly evenly balanced groups—Anglican, Free Church and Roman Catholic.

In face of these facts, the establishment of the Church of England as the officially recognised State Church, charged with the duty of

<sup>1</sup> *Towards the Conversion of England*, the Report of a Commission of 1945.



catering for the spiritual needs of the entire population, is surely one of the most outstandingly undemocratic features of the British State.

The "Establishment" means, on the one hand, that the Church is controlled by the State, and on the other, that the State confers special powers and privileges on the Church. The State exercises control over the Church in two main ways, which both give rise to remarkable anomalies. The Crown appoints the bishops and the deans of cathedrals on the nomination of the Prime Minister, and it appears that he normally consults the Archbishop of Canterbury before making any appointment. But he is not bound to do so and he might be a member of another church (as Neville Chamberlain was) or not be a Christian at all. The continuation of this arrangement is surely a supreme example of the triumph of sheer political expediency over principle. The same situation exists in relation to parliamentary control over doctrine. Any measures passed by the Church Assembly must be approved by both Houses of Parliament, which contain many members who do not belong to the Church of England and some who do not belong to any church at all. In 1927 and again in 1928 a majority of the House of Commons rejected the new Prayer Book, showing that parliamentary approval of measures passed by the Church Assembly is by no means automatic. Many members of the Church of England feel strongly that the time has come when the Church should be made free to run its own affairs in the interests of the religious needs of its members alone.

If State control is undemocratic for members of the Church, even more undemocratic are the special powers and privileges conferred on this minority Church. First and most important, the sovereign must be a member of the Church of England and must promise at his or her coronation to uphold its special position. The Church in return ceremoniously sanctifies the institution of monarchy and thereby confers its spiritual blessing on the State as a whole. Second, the Church of England is given a special place in the affairs of Parliament. Both Houses open their business each day with prayers led by an Anglican chaplain, and in the House of Lords the Church has its own official spokesmen consisting of the two archbishops, the three bishops of London, Durham and Winchester and twenty-one other bishops chosen by seniority. More generally, the Church of England, unlike any other church, has the right to conduct marriages in its churches without the presence of a registrar, and it plays a prominent part on many

national and local ceremonial occasions. Last, but not least, the Church is protected by the State in the possession of a very large amount of property, a considerable part of which was acquired in the days of feudalism when the entire population were members of the Church. It is hard to see what right it has to retain these ancient endowments; they were intended by our ancestors to be used for the common good, not for a special few.

These are the principal *exclusive* privileges of the Church of England.<sup>1</sup> But the official support for religion does not end there. The State confers many valuable benefits on the Church of England which are also conferred on other churches as well. The appointment of chaplains in the armed forces and exemption from certain forms of taxation are examples of these. Most important of all, the State grants extremely generous financial aid to schools belonging to the Roman Catholic Church as well as to those of the Church of England, and the educational work of the Free Churches also benefits from State assistance. Moreover, since the Education Act, 1944, religious teaching of an undenominational character forms part of the curriculum of all State schools and every school must begin the day with a collective act of worship. The motives of those who framed the Act of 1944 were clearly expressed in the Norwood Report on Curriculum and Examinations in Secondary Schools published in 1941:

"If there is little home teaching and scanty attendance at the services of the Churches, there remains in the educational system an influence which no boy or girl can escape, and which may establish a clearer vision in the future where now there is so much confusion" (p. 85).

And as we have seen in the preceding chapter on the B.B.C., religious broadcasting, in which all the main churches participate, absorbs a wholly disproportionate share of the B.B.C.'s total broadcasting time. It is apparent that, in the view of the powers that be, the full weight of the State apparatus must be used to promote the approved type of religious teaching at every opportunity.

<sup>1</sup> They do not extend to Scotland and Wales. The Church of Scotland (Presbyterian) is recognised as the official church north of the Border, but it is free from State control and possesses no exclusive privileges. The strong Nonconformist sentiments of the Welsh people led to the disestablishment of the Church of Wales in 1920; part of its endowments were handed over to the county councils and the University of Wales for educational purposes.

It is time to bring to an end this abuse of religion, which should no longer be used to perpetuate the political power of the capitalist class. The complete separation of Church and State would be the first step towards ending this abuse, and is a democratic reform which is long overdue.

## CHAPTER XIX

# CONCLUSION

WE saw in the first chapter that the social-democratic view that socialism can be introduced step by step within the existing political framework is based on the theory that the State is a neutral organisation, impartial in the conflict between capital and labour; so that any measure of nationalisation or of social reform, involving an expansion in the activities of the State, can be regarded as an advance towards socialism. The study of all the different organs of the State which we have made in this book shows that this theory is in contradiction with the facts, and that the machinery of the State has been shaped and developed by the capitalist class as an instrument to safeguard and promote the capitalist mode of production. The capitalist class has been compelled to make big concessions to the demands of the working people in the shape of social reforms and other measures. But it has never for one moment lost sight of the need to strengthen the State as the instrument of its rule. It was compelled to accept universal suffrage, but delayed its full application as long as possible, and has consistently followed the precept laid down by the far-sighted Robert Lowe in 1865, that he could fancy no employment more worthy of the philosopher or statesman than the invention of "safeguards against democracy". The liberalism of the industrial capitalists in the competitive stage of capitalism has long since disappeared, and almost every chapter of this book has contained evidence of the way in which the turn against democracy (analysed in Chapter II, section 5) has developed during the monopoly stage of capitalism. There has been the concentration of power in the hands of the leaders of the two major political parties, the decline in the role of the House of Commons, and the increasing power of the Cabinet and of the permanent civil service; the great expansion of the armed forces; the increasing influence of the secret police; the growth in the power of the Home Office over the ordinary police at the expense of the local police authorities; the passing of new laws restricting some of our traditional civil liberties; the continuing trend towards centralisation in the apparatus of the State and the serious decline in the independence of

the elected local authorities; the great development in the use made of the monarchy for propaganda purposes; and the concentration of the means of propaganda—press, broadcasting, television and cinema—into the hands of a very small number of powerful groups. All these developments reflect the over-riding determination of the monopoly capitalists to hold on to political power as long as they can and to make the State as reliable an instrument as possible for this purpose.

At the same time they do everything in their power to give the State the *appearance* of neutrality. And this superficial appearance, which is skilfully fostered by all the available means, including the monarchy, the civil service tradition of political impartiality, and the propaganda about the "Welfare State", deceives many people and gives rise to profound illusions which have held back the advance to socialism. This was clearly demonstrated by the record of the third Labour government (1945-51). The leading members of this government were deeply under the influence of the social-democratic theory about the neutrality of the State; quotations from the writings or speeches of four of the Labour Ministers were given in the first chapter—Lord Attlee, Mr. Morrison, Mr. Bevan and Mr. Strachey—and we may recall as a typical example the remark by Mr. Morrison that the State "is simply the expression of ourselves as a group trying to do things in a fair and orderly manner." Guided by this theory, the Labour Ministers were content to make use of the State machine largely in the form in which they inherited it from earlier Conservative governments. They placed complete reliance on the key personnel of the State—the heads of the armed forces, the police and secret police, the foreign and home civil service—who had been selected, trained and promoted under previous Conservative governments. The House of Commons continued to function almost exactly as it had always done in the past, and the Labour Cabinet remained just as independent of its supporters inside and outside the House of Commons as any Conservative or Liberal Cabinet had been. Moreover, when the Labour government did make changes, they actually made the State in some directions into a more effective instrument for the defence of the capitalist social order than it had been before. The armed forces were greatly expanded; the secret police became more powerful after the institution in 1948 of the purge of civil servants suspected of "Communist associations" (subsequently extended by Conservative governments in 1951 and 1957); the process of depriving the smaller boroughs of control over their police forces was carried a stage further; the

influence of the biggest and most powerful companies and banks over the State was increased through the generous representation accorded to them on the public boards set up to control the nationalised industries; and many of Labour's social reforms were carried out in such a way as to undermine still further the traditional independence of local government and to strengthen the trend towards centralisation and bureaucratic administration which had prevailed under previous Conservative governments.

The actions taken by the Labour government in relation to the State were part and parcel of the social-democratic policy it pursued throughout its period of office; it did not break the hold of the monopoly capitalists over the major part of Britain's economic resources, and it did not bring to an end the imperialist system of domination of colonial peoples.

Our study of all the organs of the State has shown that a government determined to create a planned socialist economy could never hope to achieve its aim by using the State apparatus in the form inherited from capitalist governments. We have seen that the various organs of the State are closely linked together, so that the armed forces, the police, the foreign and home civil service, and the legal system, as well as the Cabinet, form parts of a single whole through which the monopoly capitalists exercise political power. The working class cannot take this power out of the hands of the monopoly capitalists simply by means of a change in the political composition of the House of Commons and the Cabinet following an electoral victory in the country. It must carry through a fundamental transformation of the State into a socialist apparatus capable of directing and administering a planned economy and of overcoming any resistance there may be from the defeated monopoly capitalists.

We have made suggestions in the various chapters of this book regarding the kind of changes which will need to be made. The leading positions in the armed forces, the police, the civil service and the diplomatic service, as well as in the nationalised industries, will need to be filled by men and women who can be relied on to be loyal to a socialist government and in sympathy with its aims. All the various measures which limit the political rights of the rank and file in the State apparatus, especially in the armed forces and the police, and which are designed to keep them apart from the working-class movement and insulated from its ideas, need to be swept away.

The House of Commons, transformed into a real instrument of the

people's will through the election of a socialist majority, and freed from the restrictive influences of the House of Lords and the monarchy, will be able to carry through the necessary measures of socialist legislation. The existing rights to criticise the government in the House will need to be preserved and extended, and measures taken to enable the House to exercise effective control over the executive apparatus of the State and the nationalised industries. A fundamental reorganisation of local government will also be needed in order to fit the elected local authorities for the vital tasks they will have to perform in the building of a socialist society.

The essence of socialist democracy is that the working people take the running of society into their own hands and actively participate in the work of administration at all levels. Many new forms of socialist administration will undoubtedly be developed for this purpose. But changes in the machinery of government, however fundamental they may be, will never be sufficient in themselves. The existing organisations which the people have built up to fight for their interests—their political parties, as well as their trade unions, trades councils and co-operative organisations—will have an indispensable part to play in the running of a socialist society.

Many serious problems will inevitably arise during the advance to socialism. But Britain is a country whose working class in industry and agriculture make up the great majority of the population. It is also a highly organised working class with long traditions of struggle and great experience in the working of democratic institutions. There is therefore every ground for the confident belief that the British people, led by the working class, can build a socialist democracy which will in many ways be an advance on anything achieved in any other part of the world.

The building of a planned socialist society will mean that the British people will for the first time in their history begin to win freedom in the deepest sense of the word, because they will at last have achieved the power to shape and control the environment in which they live.

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