The full complexity of the economic consequences of conventional types of compulsion cannot be grasped without some knowledge of historical circumstances. In the era of the nineteenth century social reform there was genuine and growing concern for children who were deprived in all senses - not just in the area of education. All kinds of public policies were devised to discriminate in favour of these children, including measures to protect them from malnutrition, parental cruelty, poor housing, and inadequate clothing. Laws were so operated as to discipline irresponsible parents selectively. Since it was rarely suggested that the delinquent families were in the majority, these discriminatory measures were usually considered sufficient. Those parents who were coerced by the law to treat their children better - as in food and raiment - were in effect subject to compulsion but it was selective compulsion.

The case of education developed differently; here universal compulsion was applied. At first sight there seems no difference. Universally applicable laws, it will be argued, should not affect responsible families, since they will already be doing what the law wants them to do. Deeper investigation shows there was an important difference. In Britain just before universal compulsion (in the 1860s) there was a near-universal system of private fee-paying schools, and the majority of parents were using it. In 1870 it was thought necessary to complement this system with a few government schools ("board schools") in those areas where there was proved insufficiency. In 1880, universal compulsion was legislated. It was next argued that since the government could not force parents to do something they could not afford, schooling should be made "free." Free schooling should be available even to the majority of parents who were previously
paying for it as well as to the minority that the legislation was ostensibly aimed at. Free schooling required full subsidization. It was next argued that only the new government ("board") schools could fully qualify for such treatment. Private schools that were run for a profit should not be aided because this practice would subsidize profit-makers. (This anti-profit principle was incorporated into every piece of nineteenth-century legislation). Most of the remaining private schools were connected with the churches. It was argued that it would be wrong to treat these as favourably as the "board schools" because that would be using Catholic taxpayers' contributions to subsidize Protestant schools and vice-versa. The result was that the new "board schools" originally set up to complement a private system eventually superceded it. Many, if not most, of those who originally advocated compulsion were supporters of voluntary church schools. In the particular way in which compulsion was enacted (universal as distinct from selective compulsion) there were significant effects upon the majority of parents who did not need it. For them it became in effect compulsion to change from one school system to another. Since this new (collectivised) system was associated with a growing educationist bureaucracy and a protection-seeking teaching profession that was among the strongest of nineteenth-century agitators for universal compulsion, it is possible that universal compulsion eventually led to less total schooling in real terms, or in terms related to family preference, than would otherwise have resulted (bear in mind that education is a normal good, the supply of which would have increased "voluntarily" following the increases in income and population that actually occurred after 1880).

The argument that where schooling was made compulsory the government had an obligation to see to it that poor parents could pay the necessary fees goes back as far as the Report on the Handloom Weavers in 1841, which was largely written by Nassau Senior. It appears on page 123: "It is equally obvious that if the State be bound to require the parent to educate his child, it is bound to see that he has the means to do so." In his Principles published seven years later, John Stuart Mill similarly argued:

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1 *Parliamentary Papers*, 1841, Vol. X.
It is therefore an allowable exercise of the powers of government to impose on parents the legal obligation of giving elementary instruction to children. This, however, cannot fairly, be done, without taking measures to insure that such instruction shall always be accessible to them either gratuitously or at a trifling expense.

Mill’s basic case for the establishment of compulsion rested on his belief that the voluntary principle had failed to supply sufficient instruction.

…I shall merely express my conviction that even in quantity it is (in 1848) and is likely to remain altogether insufficient.

Notice that this was not an appeal to systematic evidence. National data were not available until the 1851 Census Report on Education in England and Wales. This revealed in fact over two million day scholars. Mill was arguing from impressionism, from a “conviction.” He had a very firm opinion that “the uncultivated can not be competent judges of cultivation.” The voluntary principle failed because “. . . the end not being desired, the means will not be provided at all . . .”

If Mill and his supporters had been more willing to have their views efficiently tested by the evidence, they might not have been so hasty in recommending universal compulsion. Careful reflection would have shown that it was difficult to distinguish between parental “negligence” and parental indigence. Countless observers in the nineteenth century condemned parents for their irresponsibility, and then, after compulsion was established, urged that the fees should be abolished to enable them to overcome their poverty. The only sure way to disentangle these issues is to subsidize the fees first; only then, after a suitable time lag, will the real preferences of parents reveal themselves. Furthermore, one should add to the total amount available for subsidy the funds that would otherwise be spent on policing a compulsory system.

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3 Ibid., p. 955.  
4 Ibid., p. 953.
Hitherto historians of education have been unanimous that the evidence shows that compulsion did significantly increase attendance in the twenty or thirty years after the legislation. Their argument is inadequate for four reasons. The first relates to the point just made. Among the other things that happened in addition to compulsion was the steady reduction of fees. This reduction works in the direction of expanding the demand for schooling (provided that the subsidies do not come entirely from extra taxes on the beneficiaries). Second, the per capita national income was increasing during those years. This means that, provided education was a normal good (with a positive income elasticity of demand) the voluntary demand for it even as a consumption good would have increased anyway. It is true that the opportunity costs of schooling (forgone earnings) would have increased and this would have worked in the opposite direction. Still other forces were pushing in favour of expansion, however. There was, for instance, a secular decline in loan interest, a circumstance that tends to increase the incentive to invest in more schooling. Again the secular fall in the death rate must have had a similar influence.

Third, there was a steady expansion of population. Growth of voluntary attendance in absolute terms would have occurred for this reason alone. (Several historians do acknowledge this point). Fourth, many observers have quoted figures of increased enrollment following compulsion at public (“board”) schools. Much of this increase, however, was the result of a switching from private schools. The switching occurred because the public schools were increasingly forcing others out of the market by subsidised fees.

In their regression analysis of nineteenth-century compulsory legislation in the U.S., Landes and Solmon found (1972) that in 1880 the average level of schooling was greater in states with compulsory laws than in states without them when other independent variables, such as state income, the number of foreign immigrants, population density, etc., were held constant. But they emphasised that it was not possible to conclude from

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5 i.e., sales volume rises with disposable income. Example: entertainment and travel. Example of zero
this that compulsory legislation was the cause of higher levels of schooling. The possibility remained that differences in schooling between states with and without compulsory laws pre-dated these laws. Further investigation revealed that this in fact was the case. They concluded that school legislation was definitely not the cause of higher schooling levels:

Instead these laws appear to have merely formalized what was already an observed fact; namely, that the vast majority of school age persons had already been obtaining a level of schooling equal to or greater than what was to be later specified by statute.

In Britain the nineteenth-century data are less accessible and more fragmented. Compulsion was initiated by thousands of local school boards when they were set up after 1870. One has the strong immediate impression that in the short run there was some significant influence. But there were different circumstances in Britain and the U.S. In many parts of America universal free schooling was established before compulsion. For instance in New York State the Free Schools Act finally abolished fees (parental rate bills) in 1867. The New York Education Act establishing compulsion was passed seven years later. In Britain compulsion came first and the trend towards heavily subsidized fees and eventually zero prices came after. The causal connection between compulsion and enrollment is therefore more difficult to elicit in the British case, because the move towards free schooling could have been a strong influence in expanding enrolments. A stronger apparent effect of the compulsory legislation in Britain might therefore be explained in these terms.

Our analysis so far has assumed that compulsion is fully enforced. In practice enforcement is a variable; its success is proportional to the resources devoted to it. After the nineteenth-century legislation, truancy did not cease completely; and it has not done so to this day. Indeed in New York, it was reported in 1970 that the Board of Education

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income elasticity of demand might be common salt.- *Ed.*

6 *Ibid.*, Section IV
"can no longer enforce" the state's compulsory schooling law "because of the high rate of truancy." Minimum school laws impose an expected penalty depending on the probability of being caught and the probability of legal proceedings. This cost will vary in subjective terms depending on personal disutility from non-compliance and on risk aversion. If "too much" compulsion is enforced there is the danger of large scale parental "rebellion," and the law is brought into disrepute.

In a paper read before the British Association in the 1970s a Professor Jack questioned the wisdom of the authorities in Birmingham in being so proud of their above-average attendance increases. These were obtained, he said, with especially stringent enforcement measures. Whereas the average attendance increase in Glasgow, after compulsion was adopted in that city, was 25 per cent per annum, with prosecutions of one in 20,000 of the population, the average increase in Birmingham was 31 per cent and the prosecutions one in 200.

Joseph Chamberlain, retorted that Birmingham was not being tougher than Glasgow. In Scotland, although there were fewer convictions, the penalties were more severe. The actual amount of the Glasgow penalty was in many cases 40 shillings, whereas the maximum penalty in England was five shillings. The fear of the heavier Scotch penalty was an even bigger deterrent.

More interesting in Chamberlain's reply is his argument that the biggest cause of increased attendance in Birmingham was the drastic reduction in school fees. The Birmingham school board was exceptional in these reductions. It had lowered fees in many cases to one penny whereas the typical board school fee was three pennies. Chamberlain discovered (in economist's jargon) an elasticity of demand for education that was greater than unity:

As regards the boys' and girls' schools in which the penny fee has been adopted, the result has been very remarkable, and to some of us, at all events, very

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satisfactory. Wherever the fees have been reduced, the total amount of fees received in a given period after the reduction has exceeded the total amount of fees received .... in other words, the reduction of fees in every case has trebled the attendance.... I can only say that my experience since I have sat upon this board confirms me in the opinion that if we could have universal free schools in England, as they exist in America, France, Sweden, Norway, Denmark and many other countries, we should reduce the necessity of compulsion to a minimum, even if we did not do away with it altogether.8

The findings of Landes and Solmon that school legislation in the U.S. did not cause higher schooling levels in the nineteenth century leave us with an obvious problem. Why was such an elaborate administration for universal compulsion set up if its achievements were so small? The modern branch of positive economics known as "the economics of politics" may give some insight. It will be helpful to consider first another example of "individual failure": inadequate feeding or individual malnutrition.9

Suppose that two people out of a community of one thousand cannot be trusted to feed themselves or their children adequately and that such irresponsibility is regarded as a social detriment. What is the most viable policy for a politician whose behavior is attuned to vote maximization? If a universal degree of compulsion is to be established, this could involve substantial policing costs including the costs of inspecting and checking not only the eating habits of the two delinquents but also those of the remaining 998. Compare this situation with one wherein, say, about 450 out of the 1,000 are likely to be delinquents. At first sight it may appear that the case for universal (as distinct from selective) compulsion is less substantial in the first situation with two "delinquents" than in the second with 450. When political considerations enter, however, the position appears more complex. Making nearly half of the electorate do something

8 Joseph Chamberlain, "Six Years of Educational Work in Birmingham," an address delivered to the Birmingham School Board, November 2, 1876, pp. 19-20.
9 The following illustration and parts of the subsequent argument are taken from my Economical Education and the Politician. Institute of Econ. Affairs, Hobart Paper 42, London, 1968. This work develops the argument especially in the context of the forthcoming raising of annual leaving age in Britain.
they have no wish to do is clearly a policy that stands to lose more votes than one that coerces only two people.

The result seems paradoxical. Other things being equal, compulsion is more "profitable" to the government the smaller the minority to be compelled. Yet the needs of the children of a small minority of "irresponsible" parents may be met more efficiently if the paternalistic powers of government were concentrated on them, and not diffused over wide areas where they are not needed. Ideally, compulsion should be selective and not universal. Where universal compulsion is too readily applied, the authorities may shelter themselves too comfortably from pressures to improve facilities. Where there is no compulsion to stay on at school in the sixteenth or seventeenth year, the suppliers of formal "education" (the schools) are in competition with informal but efficient alternative forms of education such as apprenticeships and learning on the job. The obligation constantly to "lure" young people into additional schooling puts constant pressure upon schools and teachers to be imaginative and efficient. Conversely, the protectionist instinct of schools leads them into alliance with governments to support compulsion. This hypothesis was previously put forward in an article in 1967, where it was concluded that in the U.S. context:

Especially since public money was distributed to the schools and their staffs in proportion to the numbers in attendance, we should expect that the kind of agitation that would next have been undertaken (after fees had been successfully abolished) by the income maximizing teachers, managers and the officials, especially those of average or less than average ability, would have been a campaign for an education that was compulsory by statute.11

The historical evidence in America supported the hypothesis:

11 Ibid., p. 124
Serious agitation for compulsory attendance by bureau officials and teachers built up very soon after the success of the free school campaign of 1867.\footnote{Ibid., p. 124.}

Landes and Solmon now conclude that their findings are also consistent with this sort of explanation:

On the demand side, two forces would be at work to increase the demand for compulsory legislation. First teachers and school officials are likely to favour and promote legislation that compels persons to purchase their product; namely schooling. As enrolment and attendance rates rise and the length of the school year increases, the number of teachers and school officials also increases. Along with a growth in their number, we expect an increase in their power to influence legislators to support a compulsory law. On the supply side ... with a growth of schooling levels, the number of parents opposed to the enactment of the law would obviously decline.\footnote{W. M. Landes and L. C. Solmon, "Compulsory Schooling Legislation: An economic Analysis of the Law and Social Change in the Nineteenth Century." \textit{Journal of Economic History}, March 1972.}

There is similar evidence in English history. Almost without exception the nineteenth century government inspectors wanted compulsion.\footnote{See especially the annual reports to the Education Department of W. J. Kennedy (1872), Mr. Waddington (1872), Mr. Bowstead (1871), Rev. F. Watkins (1872), Rev. F. F. Cornish (1882), J. G. Fitch (1882), G. H. Gordon (1882).} Matthew Arnold, school inspector for the Metropolitan District of Westminster seems at first sight to have been an exception. In 1867 he thought compulsion was not appropriate to England. "In Prussia, which is so often quoted, education is not flourishing because it is compulsory, It is compulsory because it is flourishing.... When instruction is valued in this country as it is in Germany it may be made obligatory here. . . ."\footnote{Matthew Arnold's Report for 1867.} This objection obviously related only to the question of timing; compulsion should be established when everybody, or nearly everybody, prized culture so much that voluntary instruction would be universal. The question why the "means" of universal compulsion should be applied after the "ends" had already largely been obtained was not raised by Arnold. It was in the interests of
his fellow inspectors and his department that it was not. But despite his doubts about direct compulsion Arnold was a strong advocate of indirect compulsion. This, in 1867, was the better expedient:

The persevering extension of provisions for the schooling of all children employed in any kind of labour is probably the best and most practicable way of making education obligatory that we can at present take.16

Along with the Inspectorate and the Education Department, the proprietors of schools also advocated compulsion. While the voluntary school managers objected to the setting up of board schools that were able to compete unfairly, they were not opposed to the setting up of school boards where this was done (as the act allowed) to organise compulsion and finance to help the poor pay the voluntary school fees. Mr. Bowstead in his report testified to this attitude:

It by no means follows that, if once such a supply of voluntary schools were secured, the same objections would continue to be raised to the establishment of school boards. On the contrary there is among school managers, both lay and clerical, a very strong desire to be armed with the powers conferred upon school boards by the recent statute.17

If compulsion does cause (or prolong) lethargy among monopoly suppliers of schooling, the reform will be perverse. This point was grasped a century ago in America. When, in 1871, the school suppliers of education in New York State were lamenting their loss of income because of "early leaving," the superintendent remonstrated:

It is palpable that the prominent defect, that calls for speedy reformation, is not incomplete attendance, but poor teaching…. I speak of the needed improvement in the particular mentioned, in comparison with compulsion, as a means of securing attendance; and I contend, that, before sending out ministers of the law to force children to school, we should place genuine teachers in the school room to attract them ... the

16 Op. Cit
17 Mr. Bowstead's General Report for 1871
improvement in question should be made before resorting to the doubtful experiment of compulsion. It cannot be done suddenly by legislation.\footnote{18 Annual Report of the New York Superintendent of Public Instruction, 1871.}

The superintendent’s proposal however was defeated. The influence of the teachers’ political lobby was already too strong for him.

It is consistent with the hypothesis of political "profit (vote) maximising" that politicians under pressure from, or in alliance with, the factor supply interest groups, will have an incentive to make the electorate believe that the problem of delinquency is greater than it really is. One way of fostering this illusion is to make each parent think that, in confidence, compulsion is not intended for his particular children; for this would indeed be a reflection on the parent in question and the politician does not want to alienate him. The politician will be on better ground if he suggests that compulsion is perhaps really needed for some of his (unspecified) neighbours who are less obviously reliable. Indeed it is possible that in such a way the more compulsion that is established the more the "good" individual families may believe that "bad" families exist. By such a process, the status of the politician grows in proportion as that of “the average parent” deteriorates.

The supposed "need" to raise the compulsory leaving age in Britain affords an interesting example. For an objective observer the key information is the precise number of actual "delinquents" who would fail to stay on voluntarily. Conventional questionnaires often yield information on this that is too superficial. The measure of the parental demand for education should relate to efficient education. A measure that expresses the willingness to stick with inefficient surroundings is a quite different and inadequate one. All British observers, including the politicians, have admitted in the last ten years that schools have been overstretched, buildings substandard, and teachers too few. The true numbers "who wish to stay on" cannot adequately be assessed until they have been given effective opportunities, and time, to decline the offer of efficient and available facilities. As the Crowther Report put it in 1959:
... good educational facilities, once provided, are not left unused; they discover or create a demand that public opinion in the past has been slow to believe existed .... many boys and girls are at present deprived of educational facilities which they would use well and which they are legally entitled to receive.  

Since 1959 the demand for schooling has been increasing in proportion to the supply of facilities. In these circumstances it is certainly not easy to say to what extent "compulsion" is a necessary additional stimulus to the provision of good facilities. We cannot know with any accuracy until those facilities are provided. Meanwhile, emphasis upon compulsion may be "politically expedient," but to the citizen it may well be dangerous in that it may involve a wrong definition of the problem.

So far we have employed positive economics; this proceeds by prediction and the testing of hypotheses with the facts. Normative economics, to which we now turn, is concerned with what "ought to be" rather than with what is. Traditional normative analysis has been rooted in the welfare economics of Pareto, which assumes that each individual is to count and that each is the best judge of his own interest. A Pareto optimum point is one where any change will harm at least one person in society. A Pareto optimum move is one that benefits at least one person and harms nobody.

In one sense if we take the family to be the basic unit, and if the new laws are to "bite," the establishment of compulsion will not pass the Pareto criteria because it will injure some individuals; it will not be a Pareto move. It is possible, however, to achieve a given level of schooling without injury if simultaneous compensation is paid. If compulsion is accompanied by the introduction of "free" education, the financial benefit of the reduced education costs to the family may provide this compensation. The family could rationally vote for such a move (although there is still considerable fiscal illusion concerning which taxpayers pay for what). The direct expenses of schooling (the fees) are not the only costs, however. In some cases, indirect costs, notably in the shape of the loss of foregone earnings, will be critical. While the social benefits are positive, the

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private benefits may be negative. With reference to low achievers, W. Hansen, B. A. Weisbrod, and W. Scanlon have concluded, "They are unlikely to benefit financially unless an attempt is made to insure that they offer valuable opportunities, such as training programs, to enhance their earning power." In all these cases it will be necessary to compensate the family not only with schooling subsidies (or vouchers) but also with income replenishments. It should be emphasized that where compulsion is accompanied by appropriate compensation it no longer has the implications of strong coercion. Where income supplements are given to encourage schooling, the function of compulsion is similar to the "compulsion" implied in any contract to deliver goods or to provide specific services.

If there is a genuine redistribution, that is if the beneficiaries are receiving "subsidies" that are not financed through taxes upon themselves, normative welfare economics must explore the possible motives of those in society who voluntarily vote to have funds transferred away from them for the schooling of others. One common explanation is that the consumption of schooling by one person in Group A enters measurably into the utility of those persons making up Group B. In other words there are interdependent utility functions. Another explanation is that education provides external benefits to Group B. These externalities, however, are never specified very precisely, and there is a dearth of supporting evidence. Usually writers confine themselves to a presumption that they exist and give one or two possible illustrations. The most popular example is that an "educated" child will be more law-abiding. This assumption has been examined empirically elsewhere, and it has been shown that the evidence does not support it. In any case the idea has always seemed ambiguous. If a member of a neighbouring family invades or damages my property, I normally look to the law for compensation. It is held in the present instance, however, that I should compensate the potential trespassers with

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school subsidies in the hope that this will reduce the probability of their damaging me. This seems a curious external benefit.

Instead of naked coercion, let us now examine the "constitutional approach." Each individual is treated as a choice maker in his selection from basic sets of legal frameworks. Every individual is now a decision-maker not only in the market place and at the ballot-box but also in the setting up of the basic constitution which lays down the ground rules within the chosen democratic system. Imagine a new community settlement of young immigrant adults where no children have yet been born and no constitution has yet been laid down. Each adult will now have to consider not only his future private utility of having children but also the potential disutility from the "undesirable" behavior or appearance of the neighbour's children. Since the neighbour will be in the reverse position (fearing the potential disutility from one's own children) a constitutional rule may be agreed to, laying down the conditions in which the "privileges of parenthood" shall be conferred. One of these conditions will be that each parent will supply a given minimum of education, food, clothing, and so on, from his own resources. If society depends exclusively on these conditions to protect children and to provide sufficient external benefits, then no subsidies, income transfers, or price reductions will be necessary for any of the goods and services mentioned. Because of the anticipated legal responsibilities, adults will be discouraged from marriage or parenthood until they can afford to bring their children up in conformity with the minimum constitutional standards. Pareto's "optimality" will now be achieved by a preliminary and unanimous agreement to abide by the chosen democratic rules. Compulsion will still be a principle in schooling, but it will be compulsion of parents to purchase schooling, like other necessities, in the up-bringing of their children. Schooling will be positively priced.

The community could of course also choose to have a "second line of defence" in the form of occasional subsidies or income transfers to meet the needs of marginal (insurance-type) cases, such as those where families become suddenly destitute. Clearly
we have now isolated two polar cases. The first is the circumstance of constitutional compulsion where the adult is previously contracted to full responsibility for prerequisite levels of consumption of externality-generating goods. The second is the opposite where the community accepts full responsibility and supplies these goods free of charge together with compensatory income transfers where necessary. In the second case, "compulsion" is of an emasculated kind.

Does this "constitutional explanation" hold good? Conceptually there is a problem of infinite regress - of knowing which individual preferences to respect: those at the constitutional stage or those where the individual wants to rebel at some subsequent period. Again in the real world we observe piecemeal plans and a combination of devices. While families are expected to clothe their children adequately, children's apparel is not, as is schooling, made free to all; neither are there (with respect to clothing) any universally compulsory laws fully equivalent to those related to schooling. True, there are "child abuse" laws requiring minimum standards of consumption of food and clothing. As distinct from the way schooling is customarily provided, however, no financial benefits exist to supplement the operation of these laws directly although welfare or child assistance subsidies probably have that effect. Nor are there specific subsidies for the housing of children. Parents expect that they have to face obligations to purchase food for their offspring at positive prices. School lunches are often subsidised, it is true, but rarely are they so fully subsidised as to allow consumers to enjoy zero prices. School lunches, moreover, are not subsidised on non-school days. It is evident that some rough conformity with the polar cases or normative welfare principles previously outlined does appear here and there. The principles upon which mixtures of these cases appear are, however, quite obscure.

We come back to the fact that the real world contains far from "perfect" political processes. This being so, the constitutional dimension of our problem merges once more with the economics of politics or in this case "imperfect" politics. Vote-gaining behaviour in an oligopolistic political structure could well be of significant explanatory value. An
extension of compulsion may improve the image of a political party even though few individual families suffer disutility. By anticipating future national income increases, a government may announce plans for raising the compulsory school period years ahead. In doing so, it need antagonize very few, since, to repeat, compulsion may simply underline what most people would do anyway.

We have to return to the 1870s in England to discover the circumstances in which these important issues were openly confronted. Helena Fawcett and her husband, Henry Fawcett, Professor of Political Economy at Cambridge, both represented what we have called the constitutional view. They both strongly urged compulsion but threw down the challenge that if schooling was to be made free, so too should food and clothing. If free schooling was to be adopted, they insisted, it should be openly acknowledged to be another form of relief; and the danger should be faced that, like free food and clothing, free schooling would eventually pauperise the whole community. Sir Charles Dilke, spokesman for the "non-constitutionalists" in the Birmingham League (the pressure group for compulsory, free and non-sectarian schooling), took strong objection. Helena Fawcett's reasoning, he argued, was the "reductio ad absurdum of some of the oldest principles of science to degrade the people in order to maintain an economic theory." The analogy between free schooling and free food was a false one, Dilke said. Intervention to save a child from starvation was a justifiable protection of an individual - protection of an individual member of society who was incapable of protecting himself. Free and compulsory schooling, on the other hand, was justifiable because it protected the society. "The state suffers by crime and outrage, the results of ignorance. It interferes, therefore, to protect itself." This identification of the poor sections of society with the criminal class was widespread among the Victorian gentility. Dilke and his associates in the Birmingham League did not consider for one moment the possibility that they also

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23 He was Alfred Marshall's predecessor in the Cambridge chair.
24 Sir Charles Dilke, Report of the Third Annual Meeting of the National Educational League held in Birmingham, October 17th and 18th 1871.
25 ibid.
In addition to the crime reduction argument, free and compulsory schooling was connected with the need for national defence. As Dilke put it:

...education comes far nearer to drill than it does to clothes. Drill, or compulsory service of all citizens in time of emergency, may become a state necessity.

The military success of Prussia against France in 1870 was clearly uppermost in their minds. Jesse Collins, the secretary of the Birmingham League, echoed Dilke's sentiments:

... the policy of the country on critical occasions, involving war or any other calamity, has to be determined by the people, and it is of the greatest national importance that they should be fitted by education to exercise an intelligent judgement on any subject submitted to their decision .... all are taxed for the maintenance of the army, navy, and police, because all share in the benefits these institutions are supposed to afford, and would have to share in the loss and inconvenience resulting from their non-existence; and by the same rule all should be taxed for the support of schools because all share in the increased wealth, security, and general advantages resulting from the education of the people, and have also to share the expense and danger of crime and other results of ignorance.

The argument so far, however, had not really destroyed the analogy of schooling with food and clothing. A half-starved, half-clad population would be just as useless in defence as a half-educated one. Joseph Chamberlain added another argument that seemed more consistent. Food was a necessity for existence, but schooling was not a necessity at all:

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26 Dilke's arguments were repeated especially by Joseph Chamberlain, Jesse Collins, and Edwin Chadwick.
27 Ibid., p. 157.
28 Jesse Collins, Remarks on the Establishment of Common Schools in England, 1872
Human nature, which was almost perpetually hungry, might be trusted to supply itself with the elements of bare existence; but human nature could not be trusted to supply itself with instruction, of which a great many human beings had, unfortunately, a very low opinion.

One missing element in Chamberlain’s theory was attention to the problem of how such an "irresponsible" population could be relied upon to vote for politicians like himself who wanted to regiment them, now that democracy had largely arrived (with 1867 enfranchisement). It was not just a question of "educating our masters"; there was the problem of politically persuading the "masters" to elect their mentors. Chamberlain imputed irresponsibility to "a great many human beings." A great many more, indeed the majority of families, had proved that they did have a high opinion of schooling. In 1869 most parents were buying it directly, most families were already sending their children to school without being compelled, most school leavers were literate, and most of “our masters,” in other words, were already being educated of their own free will. The argument for compulsion applied at most to only a small minority of families.

But the Birmingham League supporters meant something more in their arguments. The "human nature" that "would not be trusted to supply itself with instruction" was really at fault because it could not supply itself with the right sort of instruction. It had allowed itself to be given a schooling that was connected with religious organizations - especially of Anglican persuasion. The Birmingham League was an expression of the newer secular nationalism of the nineteenth century. It included many whom the twentieth century could now describe as "false optimists." The system of compulsion they had in mind included compelling people to change from sectarian to secular (or non-sectarian) schools. They knew that this could not be accomplished by direct means; other groups had to be reckoned with - High Tories, for instance, believed that only a school controlled by the established church could be effective in improving morality and

29 Joseph Chamberlain, “Free Schools” address to the Birmingham School Board, June 18th, 1875.
decreasing crime. The methods adopted by the league involved the strategic use of the new "board schools", that were established by the Education Act of 1870 to fill gaps in the voluntary system of denominational and other private schools. Soon after 1870 these new institutions, which were largely non-sectarian if not secular, were beginning to price many of the church schools out of the field. This was a consequence of the board schools’ ability to draw heavily upon the "rates" (local property taxes) and so survive and win any competition. Church schools, the league argued, should not be supported by the "rates," because that would involve the objectionable practice of subsidizing religions. People should pay for their religious instruction separately.

In 1875, the Reverend F. S. Dale spoke up against the campaign of the Birmingham League for universally free schools. He did not oppose the selective remission of burdens upon the poor but complained that the league’s desire for universally free schooling (in the new board schools) was a desire to undermine the 1870 Education Act and destroy existing schools. “Free schools were part of yet a greater scheme, when the Church of England should be thrown over. Jesse Collins, in behalf of the league, made the following candid reply (here in reported speech):

With regard to Mr. F. S. Dale’s assertion that the free system would close the voluntary schools-denominational schools was the best name-he quite admitted, and he thought they ought not to deny, that, in so far as they were sectarian institutions, or remained for sectarian purposes, the free system would kill them. It was the pure Darwinian theory-the fittest only would survive. If education was the object, then the free scheme got them out of all their difficulties, because they could not deny that by the free system under the school board a better education

30 Most people still find these facts surprising. Yet they are facts; and they have been obscured by years of "official" and “quasi-official” histories of education. See E. G. West, Education and the State, 2nd ed. 1970. Also Education and Industrial Revolution, Batsford, London.
31 Meeting of the Birmingham School Board, June 18th, 1875.
would be given than could possibly be given by the voluntary schools, on account of their precarious income.

Edwin Chadwick also supported compulsory attendance provided it was at the right (i.e., the "nationalised") schools. He complained that the small sectarian schools did not provide the appropriate secular curriculum: "The experience is now accumulating of the great disadvantages of the small separate schools." In the large schools subsidized or established or controlled by governments there were the "superior" attractions of "gymnastic exercises, the drill, elementary drawing, music, military fetes and parades, to which the small sectarian could not obtain."

Clearly this survey has brought the special circumstances of politics well into the picture. From simple normative economics it is conceivable that the public might vote to live under a constitution that provides compulsory, free, and secular schools that are primarily designed to insure military protection and domestic order. Each individual will then express his own preferences ex ante. It is arguable that, ex post, compulsion could thus be reconciled with the tradition of respect for individual preference that the welfare economics of Pareto endorses. The most elementary reference to the historical record encourages doubt whether there was anything like a popularly articulated preference for the system that evolved. The positive economics of politics (especially the politics of pressure groups) seems to explain more than the normative economics of voluntary constitutions.

It has been shown that historically compulsion in Britain was closely interrelated with the issue of "free" schooling. Both compulsion and free provision were introduced in such special ways as to suggest that the general public were more manipulated than consulted. There is in fact no known English record of direct consultation of individual families to discover their wishes in the late nineteenth century. There is such a record

32 Ibid. “The survival of the fittest” analogy was obscure; in the Darwinian scheme it was not a matter of subsidized animals surviving the non-subsidized, or the heavily subsidized surviving the weakly subsidised.

33 Edwin Chadwick, “National Education: A letter thereon to the Lord President of the Council,” 1870.
concerning their views as to the desirability of "free" education. This was contained in the intensive nineteenth century survey of education by the Newcastle Commission. It reported in 1861:

Almost all the evidence goes to show that though the offer of gratuitous education might be accepted by a certain proportion of the parents, it would in general be otherwise. The sentiment of independence is strong, and it is wounded by the offer of an absolutely gratuitous education.  

Such evidence was not good enough for Jesse Collins, the enthusiast and propagandist for America-type common schools, and secretary of the Birmingham League pressure group that eventually had such important influence. It will be fitting to conclude with the sentiments he expressed on the eve of the league's establishment:

It is frequently urged that the public mind is not yet ripe for such laws as free public schools would necessitate, and that it is unwise to legislate so much in advance of public opinion. The public mind is more easily led in a right direction than government sometimes wish it to be, and in this instance, if fairly tested would probably be found fully under the idea of a national system of compulsory, unsectarian education... and this reveals the necessity for the immediate formation of a society, national in its name and constitution, refusing all compromise, but adopting as its platform - national, secular (or unsectarian) education, compulsory as to rating and attendance, with state aid and inspection, and local management. The action of such a society would be similar to that of the Anti-Corn Law League, and its success as certain; by lectures, by writing, by agitation in every town, it would give direction and voice to the fresh and ever-increasing interest felt by the people in this matter.

35 Written in 1867, this passage is contained in Jesse Collins, Remarks on the Establishment of Common Schools in England. 1872, pages 46-47. The italics are in the original.
Barry Chiswick, op. cit.
Whether "fresh and ever-increasing interest" was eventually felt by the people has never been demonstrated. Certainly the politicians did find voters to support their programs of free and compulsory "education," but that is not necessarily the same thing. Compulsion in "education" can mean many things and can be applied in several ways and with a variety of consequences. The strongest nineteenth-century motivation behind the politically expressed "need" for compulsion in Britain was a desire to compel the majority to secularise their "education." To do this, compulsion had to be what we shall describe (for want of a better word) as "universal compulsion." This denotes an "ambitious," consciously decided, or comprehensive piece of legislation that is embodied in a statute about compulsion _per se_. We shall distinguish this from the type of compulsion that is usually implicit in ordinary child-abuse laws that attempt to deal with cases on a more _ad hoc_ basis. Such provision we have called "selective compulsion.”

"Selective" compulsion could certainly meet problems caused by a minority of delinquents or poor families; but this would not reduce the power of the church and the free choice of schools by the majority of parents. Reduced parental choice in fact, to repeat, was the consequence of "universal" compulsion because it was coupled with a policy of making the schools "free." Free choice was curtailed because only secular schools qualified to be "free."

"Selective" compulsion can be a constructive, proper, and humane provision in society. To many who support this idea, however, "universal" compulsion, as described above, will have indirect costs that are so severe as to outweigh the benefits. Modern political circumstances nevertheless seem unconducive to these sentiments. It may be, as Jesse Collins believed, that the "public mind" is more easily led than most people think. And this could be more likely after a hundred years of uniform "education" in compulsory public school.

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Branson, op. _cit._, argues this case.

G. Balfour, _The Educational Systems of Great Britain & Ireland_, Oxford 1898